

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2021

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PREFACE

The 2021 edition of Laws of the State of Maine is the official publication of the session laws of the State of Maine enacted by the 130th Legislature and is compiled and published under the authority of the Maine Revised Statutes, Title 3, section 163-A. Laws of the State of Maine has been in continuous publication since 1820, when the acts and resolves adopted by the First Legislature were published by the Secretary of State under the authority of Resolve 1820, chapter 25.

Volume 1 contains the public laws, private and special laws, resolves and constitutional resolutions enacted at the First Regular Session and the First Special Session of the 130th Legislature and includes the 2019 Revisor's Report, chapter 2 and a selection of significant addresses, joint resolutions and memorials.

Additional volumes of the 2021 Laws of the State of Maine will contain those measures adopted in the Second Regular Session and any other special session of the 130th Legislature.

The following conventions are used throughout the series.

1. At the top of each page is a heading that classifies each law by session of passage, year, type and chapter number.
2. A table of contents that locates major divisions and contents by page number is located at the beginning of each volume.
3. Subject indexes of the documents contained in these volumes, arranged alphabetically by subject heading with corresponding chapter numbers, are provided.
4. Session cross-reference tables are also provided showing how unallocated public laws and titles and sections of the Maine Revised Statutes of 1964 have been affected by the laws included in this publication.
5. Words and phrases deleted from the statutes are shown struck through. When an entire unit is repealed, the text that is repealed is not shown struck through, but its repeal is indicated by express language.
6. When new words or sections are added to the statutes, they are underlined.
7. A chaptered law's Legislative Document number is printed beneath its chapter number heading, indicating the source of the chapter.
8. The effective date for Maine laws is provided for in the Constitution of Maine, Article IV, Part Third, Section 16, which specifies that, except for certain emergency legislation, an act or resolve enacted into law takes effect 90 days after the adjournment of the session in which it passed. The general effective date of nonemergency laws passed at the First Regular Session of the 130th Legislature is June 29, 2021 and the general effective date of nonemergency laws passed at the First Special Session of the 130th Legislature is October 18, 2021. The effective dates of emergency legislation vary and are provided at the ends of the chapters that were enacted as emergencies.

Copies of a specific chaptered law may be obtained by contacting the Engrossing Division of this office. Laws of the State of Maine is also available online through the website of the Office of the Revisor of Statutes at <http://legislature.maine.gov/ros/LOM/LOMpdfDirectory.htm>.

This edition of Laws of the State of Maine and its predecessors have been prepared for the convenience of the people of the State of Maine, and any comments or suggestions for improvements in subsequent editions would be appreciated.

Edward A. Charbonneau
Revisor of Statutes
October 2021

LEGISLATIVE STATISTICS

FIRST REGULAR SESSION 130th Legislature

Convened	December 2, 2020
Adjourned	March 30, 2021
Days in Session	
Senate	4
House of Representatives	4
Legislative Documents	1347
Carryover Bills and Papers	*
Public Laws	41
Private and Special Laws	1
Resolves	9
Constitutional Resolutions	0
Competing Measure Resolutions	0
Initiated Bills	0
Vetoed	0
Overridden	0
Sustained	0
Emergency Enactments	22
Effective Date	June 29, 2021 (unless otherwise indicated)

*Pursuant to Joint Order 2021, S.P. 435, all matters before the First Regular Session of the 130th Legislature were held over to the First Special Session.

LEGISLATIVE STATISTICS

FIRST SPECIAL SESSION 130th Legislature

Convened	April 28, 2021
Adjourned	July 19, 2021
Days in Session	
Senate	15
House of Representatives	15
Legislative Documents	390
Carryover Bills and Papers	372
Public Laws	445
Private and Special Laws	11
Resolves	113
Constitutional Resolutions	1
Competing Measure Resolutions	0
Initiated Bills	0
Vetoed	21
Overridden	0
Sustained	21
Emergency Enactments	82
Effective Date	October 18, 2021 (unless otherwise indicated)

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OF THE
STATE OF MAINE
FOR THE POLITICAL YEARS 2021 AND 2022**

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Shenna Bellows

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PUBLIC LAWS OF THE STATE OF MAINE
AS PASSED AT
THE FIRST REGULAR SESSION OF THE
ONE HUNDRED AND THIRTIETH LEGISLATURE
2021

CHAPTER 1
H.P. 155 - L.D. 220

**An Act To Make Supplemental
Appropriations and Allocations
for the Expenditures of State
Government and To Change
Certain Provisions of the Law
Necessary to the Proper
Operations of State
Government for the Fiscal
Year Ending June 30, 2021**

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. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Accident - Sickness - Health Insurance 0455

Initiative: Reduces funding by freezing one vacant part-time Accountant I position. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$16,893)	\$0	\$0
GENERAL FUND	(\$16,893)	\$0	\$0
TOTAL			

Administration - Human Resources 0038

Initiative: Reduces funding by freezing one vacant HR Specialist position. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$78,637)	\$0	\$0
GENERAL FUND	(\$78,637)	\$0	\$0
TOTAL			

Administration - Human Resources 0038

Initiative: Reduces funding by freezing one vacant Office Associate II position. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$16,680)	\$0	\$0
GENERAL FUND	(\$16,680)	\$0	\$0
TOTAL			

Adult Use Marijuana Regulatory Coordination Fund Z264

Initiative: Reduces funding by freezing 3 vacant State Police Trooper positions, one vacant Liquor Tax Auditor position and one vacant Planning & Research Associate position. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$455,114)	\$0	\$0
GENERAL FUND	(\$455,114)	\$0	\$0
TOTAL			

Alcoholic Beverages - General Operation 0015

Initiative: Reduces funding to align with projected actual expenses for nonstate information technology services and consulting not encumbered in fiscal year 2020-21. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$159,833)	\$0	\$0
GENERAL FUND	(\$159,833)	\$0	\$0
TOTAL			

Buildings and Grounds Operations 0080

Initiative: Reduces funding by managing materials and supplies expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$280,000)	\$0	\$0

GENERAL FUND	(\$280,000)	\$0	\$0
TOTAL			

Buildings and Grounds Operations 0080

Initiative: Reduces funding to align with projected actual expenses for electricity costs. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$132,000)	\$0	\$0

GENERAL FUND	(\$132,000)	\$0	\$0
TOTAL			

Buildings and Grounds Operations 0080

Initiative: Reduces funding to align with projected actual expenses for fuel costs. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$113,000)	\$0	\$0

GENERAL FUND	(\$113,000)	\$0	\$0
TOTAL			

Bureau of General Services - Capital Construction and Improvement Reserve Fund 0883

Initiative: Reduces funding by deferring planned capital construction and improvements. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$31,060)	\$0	\$0

GENERAL FUND	(\$31,060)	\$0	\$0
TOTAL			

Bureau of General Services - Capital Construction and Improvement Reserve Fund 0883

Initiative: Provides funding for capital repair and construction at state facilities. Funds appropriated for this purpose do not lapse but must be carried forward in the next fiscal year for the same purpose.

GENERAL FUND	2020-21	2021-22	2022-23
Capital Expenditures	\$2,000,000	\$0	\$0

GENERAL FUND	\$2,000,000	\$0	\$0
TOTAL			

Capital Construction/Repairs/Improvements - Administration 0059

Initiative: Reduces funding by deferring planned capital construction and repairs. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$85,150)	\$0	\$0

GENERAL FUND	(\$85,150)	\$0	\$0
TOTAL			

Central Administrative Applications Z234

Initiative: Provides funding to support the implementation and ongoing maintenance costs associated with the new human resources management system.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$4,695,000	\$0	\$0

GENERAL FUND	\$4,695,000	\$0	\$0
TOTAL			

Debt Service - Government Facilities Authority 0893

Initiative: Reduces funding to align with projected actual expenses for debt service. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$1,231,849)	\$0	\$0

GENERAL FUND	(\$1,231,849)	\$0	\$0
TOTAL			

Information Services 0155

Initiative: Reduces funding to align with projected actual expenses for debt service. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$1,284,432)	\$0	\$0

GENERAL FUND	(\$1,284,432)	\$0	\$0
TOTAL			

Maine Board of Tax Appeals Z146

Initiative: Reduces funding to align with projected actual operating expenses. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$20,000)	\$0	\$0

GENERAL FUND	(\$20,000)	\$0	\$0
TOTAL			

Mandate BETE - Reimburse Municipalities Z065

Initiative: Reduces funding to align with projected actual expenses for reimbursements to municipalities for the cost to implement a state mandated program. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$1,910)	\$0	\$0

GENERAL FUND	(\$1,910)	\$0	\$0
TOTAL			

Office of the Commissioner - Administrative and Financial Services 0718

Initiative: Reduces funding to align with projected actual expenses for travel. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$600)	\$0	\$0
GENERAL FUND TOTAL	(\$600)	\$0	\$0

Revenue Services, Bureau of 0002

Initiative: Reduces funding to align with projected actual expenses for contracted consulting services. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$600,200)	\$0	\$0
GENERAL FUND TOTAL	(\$600,200)	\$0	\$0

Revenue Services, Bureau of 0002

Initiative: Reduces funding by managing contracted services expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$471,206)	\$0	\$0
GENERAL FUND TOTAL	(\$471,206)	\$0	\$0

Revenue Services, Bureau of 0002

Initiative: Reduces funding to align with projected actual expenses for debt retirement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$379,800)	\$0	\$0
GENERAL FUND TOTAL	(\$379,800)	\$0	\$0

Revenue Services, Bureau of 0002

Initiative: Reduces funding to align with projected actual expenses for contracted temporary staff. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$197,266)	\$0	\$0
GENERAL FUND TOTAL	(\$197,266)	\$0	\$0

Snow Grooming Property Tax Exemption Reimbursement Z024

Initiative: Reduces funding for reimbursements to municipalities for 50% of the property tax revenue lost as a result of the exemption for snow grooming equipment registered with the Department of Inland Fisheries and Wildlife. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23

All Other	(\$3,000)	\$0	\$0
GENERAL FUND TOTAL	(\$3,000)	\$0	\$0

State Controller - Office of the 0056

Initiative: Reduces funding by managing position vacancies within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$91,000)	\$0	\$0
GENERAL FUND TOTAL	(\$91,000)	\$0	\$0

Statewide Radio Network System 0112

Initiative: Reduces funding to align with projected actual expenses for debt service. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$2,275,421)	\$0	\$0
GENERAL FUND TOTAL	(\$2,275,421)	\$0	\$0

Waste Facility Tax Reimbursement 0907

Initiative: Reduces funding to align with projected actual expenses for reimbursement to municipalities for 50% of the loss on property tax revenue resulting from exemptions granted in the Maine Revised Statutes, Title 36, section 656, subsection 1, paragraph J. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$1,219)	\$0	\$0
GENERAL FUND TOTAL	(\$1,219)	\$0	\$0

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS

	2020-21	2021-22	2022-23
GENERAL FUND	(\$1,231,270)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$1,231,270)	\$0	\$0

Sec. A-2. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Bureau of Agriculture 0393

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$918,820)	\$0	\$0
GENERAL FUND TOTAL	(\$918,820)	\$0	\$0

Bureau of Agriculture 0393

Initiative: Reduces funding to reflect projected expenses for travel. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$19,477)	\$0	\$0
GENERAL FUND TOTAL	(\$19,477)	\$0	\$0

Division of Forest Protection Z232

Initiative: Reduces funding by allocating fire equipment maintenance to allowable federal funding sources for one time only and deferring planned maintenance of program facilities. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$138,160)	\$0	\$0
GENERAL FUND TOTAL	(\$138,160)	\$0	\$0

Division of Forest Protection Z232

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$2,811,952)	\$0	\$0
GENERAL FUND TOTAL	(\$2,811,952)	\$0	\$0

Division of Forest Protection Z232

Initiative: Reduces funding for 4 positions within the Bureau of Forestry by freezing positions. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$247,905)	\$0	\$0
GENERAL FUND TOTAL	(\$247,905)	\$0	\$0

Forest Resource Management Z233

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$643,175)	\$0	\$0
GENERAL FUND TOTAL	(\$643,175)	\$0	\$0

Forest Resource Management Z233

Initiative: Reduces funding by allocating fire equipment maintenance to allowable federal funding sources for one time only, deferring planned maintenance of program facilities and reducing program sponsorships. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$60,340)	\$0	\$0
GENERAL FUND TOTAL	(\$60,340)	\$0	\$0

Geology and Resource Information Z237

Initiative: Reduces funding to reflect projected actual expenses for travel related to meetings. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$2,000)	\$0	\$0
GENERAL FUND TOTAL	(\$2,000)	\$0	\$0

Land for Maine's Future Z162

Initiative: Reduces funding to reflect projected actual expenses for travel related to board meetings. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$1,300)	\$0	\$0
GENERAL FUND TOTAL	(\$1,300)	\$0	\$0

Maine Land Use Planning Commission Z236

Initiative: Reduces funding to reflect projected actual expenses for travel related to meetings. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$15,000)	\$0	\$0
GENERAL FUND TOTAL	(\$15,000)	\$0	\$0

Parks - General Operations Z221

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$3,167,422)	\$0	\$0
GENERAL FUND TOTAL	(\$3,167,422)	\$0	\$0

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF DEPARTMENT TOTALS

GENERAL FUND	2020-21	2021-22	2022-23
	(\$8,025,551)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$8,025,551)	\$0	\$0

Sec. A-3. Appropriations and allocations. The following appropriations and allocations are made.

ARTS COMMISSION, MAINE

Arts - Administration 0178

Initiative: Reduces funding by reducing grants provided to community projects. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$43,203)	\$0	\$0
GENERAL FUND TOTAL	(\$43,203)	\$0	\$0

Arts - Administration 0178

Initiative: Reduces funding by managing position vacancies within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$20,928)	\$0	\$0
GENERAL FUND TOTAL	(\$20,928)	\$0	\$0

Arts - Administration 0178

Initiative: Reduces funding to reflect projected actual expenses for travel. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$11,559)	\$0	\$0
GENERAL FUND TOTAL	(\$11,559)	\$0	\$0

ARTS COMMISSION, MAINE DEPARTMENT TOTALS

GENERAL FUND	2020-21	2021-22	2022-23
	(\$75,690)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$75,690)	\$0	\$0

Sec. A-4. Appropriations and allocations. The following appropriations and allocations are made.

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General 0310

Initiative: Reduces funding by freezing one vacant Deputy Attorney General position. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$112,865)	\$0	\$0
GENERAL FUND TOTAL	(\$112,865)	\$0	\$0

Administration - Attorney General 0310

Initiative: Reduces funding to reflect projected actual expenses by postponing desktop device refreshment. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$30,000)	\$0	\$0
GENERAL FUND TOTAL	(\$30,000)	\$0	\$0

Chief Medical Examiner - Office of 0412

Initiative: Reduces funding by freezing one vacant Planning & Research Associate I position. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$64,570)	\$0	\$0
GENERAL FUND TOTAL	(\$64,570)	\$0	\$0

Chief Medical Examiner - Office of 0412

Initiative: Reduces funding to reflect projected actual expenses by postponing desktop device refreshment. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$10,000)	\$0	\$0
GENERAL FUND TOTAL	(\$10,000)	\$0	\$0

Chief Medical Examiner - Office of 0412

Initiative: Reduces funding to reflect projected actual expenses for contract services by disencumbering a contract for autopsy services. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$5,000)	\$0	\$0
GENERAL FUND TOTAL	(\$5,000)	\$0	\$0

Chief Medical Examiner - Office of 0412

Initiative: Reduces funding to reflect projected actual expenses for in-state travel. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$3,500)	\$0	\$0
GENERAL FUND TOTAL	(\$3,500)	\$0	\$0

Chief Medical Examiner - Office of 0412

Initiative: Reduces funding to reflect projected actual expenses for cell phones. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$1,058)	\$0	\$0
GENERAL FUND TOTAL	(\$1,058)	\$0	\$0

Civil Rights 0039

Initiative: Reduces funding to reflect projected actual expenses for contract services related to a year-end event. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$25,000)	\$0	\$0
GENERAL FUND TOTAL	(\$25,000)	\$0	\$0

Civil Rights 0039

Initiative: Reduces funding to reflect projected actual expenses for space rental. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$7,500)	\$0	\$0
GENERAL FUND TOTAL	(\$7,500)	\$0	\$0

Civil Rights 0039

Initiative: Reduces funding to reflect projected actual expenses for in-state travel. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$3,400)	\$0	\$0

GENERAL FUND TOTAL	(\$3,400)	\$0	\$0
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ATTORNEY GENERAL, DEPARTMENT OF THE DEPARTMENT TOTALS

GENERAL FUND	2020-21	2021-22	2022-23
	(\$262,893)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$262,893)	\$0	\$0

Sec. A-5. Appropriations and allocations. The following appropriations and allocations are made.

AUDITOR, OFFICE OF THE STATE

Audit Bureau 0067

Initiative: Reduces funding by managing position vacancies within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$34,854)	\$0	\$0
GENERAL FUND TOTAL	(\$34,854)	\$0	\$0

Sec. A-6. Appropriations and allocations. The following appropriations and allocations are made.

COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE

Maine Community College System - Board of Trustees 0556

Initiative: Reduces funding by managing operating expenditures within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$745,850)	\$0	\$0
GENERAL FUND TOTAL	(\$745,850)	\$0	\$0

Sec. A-7. Appropriations and allocations. The following appropriations and allocations are made.

CORRECTIONS, DEPARTMENT OF

Administration - Corrections 0141

Initiative: Reduces funding by managing operational expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
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All Other	(\$201,600)	\$0	\$0
GENERAL FUND	(\$201,600)	\$0	\$0
TOTAL			

Adult Community Corrections 0124

Initiative: Reduces funding by managing operational expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$31,425)	\$0	\$0
GENERAL FUND	(\$31,425)	\$0	\$0
TOTAL			

Adult Community Corrections 0124

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$6,563,337)	\$0	\$0
GENERAL FUND	(\$6,563,337)	\$0	\$0
TOTAL			

Bolduc Correctional Facility Z155

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$3,010,773)	\$0	\$0
GENERAL FUND	(\$3,010,773)	\$0	\$0
TOTAL			

Correctional Center 0162

Initiative: Reduces funding by managing operational expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$256,854)	\$0	\$0
GENERAL FUND	(\$256,854)	\$0	\$0
TOTAL			

Correctional Center 0162

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States

Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$16,383,420)	\$0	\$0
GENERAL FUND	(\$16,383,420)	\$0	\$0
TOTAL			

Corrections Food Z177

Initiative: Reduces funding by managing food program expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$88,598)	\$0	\$0
GENERAL FUND	(\$88,598)	\$0	\$0
TOTAL			

Downeast Correctional Facility 0542

Initiative: Reduces funding by managing position vacancies within available funding. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$579,947)	\$0	\$0
GENERAL FUND	(\$579,947)	\$0	\$0
TOTAL			

Downeast Correctional Facility 0542

Initiative: Reduces funding to align with expected actual operational expenses. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$20,753)	\$0	\$0
GENERAL FUND	(\$20,753)	\$0	\$0
TOTAL			

Juvenile Community Corrections 0892

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$4,013,752)	\$0	\$0
GENERAL FUND	(\$4,013,752)	\$0	\$0
TOTAL			

Long Creek Youth Development Center 0163

Initiative: Reduces funding by managing operational expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$178,100)	\$0	\$0
GENERAL FUND	(\$178,100)	\$0	\$0
TOTAL			

Long Creek Youth Development Center 0163

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$9,626,752)	\$0	\$0
GENERAL FUND	(\$9,626,752)	\$0	\$0
TOTAL			

Mountain View Correctional Facility 0857

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$9,436,196)	\$0	\$0
GENERAL FUND	(\$9,436,196)	\$0	\$0
TOTAL			

State Prison 0144

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$18,901,372)	\$0	\$0
GENERAL FUND	(\$18,901,372)	\$0	\$0
TOTAL			

CORRECTIONS, DEPARTMENT OF DEPARTMENT TOTALS

	2020-21	2021-22	2022-23
GENERAL FUND	(\$69,292,879)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$69,292,879)	\$0	\$0

Sec. A-8. Appropriations and allocations. The following appropriations and allocations are made.

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Military Training and Operations 0108

Initiative: Reduces funding to reflect projected actual expenses for utility services to match available federal funding for facilities operations and maintenance activities within Appendix 21 of the Master Cooperative Agreement between the State and National Guard Bureau. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$103,000)	\$0	\$0
GENERAL FUND	(\$103,000)	\$0	\$0
TOTAL			

Military Training and Operations 0108

Initiative: Reduces funding by deferring planned architectural and engineering design services for cold storage buildings projects for military equipment. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$31,470)	\$0	\$0
GENERAL FUND	(\$31,470)	\$0	\$0
TOTAL			

Military Training and Operations 0108

Initiative: Reduces funding by deferring planned architectural and engineering design services for military and civilian vehicle parking lots projects. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$21,934)	\$0	\$0
GENERAL FUND	(\$21,934)	\$0	\$0
TOTAL			

Military Training and Operations 0108

Initiative: Reduces funding by managing operational expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$18,950)	\$0	\$0
GENERAL FUND	(\$18,950)	\$0	\$0
TOTAL			

Military Training and Operations 0108

Initiative: Reduces funding by managing statewide electrical service contract expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$10,000)	\$0	\$0
GENERAL FUND	(\$10,000)	\$0	\$0
TOTAL			

GENERAL FUND (\$10,000) \$0 \$0
TOTAL

Military Training and Operations 0108

Initiative: Reduces funding to reflect projected actual expenses for lawn care services in Lewiston, Skowhegan and Brewer Readiness Centers. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$3,000) \$0 \$0

GENERAL FUND (\$3,000) \$0 \$0
TOTAL

Military Training and Operations 0108

Initiative: Provides funding for the approved range change of 6 Military Firefighter Supervisor positions from Range 17 to Range 19 and 3 Assistant Military Fire Chief positions from Range 19 to Range 21 retroactive to 2017.

GENERAL FUND 2020-21 2021-22 2022-23
Personal Services \$243,282 \$0 \$0

GENERAL FUND \$243,282 \$0 \$0
TOTAL

FEDERAL EXPENDITURES FUND 2020-21 2021-22 2022-23
Personal Services \$7,785 \$0 \$0

FEDERAL EXPENDITURES FUND TOTAL \$7,785 \$0 \$0

Veterans Services 0110

Initiative: Reduces funding by reallocating office and other supplies expenses to allowable Other Special Revenue Funds funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$42,125) \$0 \$0

GENERAL FUND (\$42,125) \$0 \$0
TOTAL

Veterans Services 0110

Initiative: Reduces funding by freezing one vacant Office Associate II position. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND 2020-21 2021-22 2022-23
Personal Services (\$35,636) \$0 \$0

GENERAL FUND (\$35,636) \$0 \$0
TOTAL

Veterans Services 0110

Initiative: Reduces funding by managing contract expenses for advertising and marketing services within

available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$30,000) \$0 \$0

GENERAL FUND (\$30,000) \$0 \$0
TOTAL

Veterans Services 0110

Initiative: Reduces funding by reallocating utility services expenses to allowable federal funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$20,000) \$0 \$0

GENERAL FUND (\$20,000) \$0 \$0
TOTAL

Veterans Services 0110

Initiative: Reduces funding by managing office professional services expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$19,760) \$0 \$0

GENERAL FUND (\$19,760) \$0 \$0
TOTAL

Veterans Services 0110

Initiative: Reduces funding by reallocating office and other supply expenses to allowable federal funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$15,000) \$0 \$0

GENERAL FUND (\$15,000) \$0 \$0
TOTAL

Veterans Services 0110

Initiative: Reduces funding by reallocating general operation expenses to allowable federal funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$12,692) \$0 \$0

GENERAL FUND (\$12,692) \$0 \$0
TOTAL

Veterans Services 0110

Initiative: Reduces funding by managing the rental purchase agreements for bulldozer, excavator or other small groundskeeping equipment expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$11,100)	\$0	\$0
GENERAL FUND	(\$11,100)	\$0	\$0
TOTAL			

Veterans Services 0110

Initiative: Reduces funding by managing training and conferences expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$10,400)	\$0	\$0
GENERAL FUND	(\$10,400)	\$0	\$0
TOTAL			

Veterans Services 0110

Initiative: Reduces funding by deferring the planned addition of a GPS feature to the cemetery gravesite locator system project. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$10,000)	\$0	\$0
GENERAL FUND	(\$10,000)	\$0	\$0
TOTAL			

Veterans Services 0110

Initiative: Reduces funding by managing maintenance expenses for cemetery equipment and vehicles within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$10,000)	\$0	\$0
GENERAL FUND	(\$10,000)	\$0	\$0
TOTAL			

Veterans Services 0110

Initiative: Reduces funding to reflect projected actual expenses for the Caribou cemetery security system. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$5,000)	\$0	\$0
GENERAL FUND	(\$5,000)	\$0	\$0
TOTAL			

Veterans Services 0110

Initiative: Reduces funding by reallocating office and other supplies expenses to allowable Other Special Revenue Funds funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$2,766)	\$0	\$0

GENERAL FUND	(\$2,766)	\$0	\$0
TOTAL			

Veterans Services 0110

Initiative: Reduces funding by managing staff training expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$2,500)	\$0	\$0
GENERAL FUND	(\$2,500)	\$0	\$0
TOTAL			

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF DEPARTMENT TOTALS

	2020-21	2021-22	2022-23
GENERAL FUND	(\$172,051)	\$0	\$0
FEDERAL EXPENDITURES FUND	\$7,785	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$164,266)	\$0	\$0

Sec. A-9. Appropriations and allocations. The following appropriations and allocations are made.

DIRIGO HEALTH

Dirigo Health Fund 0988

Initiative: Reduces funding by deferring planned contracts for services related to the external validation of data on hospital health care associated infections required per Rule 90-590, Chapter 270, Uniform Reporting System for Quality Data Sets. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$56,913)	\$0	\$0
GENERAL FUND	(\$56,913)	\$0	\$0
TOTAL			

Dirigo Health Fund 0988

Initiative: Reduces funding by managing rent expenditures within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$8,500)	\$0	\$0
GENERAL FUND	(\$8,500)	\$0	\$0
TOTAL			

Dirigo Health Fund 0988

Initiative: Reduces funding by deferring planned CompareMaine website updates and maintenance. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$26,000)	\$0	\$0
GENERAL FUND TOTAL	(\$26,000)	\$0	\$0

Dirigo Health Fund 0988

Initiative: Reduces funding to align with projected actual expenditures for out-of-state travel. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$25,852)	\$0	\$0
GENERAL FUND TOTAL	(\$25,852)	\$0	\$0

DIRIGO HEALTH DEPARTMENT TOTALS	2020-21	2021-22	2022-23
GENERAL FUND	(\$117,265)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$117,265)	\$0	\$0

Sec. A-10. Appropriations and allocations. The following appropriations and allocations are made.

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Administration - Economic and Community Development 0069

Initiative: Reduces funding to reflect projected actual expenses for contracted payments to the Maine Manufacturing Extension Partnership. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$50,000)	\$0	\$0
GENERAL FUND TOTAL	(\$50,000)	\$0	\$0

Administration - Economic and Community Development 0069

Initiative: Reduces funding to reflect projected actual expenses for staff travel and conference support. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$86,689)	\$0	\$0
GENERAL FUND TOTAL	(\$86,689)	\$0	\$0

Applied Technology Development Center System 0929

Initiative: Reduces funding by managing contract expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$17,884)	\$0	\$0
GENERAL FUND TOTAL	(\$17,884)	\$0	\$0

Business Development 0585

Initiative: Reduces funding to reflect projected actual expenses for consultation services for forest products. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$122,587)	\$0	\$0
GENERAL FUND TOTAL	(\$122,587)	\$0	\$0

Business Development 0585

Initiative: Reduces funding by freezing one vacant Public Services Coordinator II position. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$131,876)	\$0	\$0
GENERAL FUND TOTAL	(\$131,876)	\$0	\$0

Community Development Block Grant Program 0587

Initiative: Reduces funding by freezing one vacant Planner II position. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$22,346)	\$0	\$0
GENERAL FUND TOTAL	(\$22,346)	\$0	\$0

International Commerce 0674

Initiative: Reduces funding by managing contract expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$116,820)	\$0	\$0
GENERAL FUND TOTAL	(\$116,820)	\$0	\$0

Maine Economic Growth Council 0727

Initiative: Reduces funding by managing contract expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$5,540)	\$0	\$0
GENERAL FUND TOTAL	(\$5,540)	\$0	\$0

Maine Small Business and Entrepreneurship Commission 0675

Initiative: Reduces funding by allocating contract expenses to other allowable funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$68,368)	\$0	\$0
GENERAL FUND TOTAL	(\$68,368)	\$0	\$0

Maine Workforce Opportunities Marketing Fund Z178

Initiative: Reduces funding by managing contract expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$5,000)	\$0	\$0
GENERAL FUND TOTAL	(\$5,000)	\$0	\$0

Office of Innovation 0995

Initiative: Reduces funding by managing contract expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$336,515)	\$0	\$0
GENERAL FUND TOTAL	(\$336,515)	\$0	\$0

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF DEPARTMENT TOTALS

	2020-21	2021-22	2022-23
GENERAL FUND	(\$963,625)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$963,625)	\$0	\$0

Sec. A-11. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Adult Education 0364

Initiative: Reduces funding to reflect projected actual expenditures for training. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$19,100)	\$0	\$0
GENERAL FUND TOTAL	(\$19,100)	\$0	\$0

Adult Education 0364

Initiative: Reduces funding to reflect projected actual expenditures for the annual college transition conference. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$2,000)	\$0	\$0
GENERAL FUND TOTAL	(\$2,000)	\$0	\$0

Adult Education 0364

Initiative: Reduces funding to reflect projected actual expenditures for travel. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$1,000)	\$0	\$0
GENERAL FUND TOTAL	(\$1,000)	\$0	\$0

General Purpose Aid for Local Schools 0308

Initiative: Provides one-time funding for postsecondary course payments in the Aspirations program.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$2,500,000	\$0	\$0
GENERAL FUND TOTAL	\$2,500,000	\$0	\$0

Higher Education and Educator Support Services Z082

Initiative: Reduces funding to reflect projected actual expenditures for travel. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$14,263)	\$0	\$0
GENERAL FUND TOTAL	(\$14,263)	\$0	\$0

Leadership Team Z077

Initiative: Reduces funding to reflect projected actual expenditures for travel. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$10,000)	\$0	\$0
GENERAL FUND TOTAL	(\$10,000)	\$0	\$0

Leadership Team Z077

Initiative: Reduces funding to reflect projected actual expenditures for office supplies. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$5,000)	\$0	\$0
GENERAL FUND TOTAL	(\$5,000)	\$0	\$0

Learning Systems Team Z081

Initiative: Reduces funding by managing operational expenditures within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$245,145)	\$0	\$0
GENERAL FUND TOTAL	(\$245,145)	\$0	\$0

Learning Systems Team Z081

Initiative: Reduces funding to reflect projected operating expenditures. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$437,196)	\$0	\$0
GENERAL FUND TOTAL	(\$437,196)	\$0	\$0

Learning Systems Team Z081

Initiative: Reduces funding to reflect projected actual expenditures for travel. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$40,000)	\$0	\$0
GENERAL FUND TOTAL	(\$40,000)	\$0	\$0

Maine Commission for Community Service Z134

Initiative: Reduces funding by managing advertising expenditures within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$6,500)	\$0	\$0

GENERAL FUND TOTAL	(\$6,500)	\$0	\$0
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Maine HIV Prevention Education Program Z182

Initiative: Reduces funding by managing training expenditures within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$15,000)	\$0	\$0
GENERAL FUND TOTAL	(\$15,000)	\$0	\$0

School Finance and Operations Z078

Initiative: Reduces funding to reflect projected actual expenditures for the online application software for free and reduced-price nutrition. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$50,000)	\$0	\$0
GENERAL FUND TOTAL	(\$50,000)	\$0	\$0

EDUCATION, DEPARTMENT OF DEPARTMENT TOTALS	2020-21	2021-22	2022-23
GENERAL FUND	\$1,654,796	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$1,654,796	\$0	\$0

Sec. A-12. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, STATE BOARD OF

State Board of Education 0614

Initiative: Reduces funding to reflect projected operating expenditures. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$18,327)	\$0	\$0
GENERAL FUND TOTAL	(\$18,327)	\$0	\$0

Sec. A-13. Appropriations and allocations. The following appropriations and allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Administration - Environmental Protection 0251

Initiative: Reduces funding by freezing one vacant Environmental Specialist IV position and one vacant

Director of Policy Development and Implementation position. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$154,603)	\$0	\$0
GENERAL FUND TOTAL	(\$154,603)	\$0	\$0

Air Quality 0250

Initiative: Reduces funding by freezing one vacant Assistant Environmental Engineer position and one vacant Environmental Specialist II position. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$164,008)	\$0	\$0
GENERAL FUND TOTAL	(\$164,008)	\$0	\$0

Land Resources Z188

Initiative: Reduces funding by freezing 2 Environmental Specialist II positions. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$132,434)	\$0	\$0
GENERAL FUND TOTAL	(\$132,434)	\$0	\$0

Remediation and Waste Management 0247

Initiative: Reduces funding by managing illegal drug operations and potential natural gas cleanup expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$40,164)	\$0	\$0
GENERAL FUND TOTAL	(\$40,164)	\$0	\$0

Water Quality 0248

Initiative: Reduces funding by freezing one vacant Biologist I position and one vacant Office Specialist I position. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$152,522)	\$0	\$0
GENERAL FUND TOTAL	(\$152,522)	\$0	\$0

ENVIRONMENTAL PROTECTION, DEPARTMENT OF DEPARTMENT TOTALS

2020-21	2021-22	2022-23

GENERAL FUND	(\$643,731)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$643,731)	\$0	\$0

Sec. A-14. Appropriations and allocations. The following appropriations and allocations are made.

EXECUTIVE DEPARTMENT

Blaine House 0072

Initiative: Reduces funding by managing vacancies. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$98,854)	\$0	\$0
GENERAL FUND TOTAL	(\$98,854)	\$0	\$0

Governor's Energy Office Z122

Initiative: Reduces funding by managing general operating expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$30,000)	\$0	\$0
GENERAL FUND TOTAL	(\$30,000)	\$0	\$0

Office of Policy Innovation and the Future Z135

Initiative: Reduces funding by freezing one vacant Public Service Manager II position. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$133,901)	\$0	\$0
GENERAL FUND TOTAL	(\$133,901)	\$0	\$0

Office of Policy Innovation and the Future Z135

Initiative: Reduces funding by managing contracted services. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$683)	\$0	\$0
GENERAL FUND TOTAL	(\$683)	\$0	\$0

EXECUTIVE DEPARTMENT DEPARTMENT TOTALS

GENERAL FUND	2020-21	2021-22	2022-23
	(\$263,438)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$263,438)	\$0	\$0

Sec. A-15. Appropriations and allocations. The following appropriations and allocations are made.

FINANCE AUTHORITY OF MAINE

Small Enterprise Growth Fund Z235

Initiative: Reduces funding by managing contract expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$50,000)	\$0	\$0
GENERAL FUND TOTAL	(\$50,000)	\$0	\$0

Waste Motor Oil Disposal Site Remediation Program Z060

Initiative: Adjusts funding to reflect the termination of the waste motor oil disposal site remediation program.

OTHER SPECIAL REVENUE FUNDS	2020-21	2021-22	2022-23
All Other	(\$5,000,000)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$5,000,000)	\$0	\$0

FINANCE AUTHORITY OF MAINE DEPARTMENT TOTALS

	2020-21	2021-22	2022-23
GENERAL FUND	(\$50,000)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	(\$5,000,000)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$5,050,000)	\$0	\$0

Sec. A-16. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Brain Injury Z213

Initiative: Reduces funding by allocating an advocacy services contract to allowable Federal Expenditures Fund resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$24,722)	\$0	\$0
GENERAL FUND TOTAL	(\$24,722)	\$0	\$0

Brain Injury Z213

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$53,975)	\$0	\$0
GENERAL FUND TOTAL	(\$53,975)	\$0	\$0

Brain Injury Z213

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$785)	\$0	\$0
GENERAL FUND TOTAL	(\$785)	\$0	\$0

Child Support 0100

Initiative: Reduces funding by allocating Department of Administrative and Financial Services, Office of Information Technology costs to allowable Other Special Revenue Funds sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$108,710)	\$0	\$0
All Other	(\$891,290)	\$0	\$0
GENERAL FUND TOTAL	(\$1,000,000)	\$0	\$0

Child Support 0100

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$289,150)	\$0	\$0
GENERAL FUND TOTAL	(\$289,150)	\$0	\$0

Crisis Outreach Program Z216

Initiative: Reduces funding by allocating the position costs of 4 Mental Health Worker III positions from 100% General Fund in the Developmental Services - Community program to 52.4% General Fund and 47.6% Other Special Revenue Funds in the Crisis Outreach Program. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	0.000	0.000

Personal Services	\$188,607	\$0	\$0
GENERAL FUND TOTAL	\$188,607	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2020-21	2021-22	2022-23
Personal Services	\$171,328	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$171,328	\$0	\$0

Crisis Outreach Program Z216

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$188,948)	\$0	\$0
GENERAL FUND TOTAL	(\$188,948)	\$0	\$0

Crisis Outreach Program Z216

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$3,572)	\$0	\$0
GENERAL FUND TOTAL	(\$3,572)	\$0	\$0

Data, Research and Vital Statistics Z037

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$39,240)	\$0	\$0
GENERAL FUND TOTAL	(\$39,240)	\$0	\$0

Data, Research and Vital Statistics Z037

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$189)	\$0	\$0
GENERAL FUND TOTAL	(\$189)	\$0	\$0

Department of Health and Human Services Central Operations 0142

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$742,596)	\$0	\$0
GENERAL FUND TOTAL	(\$742,596)	\$0	\$0

Department of Health and Human Services Central Operations 0142

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$43,255)	\$0	\$0
GENERAL FUND TOTAL	(\$43,255)	\$0	\$0

Developmental Services - Community Z208

Initiative: Reduces funding by allocating an advocacy services contract to allowable Federal Expenditures Fund resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$45,191)	\$0	\$0
GENERAL FUND TOTAL	(\$45,191)	\$0	\$0

Developmental Services - Community Z208

Initiative: Reduces funding by allocating the position costs of 4 Mental Health Worker III positions from 100% General Fund in the Developmental Services - Community program to 52.4% General Fund and 47.6% Other Special Revenue Funds in the Crisis Outreach Program. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(4.000)	0.000	0.000
Personal Services	(\$359,936)	\$0	\$0
GENERAL FUND TOTAL	(\$359,936)	\$0	\$0

Developmental Services - Community Z208

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$1,045,093)	\$0	\$0

GENERAL FUND (\$1,045,093) \$0 \$0
TOTAL

Developmental Services - Community Z208

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$33,095) \$0 \$0

GENERAL FUND (\$33,095) \$0 \$0
TOTAL

Developmental Services Waiver - MaineCare Z211

Initiative: Reduces funding to align with projected actual expenditures given the availability of additional Federal Expenditures Fund resources through the enhanced Federal Medical Assistance Percentage and Children's Health Insurance Program rate of an additional 6.2%. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$10,751,891) \$0 \$0

GENERAL FUND (\$10,751,891) \$0 \$0
TOTAL

Developmental Services Waiver - MaineCare Z211

Initiative: Adjusts funding for the 6.2% increase in the Federal Medical Assistance Percentage rate.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$9,423,379) \$0 \$0

GENERAL FUND (\$9,423,379) \$0 \$0
TOTAL

Developmental Services Waiver - MaineCare Z211

Initiative: Provides one-time appropriations to make retainer payments to providers of the services provided under the MaineCare Benefits Manual, Chapters II and III, Section 18, Section 20, Section 21 and Section 29 for habilitation and personal care services – primarily community support and other day services – contingent on United States Department of Health and Human Services, Centers for Medicare and Medicaid Services approval of an amendment to Maine’s Appendix K, Emergency Preparedness and Response for Section 1915(c) waivers. Retainer payments will be up to \$5,700,000 of General Fund funding and will be directed to time frames when service delivery was particularly negatively impacted in order to best support providers experiencing revenue loss.

GENERAL FUND 2020-21 2021-22 2022-23
All Other \$3,370,000 \$0 \$0

GENERAL FUND \$3,370,000 \$0 \$0
TOTAL

Developmental Services Waiver - Supports Z212

Initiative: Reduces funding to align with projected actual expenditures given the availability of additional Federal Expenditures Fund resources through the enhanced Federal Medical Assistance Percentage and Children's Health Insurance Program rate of an additional 6.2%. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$2,610,294) \$0 \$0

GENERAL FUND (\$2,610,294) \$0 \$0
TOTAL

Developmental Services Waiver - Supports Z212

Initiative: Adjusts funding in the Medicaid accounts to align with the Revenue Forecasting Committee report of December 2020.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$33,766) \$0 \$0

GENERAL FUND (\$33,766) \$0 \$0
TOTAL

OTHER SPECIAL 2020-21 2021-22 2022-23
REVENUE FUNDS All Other \$33,766 \$0 \$0

OTHER SPECIAL \$33,766 \$0 \$0
REVENUE FUNDS TOTAL

Developmental Services Waiver - Supports Z212

Initiative: Adjusts funding for the 6.2% increase in the Federal Medical Assistance Percentage rate.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$1,587,866) \$0 \$0

GENERAL FUND (\$1,587,866) \$0 \$0
TOTAL

Developmental Services Waiver - Supports Z212

Initiative: Provides one-time appropriations to make retainer payments to providers of the services provided under the MaineCare Benefits Manual, Chapters II and III, Section 18, Section 20, Section 21 and Section 29 for habilitation and personal care services – primarily community support and other day services – contingent on United States Department of Health and Human Services, Centers for Medicare and Medicaid Services approval of an amendment to Maine’s Appendix K, Emergency Preparedness and Response for Section 1915(c) waivers. Retainer payments will be up to \$5,700,000 of General Fund funding and will be directed to time frames when service delivery was particularly negatively impacted in order to best support providers experiencing revenue loss.

GENERAL FUND 2020-21 2021-22 2022-23
All Other \$2,280,000 \$0 \$0

GENERAL FUND	\$2,280,000	\$0	\$0
TOTAL			

Disproportionate Share - Dorothea Dix Psychiatric Center Z225

Initiative: Reduces funding to align with projected actual expenditures for a reduction in a hospital psychiatrist contract. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$255,889)	\$0	\$0

GENERAL FUND	(\$255,889)	\$0	\$0
TOTAL			

Disproportionate Share - Dorothea Dix Psychiatric Center Z225

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$1,397)	\$0	\$0

GENERAL FUND	(\$1,397)	\$0	\$0
TOTAL			

Disproportionate Share - Riverview Psychiatric Center Z220

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$1,506)	\$0	\$0

GENERAL FUND	(\$1,506)	\$0	\$0
TOTAL			

Division of Licensing and Certification Z036

Initiative: Reduces funding by realizing ongoing efficiencies in the program. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$500,000)	\$0	\$0

GENERAL FUND	(\$500,000)	\$0	\$0
TOTAL			

Division of Licensing and Certification Z036

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$243,634)	\$0	\$0

GENERAL FUND	(\$243,634)	\$0	\$0
TOTAL			

Division of Licensing and Certification Z036

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$31,333)	\$0	\$0

GENERAL FUND	(\$31,333)	\$0	\$0
TOTAL			

Dorothea Dix Psychiatric Center Z222

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$678)	\$0	\$0

GENERAL FUND	(\$678)	\$0	\$0
TOTAL			

Driver Education & Evaluation Program - Off Sub Abuse & MH S Z200

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$45,103)	\$0	\$0

GENERAL FUND	(\$45,103)	\$0	\$0
TOTAL			

Driver Education & Evaluation Program - Off Sub Abuse & MH S Z200

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$712)	\$0	\$0

GENERAL FUND	(\$712)	\$0	\$0
TOTAL			

Early Childhood Consultation Program Z280

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$14,576)	\$0	\$0

GENERAL FUND	(\$14,576)	\$0	\$0
TOTAL			

Food Supplement Administration Z019

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$176)	\$0	\$0
GENERAL FUND	(\$176)	\$0	\$0
TOTAL			

Food Supplement Administration Z019

Initiative: Provides one-time funding for the federal Supplemental Nutrition Assistance Program error rate penalty in federal fiscal year 2019.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$1,335,770	\$0	\$0
GENERAL FUND	\$1,335,770	\$0	\$0
TOTAL			

Forensic Services Z203

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$52,309)	\$0	\$0
GENERAL FUND	(\$52,309)	\$0	\$0
TOTAL			

Forensic Services Z203

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$241)	\$0	\$0
GENERAL FUND	(\$241)	\$0	\$0
TOTAL			

IV-E Foster Care/Adoption Assistance 0137

Initiative: Provides funding for the development of a new comprehensive child welfare information system.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$2,578,250	\$0	\$0
GENERAL FUND	\$2,578,250	\$0	\$0
TOTAL			

FEDERAL EXPENDITURES FUND

	2020-21	2021-22	2022-23
All Other	\$2,646,219	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$2,646,219	\$0	\$0

IV-E Foster Care/Adoption Assistance 0137

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$3,931)	\$0	\$0
GENERAL FUND	(\$3,931)	\$0	\$0
TOTAL			

Long Term Care - Office of Aging and Disability Services 0420

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$11,506)	\$0	\$0
GENERAL FUND	(\$11,506)	\$0	\$0
TOTAL			

Long Term Care - Office of Aging and Disability Services 0420

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$328)	\$0	\$0
GENERAL FUND	(\$328)	\$0	\$0
TOTAL			

Maine Center for Disease Control and Prevention 0143

Initiative: Reduces funding by allocating a communications contract to other allowable funding sources within the Fund for a Healthy Maine. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$100,000)	\$0	\$0
GENERAL FUND	(\$100,000)	\$0	\$0
TOTAL			

Maine Center for Disease Control and Prevention 0143

Initiative: Reallocates the costs of 16 various positions within the health inspection program. Position detail is on file with the Bureau of the Budget.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	\$127,128	\$0	\$0
GENERAL FUND	\$127,128	\$0	\$0
TOTAL			

	2020-21	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS			
Personal Services	(\$127,128)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$127,128)</u>	<u>\$0</u>	<u>\$0</u>

Maine Center for Disease Control and Prevention 0143

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

	2020-21	2021-22	2022-23
GENERAL FUND			
Personal Services	(\$1,858,522)	\$0	\$0
GENERAL FUND TOTAL	<u>(\$1,858,522)</u>	<u>\$0</u>	<u>\$0</u>

Maine Center for Disease Control and Prevention 0143

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

	2020-21	2021-22	2022-23
GENERAL FUND			
All Other	(\$5,369)	\$0	\$0
GENERAL FUND TOTAL	<u>(\$5,369)</u>	<u>\$0</u>	<u>\$0</u>

Maine Center for Disease Control and Prevention 0143

Initiative: Reallocates 45 positions in the Health and Environmental Testing Laboratory.

	2020-21	2021-22	2022-23
GENERAL FUND			
Personal Services	\$583,700	\$0	\$0
GENERAL FUND TOTAL	<u>\$583,700</u>	<u>\$0</u>	<u>\$0</u>

	2020-21	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS			
Personal Services	(\$583,700)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$583,700)</u>	<u>\$0</u>	<u>\$0</u>

Maternal and Child Health Block Grant Match Z008

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

	2020-21	2021-22	2022-23
GENERAL FUND			
Personal Services	(\$34,930)	\$0	\$0

GENERAL FUND TOTAL	<u>(\$34,930)</u>	<u>\$0</u>	<u>\$0</u>
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Maternal and Child Health Block Grant Match Z008

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

	2020-21	2021-22	2022-23
GENERAL FUND			
All Other	(\$4,515)	\$0	\$0
GENERAL FUND TOTAL	<u>(\$4,515)</u>	<u>\$0</u>	<u>\$0</u>

Medicaid Services - Developmental Services Z210

Initiative: Reduces funding to align with projected actual expenditures given the availability of additional Federal Expenditures Fund resources through the enhanced Federal Medical Assistance Percentage and Children's Health Insurance Program rate of an additional 6.2%. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

	2020-21	2021-22	2022-23
GENERAL FUND			
All Other	(\$2,099,300)	\$0	\$0
GENERAL FUND TOTAL	<u>(\$2,099,300)</u>	<u>\$0</u>	<u>\$0</u>

Medicaid Services - Developmental Services Z210

Initiative: Adjusts funding in the Medicaid accounts to align with the Revenue Forecasting Committee report of December 2020.

	2020-21	2021-22	2022-23
GENERAL FUND			
All Other	\$5,906,806	\$0	\$0
GENERAL FUND TOTAL	<u>\$5,906,806</u>	<u>\$0</u>	<u>\$0</u>

	2020-21	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS			
All Other	(\$6,325,053)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$6,325,053)</u>	<u>\$0</u>	<u>\$0</u>

Medicaid Services - Developmental Services Z210

Initiative: Adjusts funding for the 6.2% increase in the Federal Medical Assistance Percentage rate.

	2020-21	2021-22	2022-23
GENERAL FUND			
All Other	(\$1,626,952)	\$0	\$0
GENERAL FUND TOTAL	<u>(\$1,626,952)</u>	<u>\$0</u>	<u>\$0</u>

Medicaid Waiver for Brain Injury Residential /Community Serv Z218

Initiative: Reduces funding to align with projected actual expenditures given the availability of additional

Federal Expenditures Fund resources through the enhanced Federal Medical Assistance Percentage and Children's Health Insurance Program rate of an additional 6.2%. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$600,400)	\$0	\$0
GENERAL FUND TOTAL	(\$600,400)	\$0	\$0

Medicaid Waiver for Brain Injury Residential /Community Serv Z218

Initiative: Adjusts funding for the 6.2% increase in the Federal Medical Assistance Percentage rate.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$332,972)	\$0	\$0
GENERAL FUND TOTAL	(\$332,972)	\$0	\$0

Medicaid Waiver for Brain Injury Residential /Community Serv Z218

Initiative: Provides one-time appropriations to make retainer payments to providers of the services provided under the MaineCare Benefits Manual, Chapters II and III, Section 18, Section 20, Section 21 and Section 29 for habilitation and personal care services – primarily community support and other day services – contingent on United States Department of Health and Human Services, Centers for Medicare and Medicaid Services approval of an amendment to Maine's Appendix K, Emergency Preparedness and Response for Section 1915(c) waivers. Retainer payments will be up to \$5,700,000 of General Fund funding and will be directed to time frames when service delivery was particularly negatively impacted in order to best support providers experiencing revenue loss.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$10,000	\$0	\$0
GENERAL FUND TOTAL	\$10,000	\$0	\$0

Medicaid Waiver for Other Related Conditions Z217

Initiative: Reduces funding to align with projected actual expenditures given the availability of additional Federal Expenditures Fund resources through the enhanced Federal Medical Assistance Percentage and Children's Health Insurance Program rate of an additional 6.2%. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$282,136)	\$0	\$0
GENERAL FUND TOTAL	(\$282,136)	\$0	\$0

Medicaid Waiver for Other Related Conditions Z217

Initiative: Adjusts funding for the 6.2% increase in the Federal Medical Assistance Percentage rate.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$156,467)	\$0	\$0
GENERAL FUND TOTAL	(\$156,467)	\$0	\$0

Medicaid Waiver for Other Related Conditions Z217

Initiative: Provides one-time appropriations to make retainer payments to providers of the services provided under the MaineCare Benefits Manual, Chapters II and III, Section 18, Section 20, Section 21 and Section 29 for habilitation and personal care services – primarily community support and other day services – contingent on United States Department of Health and Human Services, Centers for Medicare and Medicaid Services approval of an amendment to Maine's Appendix K, Emergency Preparedness and Response for Section 1915(c) waivers. Retainer payments will be up to \$5,700,000 of General Fund funding and will be directed to time frames when service delivery was particularly negatively impacted in order to best support providers experiencing revenue loss.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$40,000	\$0	\$0
GENERAL FUND TOTAL	\$40,000	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Reduces funding to align with projected actual expenditures given the availability of additional Federal Expenditures Fund resources through the enhanced Federal Medical Assistance Percentage and Children's Health Insurance Program rate of an additional 6.2%. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$41,394,907)	\$0	\$0
GENERAL FUND TOTAL	(\$41,394,907)	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Reduces funding by allocating expenditures to allowable Other Special Revenue Funds sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$11,411,253)	\$0	\$0
GENERAL FUND TOTAL	(\$11,411,253)	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Reduces funding for one-time savings achieved by updating the claims system to more accurately identify family planning claims. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$1,400,000)	\$0	\$0
GENERAL FUND TOTAL	(\$1,400,000)	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Reduces funding for ongoing savings achieved by updating the claims system to more accurately identify family planning claims. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$1,200,000)	\$0	\$0
GENERAL FUND TOTAL	(\$1,200,000)	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Reduces funding to align with projected actual expenditures given the availability of additional Federal Expenditures Fund resources through the enhanced Federal Medical Assistance Percentage and Children's Health Insurance Program rate of an additional 6.2%. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$558,349)	\$0	\$0
GENERAL FUND TOTAL	(\$558,349)	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Reduces funding to align the rate structures and fee schedule for purchased durable medical equipment with those used by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$524,900)	\$0	\$0
GENERAL FUND TOTAL	(\$524,900)	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Increases funding to repay the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services for durable medical equipment charges that exceed the mandated upper payment limit for calendar years 2019 and 2020 and the first quarter of calendar year 2021.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$948,211	\$0	\$0

GENERAL FUND TOTAL	\$948,211	\$0	\$0
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FEDERAL EXPENDITURES FUND	2020-21	2021-22	2022-23
All Other	(\$917,756)	\$0	\$0

FEDERAL EXPENDITURES FUND TOTAL	(\$917,756)	\$0	\$0
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FEDERAL BLOCK GRANT FUND	2020-21	2021-22	2022-23
All Other	(\$30,455)	\$0	\$0

FEDERAL BLOCK GRANT FUND TOTAL	(\$30,455)	\$0	\$0
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Medical Care - Payments to Providers 0147

Initiative: Adjusts funding in the Medicaid accounts to align with the Revenue Forecasting Committee report of December 2020.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$1,428,508	\$0	\$0

GENERAL FUND TOTAL	\$1,428,508	\$0	\$0
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OTHER SPECIAL REVENUE FUNDS	2020-21	2021-22	2022-23
All Other	(\$1,428,508)	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,428,508)	\$0	\$0
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Medical Care - Payments to Providers 0147

Initiative: Adjusts funding for the 6.2% increase in the Federal Medical Assistance Percentage rate.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$36,119,808)	\$0	\$0

GENERAL FUND TOTAL	(\$36,119,808)	\$0	\$0
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FEDERAL EXPENDITURES FUND	2020-21	2021-22	2022-23
All Other	\$125,285,007	\$0	\$0

FEDERAL EXPENDITURES FUND TOTAL	\$125,285,007	\$0	\$0
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FUND FOR A HEALTHY MAINE	2020-21	2021-22	2022-23
All Other	(\$3,918,198)	\$0	\$0

FUND FOR A HEALTHY MAINE TOTAL	(\$3,918,198)	\$0	\$0
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FEDERAL BLOCK GRANT FUND	2020-21	2021-22	2022-23
All Other	(\$2,067,815)	\$0	\$0
FEDERAL BLOCK GRANT FUND TOTAL	(\$2,067,815)	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Provides one-time allocations to make retainer payments to providers of the services provided under the MaineCare Benefits Manual, Chapters II and III, Section 18, Section 20, Section 21 and Section 29 for habilitation and personal care services – primarily community support and other day services – contingent on United States Department of Health and Human Services, Centers for Medicare and Medicaid Services approval of an amendment to Maine’s Appendix K, Emergency Preparedness and Response for Section 1915(c) waivers. Retainer payments will be up to \$5,700,000 of General Fund funding and will be directed to time frames when service delivery was particularly negatively impacted in order to best support providers experiencing revenue loss.

FEDERAL EXPENDITURES FUND	2020-21	2021-22	2022-23
All Other	\$13,260,000	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$13,260,000	\$0	\$0

Medical Care - Payments to Providers 0147

Initiative: Provides one-time funding to make the supplemental payments per service proportional to the impact of COVID-19 on service utilization for providers of the behavioral health services provided under MaineCare Benefits Manual, Chapters II and III, Section 17 and Section 28 and certain community-based behavioral health services under Section 65. Supplemental payments will be up to \$4,000,000 of General Fund funding and are contingent on the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services approval of the State's Medicaid Disaster Relief State Plan Amendment.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$2,700,000	\$0	\$0
GENERAL FUND TOTAL	\$2,700,000	\$0	\$0

FEDERAL EXPENDITURES FUND	2020-21	2021-22	2022-23
All Other	\$9,281,000	\$0	\$0

FEDERAL EXPENDITURES FUND TOTAL	\$9,281,000	\$0	\$0
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Mental Health Services - Child Medicaid Z207

Initiative: Reduces funding to align with projected actual expenditures given the availability of additional Federal Expenditures Fund resources through the enhanced Federal Medical Assistance Percentage and Children's Health Insurance Program rate of an additional 6.2%. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$2,836,876)	\$0	\$0
GENERAL FUND TOTAL	(\$2,836,876)	\$0	\$0

Mental Health Services - Child Medicaid Z207

Initiative: Adjusts funding for the 6.2% increase in the Federal Medical Assistance Percentage rate.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$1,740,571)	\$0	\$0
GENERAL FUND TOTAL	(\$1,740,571)	\$0	\$0

Mental Health Services - Child Medicaid Z207

Initiative: Provides one-time funding to make the supplemental payments per service proportional to the impact of COVID-19 on service utilization for providers of the behavioral health services provided under MaineCare Benefits Manual, Chapters II and III, Section 17 and Section 28 and certain community-based behavioral health services under Section 65. Supplemental payments will be up to \$4,000,000 of General Fund funding and are contingent on the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services approval of the State's Medicaid Disaster Relief State Plan Amendment.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$1,300,000	\$0	\$0
GENERAL FUND TOTAL	\$1,300,000	\$0	\$0

Mental Health Services - Children Z206

Initiative: Reduces funding by allocating contracted services to allowable Federal Expenditures Fund resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$200,000)	\$0	\$0
GENERAL FUND TOTAL	(\$200,000)	\$0	\$0

Mental Health Services - Children Z206

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$204,116)	\$0	\$0
GENERAL FUND TOTAL	(\$204,116)	\$0	\$0

Mental Health Services - Children Z206

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$12,833)	\$0	\$0
GENERAL FUND TOTAL	(\$12,833)	\$0	\$0

Mental Health Services - Community Z198

Initiative: Reduces funding by allocating the state toll-free "warmline" services contract to allowable Federal Expenditures Fund sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$263,978)	\$0	\$0
GENERAL FUND TOTAL	(\$263,978)	\$0	\$0

Mental Health Services - Community Z198

Initiative: Reduces funding by allocating a temporary staffing contract to allowable Federal Expenditures Fund resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$159,432)	\$0	\$0
GENERAL FUND TOTAL	(\$159,432)	\$0	\$0

Mental Health Services - Community Z198

Initiative: Reduces funding to align with projected actual expenditures for contracts for dental services. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$150,000)	\$0	\$0
GENERAL FUND TOTAL	(\$150,000)	\$0	\$0

Mental Health Services - Community Z198

Initiative: Reduces funding by allocating the teen text line contract to allowable Federal Expenditures Fund resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$72,956)	\$0	\$0
GENERAL FUND TOTAL	(\$72,956)	\$0	\$0

Mental Health Services - Community Z198

Initiative: Reduces funding by allocating the state toll-free "warmline" contract to allowable Federal Expenditures Fund resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$50,891)	\$0	\$0
GENERAL FUND TOTAL	(\$50,891)	\$0	\$0

Mental Health Services - Community Z198

Initiative: Reduces funding to align with projected actual expenditures due to discontinuing the enterprise information system license agreement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$50,000)	\$0	\$0
GENERAL FUND TOTAL	(\$50,000)	\$0	\$0

Mental Health Services - Community Z198

Initiative: Reduces funding by deferring a planned adult needs and strengths assessment online certification contract. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$15,000)	\$0	\$0
GENERAL FUND TOTAL	(\$15,000)	\$0	\$0

Mental Health Services - Community Z198

Initiative: Reduces funding by deferring a planned strategic planning consulting services contract. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$15,000)	\$0	\$0
GENERAL FUND TOTAL	(\$15,000)	\$0	\$0

Mental Health Services - Community Z198

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$328,325)	\$0	\$0

GENERAL FUND (\$328,325) \$0 \$0
TOTAL

Mental Health Services - Community Z198

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$8,853) \$0 \$0

GENERAL FUND (\$8,853) \$0 \$0
TOTAL

Mental Health Services - Community Medicaid Z201

Initiative: Reduces funding to align with projected actual expenditures given the availability of additional Federal Expenditures Fund resources through the enhanced Federal Medical Assistance Percentage and Children's Health Insurance Program rate of an additional 6.2%. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$3,301,888) \$0 \$0

GENERAL FUND (\$3,301,888) \$0 \$0
TOTAL

Mental Health Services - Community Medicaid Z201

Initiative: Adjusts funding in the Medicaid accounts to align with the Revenue Forecasting Committee report of December 2020.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$341,906) \$0 \$0

GENERAL FUND (\$341,906) \$0 \$0
TOTAL

OTHER SPECIAL REVENUE FUNDS 2020-21 2021-22 2022-23
All Other \$341,906 \$0 \$0

OTHER SPECIAL REVENUE FUNDS \$341,906 \$0 \$0
TOTAL

Mental Health Services - Community Medicaid Z201

Initiative: Adjusts funding for the 6.2% increase in the Federal Medical Assistance Percentage rate.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$2,711,317) \$0 \$0

GENERAL FUND (\$2,711,317) \$0 \$0
TOTAL

Multicultural Services Z034

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND 2020-21 2021-22 2022-23
Personal Services (\$9,206) \$0 \$0

GENERAL FUND (\$9,206) \$0 \$0
TOTAL

Multicultural Services Z034

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$148) \$0 \$0

GENERAL FUND (\$148) \$0 \$0
TOTAL

Nursing Facilities 0148

Initiative: Reduces funding to align with projected actual expenditures given the availability of additional Federal Expenditures Fund resources through the enhanced Federal Medical Assistance Percentage and Children's Health Insurance Program rate of an additional 6.2%. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$9,961,540) \$0 \$0

GENERAL FUND (\$9,961,540) \$0 \$0
TOTAL

Nursing Facilities 0148

Initiative: Adjusts funding in the Medicaid accounts to align with the Revenue Forecasting Committee report of December 2020.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$3,724,710) \$0 \$0

GENERAL FUND (\$3,724,710) \$0 \$0
TOTAL

OTHER SPECIAL REVENUE FUNDS 2020-21 2021-22 2022-23
All Other \$3,724,710 \$0 \$0

OTHER SPECIAL REVENUE FUNDS \$3,724,710 \$0 \$0
TOTAL

Nursing Facilities 0148

Initiative: Adjusts funding for the 6.2% increase in the Federal Medical Assistance Percentage rate.

GENERAL FUND 2020-21 2021-22 2022-23
All Other (\$10,674,928) \$0 \$0

GENERAL FUND TOTAL	(\$10,674,928)	\$0	\$0
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FEDERAL EXPENDITURES FUND	2020-21	2021-22	2022-23
All Other	\$20,636,468	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$20,636,468	\$0	\$0

Office for Family Independence Z020

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$171,710)	\$0	\$0
GENERAL FUND TOTAL	(\$171,710)	\$0	\$0

Office for Family Independence Z020

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$1,241)	\$0	\$0
GENERAL FUND TOTAL	(\$1,241)	\$0	\$0

Office for Family Independence - District 0453

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$1,254,985)	\$0	\$0
GENERAL FUND TOTAL	(\$1,254,985)	\$0	\$0

Office for Family Independence - District 0453

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$8,087)	\$0	\$0
GENERAL FUND TOTAL	(\$8,087)	\$0	\$0

Office of Advocacy - BDS Z209

Initiative: Reduces funding by allocating an advocacy services contract to allowable Federal Expenditures

Fund resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$163,088)	\$0	\$0
GENERAL FUND TOTAL	(\$163,088)	\$0	\$0

Office of Aging and Disability Services Adult Protective Services Z040

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$534,311)	\$0	\$0
GENERAL FUND TOTAL	(\$534,311)	\$0	\$0

Office of Aging and Disability Services Adult Protective Services Z040

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$17,032)	\$0	\$0
GENERAL FUND TOTAL	(\$17,032)	\$0	\$0

Office of Aging and Disability Services Central Office 0140

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$116,371)	\$0	\$0
GENERAL FUND TOTAL	(\$116,371)	\$0	\$0

Office of Aging and Disability Services Central Office 0140

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$655)	\$0	\$0
GENERAL FUND TOTAL	(\$655)	\$0	\$0

Office of Child and Family Services - Central 0307

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$389,871)	\$0	\$0
GENERAL FUND TOTAL	(\$389,871)	\$0	\$0

Office of Child and Family Services - Central 0307

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$4,542)	\$0	\$0
GENERAL FUND TOTAL	(\$4,542)	\$0	\$0

Office of Child and Family Services - District 0452

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$2,074,578)	\$0	\$0
GENERAL FUND TOTAL	(\$2,074,578)	\$0	\$0

Office of Child and Family Services - District 0452

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$183,504)	\$0	\$0
GENERAL FUND TOTAL	(\$183,504)	\$0	\$0

Office of MaineCare Services 0129

Initiative: Reduces funding for to achieve a 2% savings through ongoing efficiencies in the program. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$464,000)	\$0	\$0
GENERAL FUND TOTAL	(\$464,000)	\$0	\$0

Office of MaineCare Services 0129

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$487,712)	\$0	\$0
GENERAL FUND TOTAL	(\$487,712)	\$0	\$0

Office of MaineCare Services 0129

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$5,029)	\$0	\$0
GENERAL FUND TOTAL	(\$5,029)	\$0	\$0

Office of Substance Abuse & Mental Health Srv-Medicaid Seed Z202

Initiative: Reduces funding to align with projected actual expenditures given the availability of additional Federal Expenditures Fund resources through the enhanced Federal Medical Assistance Percentage and Children's Health Insurance Program rate of an additional 6.2%. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$461,412)	\$0	\$0
GENERAL FUND TOTAL	(\$461,412)	\$0	\$0

Office of Substance Abuse & Mental Health Srv-Medicaid Seed Z202

Initiative: Adjusts funding in the Medicaid accounts to align with the Revenue Forecasting Committee report of December 2020.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$197,273	\$0	\$0
GENERAL FUND TOTAL	\$197,273	\$0	\$0

OTHER SPECIAL REVENUE FUNDS

OTHER SPECIAL REVENUE FUNDS	2020-21	2021-22	2022-23
All Other	(\$197,273)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$197,273)	\$0	\$0

Office of Substance Abuse & Mental Health Srv-Medicaid Seed Z202

Initiative: Adjusts funding for the 6.2% increase in the Federal Medical Assistance Percentage rate.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$521,767)	\$0	\$0
GENERAL FUND TOTAL	(\$521,767)	\$0	\$0

FUND FOR A HEALTHY MAINE	2020-21	2021-22	2022-23
All Other	(\$164,881)	\$0	\$0
FUND FOR A HEALTHY MAINE TOTAL	(\$164,881)	\$0	\$0

Office of Substance Abuse and Mental Health Services Z199

Initiative: Reduces funding to align with projected actual expenditures due to discontinuing the web infrastructure for treatment services license agreement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$300,000)	\$0	\$0
GENERAL FUND TOTAL	(\$300,000)	\$0	\$0

Office of Substance Abuse and Mental Health Services Z199

Initiative: Reduces funding to align with projected actual expenditures due to discontinuing the license agreement for drug monitoring. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$200,000)	\$0	\$0
GENERAL FUND TOTAL	(\$200,000)	\$0	\$0

Office of Substance Abuse and Mental Health Services Z199

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$94,619)	\$0	\$0
GENERAL FUND TOTAL	(\$94,619)	\$0	\$0

Office of Substance Abuse and Mental Health Services Z199

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$1,286)	\$0	\$0
GENERAL FUND TOTAL	(\$1,286)	\$0	\$0

Purchased Social Services 0228

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$3,938)	\$0	\$0
GENERAL FUND TOTAL	(\$3,938)	\$0	\$0

Purchased Social Services 0228

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$328)	\$0	\$0
GENERAL FUND TOTAL	(\$328)	\$0	\$0

Residential Treatment Facilities Assessment Z197

Initiative: Adjusts funding in the Medicaid accounts to align with the Revenue Forecasting Committee report of December 2020.

OTHER SPECIAL REVENUE FUNDS	2020-21	2021-22	2022-23
All Other	\$418,247	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$418,247	\$0	\$0

Riverview Psychiatric Center Z219

Initiative: Reduces funding to align with projected actual expenditures for a reduction in a staffing and pharmacy services contract. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$550,000)	\$0	\$0
GENERAL FUND TOTAL	(\$550,000)	\$0	\$0

Riverview Psychiatric Center Z219

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$98)	\$0	\$0
GENERAL FUND TOTAL	(\$98)	\$0	\$0

State-funded Foster Care/Adoption Assistance 0139

Initiative: Reduces funding by managing position vacancies to achieve an 8% Personal Services reduction.

This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$42,265)	\$0	\$0
GENERAL FUND TOTAL	(\$42,265)	\$0	\$0

State-funded Foster Care/Adoption Assistance 0139

Initiative: Reduces funding to align with projected actual expenditures for employee mileage reimbursement. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$2,620)	\$0	\$0
GENERAL FUND TOTAL	(\$2,620)	\$0	\$0

Traumatic Brain Injury Seed Z214

Initiative: Reduces funding to align with projected actual expenditures given the availability of additional Federal Expenditures Fund resources through the enhanced Federal Medical Assistance Percentage and Children's Health Insurance Program rate of an additional 6.2%. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$10,009)	\$0	\$0
GENERAL FUND TOTAL	(\$10,009)	\$0	\$0

Traumatic Brain Injury Seed Z214

Initiative: Adjusts funding for the 6.2% increase in the Federal Medical Assistance Percentage rate.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$5,552)	\$0	\$0
GENERAL FUND TOTAL	(\$5,552)	\$0	\$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF DEPARTMENT TOTALS

	2020-21	2021-22	2022-23
GENERAL FUND	(\$151,061,873)	\$0	\$0
FEDERAL EXPENDITURES FUND	\$170,190,938	\$0	\$0
FUND FOR A HEALTHY MAINE	(\$4,083,079)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	(\$3,971,705)	\$0	\$0
FEDERAL BLOCK GRANT FUND	(\$2,098,270)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$8,976,011	\$0	\$0

Sec. A-17. Appropriations and allocations. The following appropriations and allocations are made.

HOUSING AUTHORITY, MAINE STATE

Home Modification Certification Program Z231

Initiative: Reduces funding to reflect projected actual expenses for home modification certifications. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$37,500)	\$0	\$0
GENERAL FUND TOTAL	(\$37,500)	\$0	\$0

Sec. A-18. Appropriations and allocations. The following appropriations and allocations are made.

HUMAN RIGHTS COMMISSION, MAINE

Human Rights Commission - Regulation 0150

Initiative: Reduces funding by decreasing the hours of one Senior Paralegal position and making the position part-time. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$37,550)	\$0	\$0
GENERAL FUND TOTAL	(\$37,550)	\$0	\$0

Human Rights Commission - Regulation 0150

Initiative: Reduces funding to align with projected actual expenditures for rent, security, employee training and professional services. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$12,000)	\$0	\$0
GENERAL FUND TOTAL	(\$12,000)	\$0	\$0

HUMAN RIGHTS COMMISSION, MAINE DEPARTMENT TOTALS

	2020-21	2021-22	2022-23
GENERAL FUND	(\$49,550)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$49,550)	\$0	\$0

Sec. A-19. Appropriations and allocations. The following appropriations and allocations are made.

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON

Maine Commission on Indigent Legal Services Z112

Initiative: Increases allocation due to the cost of indigent legal services.

	2020-21	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS			
All Other	\$2,635,396	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,635,396</u>	<u>\$0</u>	<u>\$0</u>

Sec. A-20. Appropriations and allocations. The following appropriations and allocations are made.

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Reduces funding by deferring planned maintenance activities at department-owned facilities. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

	2020-21	2021-22	2022-23
GENERAL FUND			
All Other	(\$16,379)	\$0	\$0
GENERAL FUND TOTAL	<u>(\$16,379)</u>	<u>\$0</u>	<u>\$0</u>

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

	2020-21	2021-22	2022-23
GENERAL FUND			
Personal Services	(\$6,092,877)	\$0	\$0
GENERAL FUND TOTAL	<u>(\$6,092,877)</u>	<u>\$0</u>	<u>\$0</u>

Fisheries and Hatcheries Operations 0535

Initiative: Reduces funding by allocating fish hatchery expenses to allowable Other Special Revenue Funds sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

	2020-21	2021-22	2022-23
GENERAL FUND			
Capital Expenditures	(\$125,000)	\$0	\$0
GENERAL FUND TOTAL	<u>(\$125,000)</u>	<u>\$0</u>	<u>\$0</u>

Licensing Services - Inland Fisheries and Wildlife 0531

Initiative: Reduces funding by allocating online store transaction expenses to allowable Other Special Revenue Funds sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

	2020-21	2021-22	2022-23
GENERAL FUND			
All Other	(\$6,000)	\$0	\$0
GENERAL FUND TOTAL	<u>(\$6,000)</u>	<u>\$0</u>	<u>\$0</u>

Office of the Commissioner - Inland Fisheries and Wildlife 0529

Initiative: Reduces funding by allocating technology expenses to allowable Other Special Revenue Funds sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

	2020-21	2021-22	2022-23
GENERAL FUND			
All Other	(\$55,173)	\$0	\$0
GENERAL FUND TOTAL	<u>(\$55,173)</u>	<u>\$0</u>	<u>\$0</u>

Public Information and Education, Division of 0729

Initiative: Reduces funding by allocating printed material and educational material expenses to allowable Other Special Revenue Funds sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

	2020-21	2021-22	2022-23
GENERAL FUND			
All Other	(\$26,865)	\$0	\$0
GENERAL FUND TOTAL	<u>(\$26,865)</u>	<u>\$0</u>	<u>\$0</u>

Public Information and Education, Division of 0729

Initiative: Reduces funding to align with projected actual expenses for out-of-state travel expenses. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

	2020-21	2021-22	2022-23
GENERAL FUND			
All Other	(\$9,303)	\$0	\$0
GENERAL FUND TOTAL	<u>(\$9,303)</u>	<u>\$0</u>	<u>\$0</u>

Search and Rescue 0538

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

	2020-21	2021-22	2022-23
GENERAL FUND			
Personal Services	(\$143,129)	\$0	\$0
GENERAL FUND TOTAL	<u>(\$143,129)</u>	<u>\$0</u>	<u>\$0</u>

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF DEPARTMENT TOTALS

	2020-21	2021-22	2022-23
GENERAL FUND	(\$6,474,726)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$6,474,726)	\$0	\$0

Sec. A-21. Appropriations and allocations. The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: Reduces funding by managing position vacancies within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$100,000)	\$0	\$0
GENERAL FUND TOTAL	(\$100,000)	\$0	\$0

Judicial - Debt Service Z097

Initiative: Reduces funding to reflect projected actual expenses for a one-time adjustment to the debt service account. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$350,000)	\$0	\$0
GENERAL FUND TOTAL	(\$350,000)	\$0	\$0

JUDICIAL DEPARTMENT DEPARTMENT TOTALS

	2020-21	2021-22	2022-23
GENERAL FUND	(\$450,000)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$450,000)	\$0	\$0

Sec. A-22. Appropriations and allocations. The following appropriations and allocations are made.

LABOR, DEPARTMENT OF

Administration - Labor 0030

Initiative: Reduces funding to reflect projected actual expenses for indirect costs. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$49,701)	\$0	\$0

GENERAL FUND TOTAL	(\$49,701)	\$0	\$0
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Blind and Visually Impaired - Division for the 0126

Initiative: Reduces funding to reflect projected actual expenses for rent. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$29,000)	\$0	\$0
GENERAL FUND TOTAL	(\$29,000)	\$0	\$0

Blind and Visually Impaired - Division for the 0126

Initiative: Reduces funding by freezing one vacant Rehabilitation Counselor I position and one vacant Orientation & Mobility Instructor for the Blind position. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$124,006)	\$0	\$0
GENERAL FUND TOTAL	(\$124,006)	\$0	\$0

Employment Services Activity 0852

Initiative: Reduces funding by shifting operational expenses for the career center and apprenticeship programs to allowable federal funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$18,730)	\$0	\$0
GENERAL FUND TOTAL	(\$18,730)	\$0	\$0

Employment Services Activity 0852

Initiative: Reduces funding by allocating the costs for 5 positions to allowable federal funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$78,454)	\$0	\$0
GENERAL FUND TOTAL	(\$78,454)	\$0	\$0

Labor Relations Board 0160

Initiative: Reduces funding by managing professional services expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$16,003)	\$0	\$0
GENERAL FUND TOTAL	(\$16,003)	\$0	\$0

Labor Relations Board 0160

Initiative: Reduces funding by freezing one vacant Office Specialist position through the end of the 3rd quarter of fiscal year 2020-21. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$27,255)	\$0	\$0
GENERAL FUND	(\$27,255)	\$0	\$0
TOTAL			

Regulation and Enforcement 0159

Initiative: Reduces funding by managing operational expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$14,000)	\$0	\$0
GENERAL FUND	(\$14,000)	\$0	\$0
TOTAL			

Regulation and Enforcement 0159

Initiative: Reduces funding by allocating the costs for 2 positions to other allowable federal funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$83,984)	\$0	\$0
GENERAL FUND	(\$83,984)	\$0	\$0
TOTAL			

Rehabilitation Services 0799

Initiative: Reduces funding to reflect projected actual expenses for rent. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$54,000)	\$0	\$0
GENERAL FUND	(\$54,000)	\$0	\$0
TOTAL			

Workforce Research Z164

Initiative: Reduces funding by shifting operational expenses to allowable federal funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$34,841)	\$0	\$0
GENERAL FUND	(\$34,841)	\$0	\$0
TOTAL			

**LABOR,
DEPARTMENT OF
DEPARTMENT
TOTALS**

	2020-21	2021-22	2022-23
GENERAL FUND	(\$529,974)	\$0	\$0

DEPARTMENT	(\$529,974)	\$0	\$0
TOTAL - ALL FUNDS			

Sec. A-23. Appropriations and allocations. The following appropriations and allocations are made.

LIBRARY, MAINE STATE

Maine State Library 0217

Initiative: Reduces funding by freezing various positions. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$111,000)	\$0	\$0
GENERAL FUND	(\$111,000)	\$0	\$0
TOTAL			

Maine State Library 0217

Initiative: Reduces funding to various All Other categories to reflect expected expenses. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$95,686)	\$0	\$0
GENERAL FUND	(\$95,686)	\$0	\$0
TOTAL			

**LIBRARY, MAINE
STATE
DEPARTMENT
TOTALS**

	2020-21	2021-22	2022-23
GENERAL FUND	(\$206,686)	\$0	\$0
DEPARTMENT	(\$206,686)	\$0	\$0
TOTAL - ALL FUNDS			

Sec. A-24. Appropriations and allocations. The following appropriations and allocations are made.

MARINE RESOURCES, DEPARTMENT OF

Bureau of Policy and Management 0258

Initiative: Reduces funding by freezing one vacant Office Associate II position. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$28,491)	\$0	\$0
GENERAL FUND	(\$28,491)	\$0	\$0
TOTAL			

Bureau of Public Health Z154

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States

Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$124,853)	\$0	\$0
GENERAL FUND TOTAL	(\$124,853)	\$0	\$0

Marine Patrol - Bureau of 0029

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$1,940,493)	\$0	\$0
GENERAL FUND TOTAL	(\$1,940,493)	\$0	\$0

MARINE RESOURCES, DEPARTMENT OF DEPARTMENT TOTALS

	2020-21	2021-22	2022-23
GENERAL FUND	(\$2,093,837)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$2,093,837)	\$0	\$0

Sec. A-25. Appropriations and allocations. The following appropriations and allocations are made.

MARITIME ACADEMY, MAINE

Maritime Academy - Operations 0035

Initiative: Reduces funding by managing operating expenditures within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$92,141)	\$0	\$0
GENERAL FUND TOTAL	(\$92,141)	\$0	\$0

Sec. A-26. Appropriations and allocations. The following appropriations and allocations are made.

MUSEUM, MAINE STATE

Maine State Museum 0180

Initiative: Reduces funding by managing supplies expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$3,055)	\$0	\$0

GENERAL FUND TOTAL	(\$3,055)	\$0	\$0
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Sec. A-27. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

Capitol Police - Bureau of 0101

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$464,809)	\$0	\$0
GENERAL FUND TOTAL	(\$464,809)	\$0	\$0

Computer Crimes 0048

Initiative: Reduces funding by managing position vacancies within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$35,843)	\$0	\$0
GENERAL FUND TOTAL	(\$35,843)	\$0	\$0

Computer Crimes 0048

Initiative: Reduces funding by using federal Coronavirus Relief Funds funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$256,106)	\$0	\$0
GENERAL FUND TOTAL	(\$256,106)	\$0	\$0

Criminal Justice Academy 0290

Initiative: Reduces funding to reflect projected actual expenses for the basic law enforcement training program. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$45,000)	\$0	\$0
GENERAL FUND TOTAL	(\$45,000)	\$0	\$0

Criminal Justice Academy 0290

Initiative: Reduces funding to reflect projected actual food expenses. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$30,000)	\$0	\$0
GENERAL FUND TOTAL	(\$30,000)	\$0	\$0

Criminal Justice Academy 0290

Initiative: Reduces funding by suspending any new curricula work. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$25,000)	\$0	\$0
GENERAL FUND TOTAL	(\$25,000)	\$0	\$0

Drug Enforcement Agency 0388

Initiative: Reduces funding to reflect projected actual expenses for professional services. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$240,000)	\$0	\$0
GENERAL FUND TOTAL	(\$240,000)	\$0	\$0

Drug Enforcement Agency 0388

Initiative: Reduces funding to reflect projected actual expenses for rent. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$136,000)	\$0	\$0
GENERAL FUND TOTAL	(\$136,000)	\$0	\$0

Drug Enforcement Agency 0388

Initiative: Reduces funding to reflect projected actual operating expenses. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$50,000)	\$0	\$0
GENERAL FUND TOTAL	(\$50,000)	\$0	\$0

Drug Enforcement Agency 0388

Initiative: Reduces funding by allocating mobile radios to allowable federal funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$46,266)	\$0	\$0

GENERAL FUND	(\$46,266)	\$0	\$0
TOTAL			

Drug Enforcement Agency 0388

Initiative: Reduces funding by allocating rent expenses for the Maine Drug Enforcement Agency's field office in Ellsworth to allowable federal funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$40,434)	\$0	\$0
GENERAL FUND TOTAL	(\$40,434)	\$0	\$0

Drug Enforcement Agency 0388

Initiative: Reduces funding by allocating rent expenses for the Maine Drug Enforcement Agency's field office in Augusta to other allowable funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$37,788)	\$0	\$0
GENERAL FUND TOTAL	(\$37,788)	\$0	\$0

Drug Enforcement Agency 0388

Initiative: Reduces funding by allocating janitorial service expenses for the Maine Drug Enforcement Agency's field offices in Kennebunk and Ellsworth to allowable federal funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$16,188)	\$0	\$0
GENERAL FUND TOTAL	(\$16,188)	\$0	\$0

Drug Enforcement Agency 0388

Initiative: Reduces funding to reflect projected actual expenses for state vehicles. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$16,043)	\$0	\$0
GENERAL FUND TOTAL	(\$16,043)	\$0	\$0

Drug Enforcement Agency 0388

Initiative: Reduces funding by allocating expenses for portable radios to allowable federal funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$14,721)	\$0	\$0
GENERAL FUND TOTAL	(\$14,721)	\$0	\$0

Drug Enforcement Agency 0388

Initiative: Reduces funding by eliminating 41 land lines. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$10,409)	\$0	\$0
GENERAL FUND TOTAL	(\$10,409)	\$0	\$0

Drug Enforcement Agency 0388

Initiative: Reduces funding by allocating expenses for network security cameras and sensors to allowable federal funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$8,984)	\$0	\$0
GENERAL FUND TOTAL	(\$8,984)	\$0	\$0

Drug Enforcement Agency 0388

Initiative: Reduces funding by allocating in-state travel expenses to other allowable funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$7,500)	\$0	\$0
GENERAL FUND TOTAL	(\$7,500)	\$0	\$0

Drug Enforcement Agency 0388

Initiative: Reduces funding by allocating rent expenses for the Maine Drug Enforcement Agency's field office in Machias to allowable federal funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$7,237)	\$0	\$0
GENERAL FUND TOTAL	(\$7,237)	\$0	\$0

Drug Enforcement Agency 0388

Initiative: Reduces funding by allocating repairs expenses to other allowable funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$4,000)	\$0	\$0
GENERAL FUND TOTAL	(\$4,000)	\$0	\$0

Drug Enforcement Agency 0388

Initiative: Reduces funding by allocating employee training expenses to other allowable funding sources.

This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$500)	\$0	\$0
GENERAL FUND TOTAL	(\$500)	\$0	\$0

Emergency Medical Services 0485

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$168,394)	\$0	\$0
GENERAL FUND TOTAL	(\$168,394)	\$0	\$0

Fire Marshal - Office of 0327

Initiative: Reduces funding by managing position vacancies within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$40,044)	\$0	\$0
GENERAL FUND TOTAL	(\$40,044)	\$0	\$0

Fire Marshal - Office of 0327

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$274,860)	\$0	\$0
GENERAL FUND TOTAL	(\$274,860)	\$0	\$0

Licensing and Enforcement - Public Safety 0712

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$95,090)	\$0	\$0
GENERAL FUND TOTAL	(\$95,090)	\$0	\$0

State Police 0291

Initiative: Reduces funding by minimizing costs for telephones and secure remote access through streamlining. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$44,961)	\$0	\$0
GENERAL FUND	(\$44,961)	\$0	\$0
TOTAL			

State Police 0291

Initiative: Reduces funding by allocating expenses for crime lab testing supplies to allowable federal funding sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$42,900)	\$0	\$0
GENERAL FUND	(\$42,900)	\$0	\$0
TOTAL			

State Police 0291

Initiative: Reduces funding by freezing one vacant Office Associate II position. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$37,336)	\$0	\$0
GENERAL FUND	(\$37,336)	\$0	\$0
TOTAL			

State Police 0291

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$11,812,731)	\$0	\$0
GENERAL FUND	(\$11,812,731)	\$0	\$0
TOTAL			

PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS

	2020-21	2021-22	2022-23
GENERAL FUND	(\$14,009,144)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$14,009,144)	\$0	\$0

Sec. A-28. Appropriations and allocations. The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF

Administration - Archives 0050

Initiative: Reduces funding one time to reflect projected actual expenses for map cases and racks. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Capital Expenditures	(\$90,969)	\$0	\$0
GENERAL FUND	(\$90,969)	\$0	\$0
TOTAL			

Administration - Archives 0050

Initiative: Reduces funding one time by managing rent expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$58,000)	\$0	\$0
GENERAL FUND	(\$58,000)	\$0	\$0
TOTAL			

Administration - Archives 0050

Initiative: Reduces funding one time by deferring planned contractors for the digital archive scanning project. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$30,000)	\$0	\$0
GENERAL FUND	(\$30,000)	\$0	\$0
TOTAL			

Administration - Archives 0050

Initiative: Reduces funding one time to align appropriations with projected actual expenses for state vehicle operations. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$6,000)	\$0	\$0
GENERAL FUND	(\$6,000)	\$0	\$0
TOTAL			

Administration - Archives 0050

Initiative: Reduces funding one time to align appropriations with projected actual expenses for out-of-state travel. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$3,000)	\$0	\$0
GENERAL FUND	(\$3,000)	\$0	\$0
TOTAL			

Administration - Archives 0050

Initiative: Reduces funding one time by managing staff training expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$2,000)	\$0	\$0
GENERAL FUND TOTAL	(\$2,000)	\$0	\$0

Bureau of Administrative Services and Corporations 0692

Initiative: Reduces funding by freezing one vacant Elections Coordinator position and one vacant Customer Representative Specialist - Elections position for the remainder of fiscal year 2020-21. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	(\$123,687)	\$0	\$0
GENERAL FUND TOTAL	(\$123,687)	\$0	\$0

SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS

	2020-21	2021-22	2022-23
GENERAL FUND	(\$313,656)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$313,656)	\$0	\$0

Sec. A-29. Appropriations and allocations. The following appropriations and allocations are made.

TREASURER OF STATE, OFFICE OF Administration - Treasury 0022

Initiative: Reduces funding to align with projected actual expenses for banking contract services. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$218,934)	\$0	\$0
GENERAL FUND TOTAL	(\$218,934)	\$0	\$0

Disproportionate Tax Burden Fund 0472

Initiative: Adjusts funding for municipal revenue sharing to bring allocations in line with projected available resources for fiscal years 2019-20 and 2020-21.

OTHER SPECIAL REVENUE FUNDS	2020-21	2021-22	2022-23
All Other	\$4,285,102	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,285,102	\$0	\$0
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Disproportionate Tax Burden Fund 0472

Initiative: Adjusts funding to bring allocations in line with projected revenue.

OTHER SPECIAL REVENUE FUNDS	2020-21	2021-22	2022-23
All Other	(\$964,388)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$964,388)	\$0	\$0

State - Municipal Revenue Sharing 0020

Initiative: Adjusts funding for municipal revenue sharing to bring allocations in line with projected available resources for fiscal years 2019-20 and 2020-21.

OTHER SPECIAL REVENUE FUNDS	2020-21	2021-22	2022-23
All Other	(\$10,891,763)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$10,891,763)	\$0	\$0

State - Municipal Revenue Sharing 0020

Initiative: Adjusts funding to bring allocations in line with projected revenue.

OTHER SPECIAL REVENUE FUNDS	2020-21	2021-22	2022-23
All Other	(\$3,857,550)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$3,857,550)	\$0	\$0

TREASURER OF STATE, OFFICE OF DEPARTMENT TOTALS

	2020-21	2021-22	2022-23
GENERAL FUND	(\$218,934)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	(\$11,428,599)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$11,647,533)	\$0	\$0

Sec. A-30. Appropriations and allocations. The following appropriations and allocations are made.

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Educational and General Activities - UMS 0031

Initiative: Reduces general and administrative expenditures across the University of Maine System. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$2,248,990)	\$0	\$0
GENERAL FUND TOTAL	(\$2,248,990)	\$0	\$0

PART B

Sec. B-1. 36 MRSA §111, sub-§1-A, as amended by PL 2019, c. 616, Pt. X, §1, 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, ~~2019~~ 2020.

Sec. B-2. Application. This Part applies to tax years beginning on or after January 1, 2018 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, 2020.

PART C

Sec. C-1. 20-A MRSA §15671, sub-§7, ¶B, as amended by PL 2019, c. 616, Pt. C, §1, is further amended by amending subparagraph (16) to read:

(16) For fiscal year 2020-21, the target is ~~51.78%~~ 51.83%.

Sec. C-2. 20-A MRSA §15671-A, sub-§2, ¶B, as amended by PL 2019, c. 616, Pt. C, §3, is further amended by amending subparagraph (13) to read:

(13) For the 2020 property tax year, the full-value education mill rate is the amount necessary to result in a ~~48.22%~~ 48.17% statewide total local share in fiscal year 2020-21.

Sec. C-3. PL 2019, c. 616, Pt. C, §12 is amended to read:

Sec. C-12. Total cost of funding public education from kindergarten to grade 12. The total cost of funding public education from kindergarten to grade 12 for fiscal year 2020-21 is as follows:

	2020-21 TOTAL
Total Operating Allocation	
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683	\$1,507,865,971
Total adjustments to state subsidy pursuant to Title 20-A, section 15689 included in subsidizable costs and total other subsidizable costs pursuant to Title 20-A, section 15681-A	\$554,973,541

Total Operating Allocation and Subsidizable Costs

Total operating allocation pursuant to Title 20-A, section 15683 and total other subsidizable costs pursuant to Title 20-A, section 15681-A	\$2,062,839,512
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Total Debt Service Allocation

Total debt service allocation pursuant to Title 20-A, section 15683-A	\$103,428,195
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Total Adjustments and Targeted Education Funds

Adjustments pursuant to Title 20-A, section 15689	
Audit adjustments pursuant to Title 20-A, section 15689, subsection 4	\$250,000
Educating students in long-term drug treatment center adjustments pursuant to Title 20-A, section 15689, subsection 5	\$460,355
Minimum teacher salary adjustment pursuant to Title 20-A, section 15689, subsection 7-A	\$2,100,000
Regionalization, consolidation and efficiency assistance adjustments pursuant to Title 20-A, section 15689, subsection 9	\$6,161,789
MaineCare seed payments adjustments pursuant to Title 20-A, section 15689, subsection 14	\$1,334,776
Special education budgetary hardship adjustment pursuant to Title 20-A, section 15689, subsection 15	\$1,000,000
Total adjustments to the state share of the total allocation pursuant to Title 20-A, section 15689	\$11,306,920
Targeted education funds pursuant to Title 20-A, section 15689-A	
Special education costs for state agency clients and state wards pursuant to Title 20-A, section 15689-A, subsection 1	\$33,737,998
Essential programs and services components contract pursuant to Title 20-A, section 15689-A, subsection 3	\$300,000

Data management and support services for essential programs and services pursuant to Title 20-A, section 15689-A, subsection 10	\$7,974,245	Career and technical education costs pursuant to Title 20-A, section 15688-A, subsection 1	\$57,424,775
Postsecondary course payments pursuant to Title 20-A, section 15689-A, subsection 11	\$4,000,000 <u>\$6,500,000</u>	Career and technical education middle school costs pursuant to Title 20-A, section 15672, subsection 1-D	\$500,000
National board certification salary supplement pursuant to Title 20-A, section 15689-A, subsection 12	\$307,551	College transitions programs through adult education college readiness programs pursuant to Title 20-A, section 15688-A, subsection 2	\$450,000
Learning through technology program pursuant to Title 20-A, section 15689-A, subsection 12-A	\$16,114,960	New or expanded public preschool programs pursuant to Title 20-A, section 15688-A, subsection 4	\$0
Jobs for Maine's Graduates including college pursuant to Title 20-A, section 15689-A, subsection 13	\$3,545,379	National industry standards for career and technical education pursuant to Title 20-A, section 15688-A, subsection 6	\$2,000,000
Maine School of Science and Mathematics pursuant to Title 20-A, section 15689-A, subsection 14	\$3,615,347	Regional school leadership academy pursuant to Title 20-A, section 15688-A, subsection 9	\$0
Maine Educational Center for the Deaf and Hard of Hearing pursuant to Title 20-A, section 15689-A, subsection 15	\$8,913,765	Total enhancing student performance and opportunity pursuant to Title 20-A, section 15688-A and section 15672, subsection 1-D	\$60,374,775
Transportation administration pursuant to Title 20-A, section 15689-A, subsection 16	\$410,111		
Special education for juvenile offenders pursuant to Title 20-A, section 15689-A, subsection 17	\$407,036	Total Cost of Funding Public Education from Kindergarten to Grade 12	
Comprehensive early college programs funding (bridge year program) pursuant to Title 20-A, section 15689-A, subsection 23	\$1,000,000	Total cost of funding public education from kindergarten to grade 12 for fiscal year 2020-21 pursuant to Title 20-A, chapter 606-B, not including normal retirement costs	\$2,318,658,110 <u>\$2,321,158,110</u>
Community schools pursuant to Title 20-A, section 15689-A, subsection 25	\$200,000	Total normal cost of teacher retirement	\$50,697,332
Maine School for Marine Science, Technology, Transportation and Engineering pursuant to Title 20-A, section 15689-A, subsection 26	\$132,316	Total cost of funding public education from kindergarten to grade 12 for fiscal year 2020-21 pursuant to Title 20-A, chapter 606-B, including normal retirement costs	\$2,369,355,442 <u>\$2,371,855,442</u>
Musical instruments and professional development in rural schools pursuant to Title 20-A, section 15689-A, subsection 28	\$50,000	Total cost of state contribution to unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teacher health insurance and retired teacher life insurance for fiscal year 2020-21 pursuant to Title 5, chapters 421 and 423, excluding the normal cost of teacher retirement	\$228,931,183
Total targeted education funds pursuant to Title 20-A, section 15689-A	\$80,708,708 <u>\$83,208,708</u>		
Enhancing student performance and opportunity pursuant to Title 20-A, section 15688-A and section 15672, subsection 1-D			

Total cost of funding public education from kindergarten to grade 12, plus state contributions to the unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teacher health insurance and retired teacher life insurance for fiscal year 2020-21 pursuant to Title 5, chapters 421 and 423

\$2,598,286,625
\$2,600,786,625

State contribution to the total cost of funding public education from kindergarten to grade 12 plus state contribution to the total cost of unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, teacher retirement health insurance and teacher retirement life insurance for fiscal year 2020-21 pursuant to Title 5, chapters 421 and 423

\$1,455,783,430
\$1,458,283,430

Sec. C-4. PL 2019, c. 616, Pt. C, §13 is amended to read:

Sec. C-13. Local and state contributions to total cost of funding public education from kindergarten to grade 12. The local contribution and the state contribution appropriation provided for general purpose aid for local schools for the fiscal year beginning July 1, 2020 and ending June 30, 2021 is calculated as follows:

	2020-21 LOCAL	2020-21 STATE
Local and State Contributions to the Total Cost of Funding Public Education from Kindergarten to Grade 12		
Local and state contributions to the total cost of funding public education from kindergarten to grade 12 pursuant to the Maine Revised Statutes, Title 20-A, section 15683, subject to statewide distributions required by law	\$1,142,503,195	\$1,226,852,247 \$1,229,352,247
State contribution to the total cost of unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, teacher retirement health insurance and teacher retirement life insurance for fiscal year 2020-21 pursuant to Title 5, chapters 421 and 423 excluding the normal cost of teacher retirement		\$228,931,183

PART D

Sec. D-1. 36 MRS §5122, sub-§1, ¶MM is enacted to read:

MM. For each taxable year beginning after December 31, 2017 and before January 1, 2021, an amount equal to the taxpayer's excess business loss for the taxable year determined under the Code, Section 461(l), reduced by any amount of the loss included in Maine taxable income for a prior tax year pursuant to paragraph H. Notwithstanding the application dates contained in the Code, Section 461(l)(1)(B), Section 461(l)(1)(B) applies to the calculation for the taxable year.

Sec. D-2. 36 MRS §5122, sub-§2, ¶UU is enacted to read:

UU. An amount equal to the value of any prior year addition modification under subsection 1, paragraph MM, but only to the extent that:

- (1) Maine taxable income is not reduced below zero;
- (2) The amount has not been previously used as a modification pursuant to this paragraph or otherwise used to reduce Maine taxable income; and
- (3) The taxpayer does not include the amount in computing any net operating loss carry-back or carry-over pursuant to the Code, Section 172 for federal income tax purposes.

PART E

Sec. E-1. 36 MRS §5122, sub-§1, ¶NN is enacted to read:

NN. For taxable years beginning on or after January 1, 2019 and before January 1, 2021, the amount of the taxpayer's federal business interest deduction for the taxable year that exceeds the limitation for that deduction contained in the Code, Section 163(j) applying a rate of 30% to adjusted taxable

income for the purposes of the Code, Section 163(j)(1)(B) without regard to the special rule described in the Code, Section 163(j)(10)(A)(i).

Sec. E-2. 36 MRSA §5122, sub-§2, ¶VV is enacted to read:

VV. For taxable years beginning on or after January 1, 2021, an amount equal to the value of any prior year addition modification under subsection 1, paragraph NN, but only to the extent that:

- (1) Maine taxable income is not reduced below zero;
- (2) No more than 25% of the amount is used as a modification in any taxable year; and
- (3) The amount has not been previously used as a modification pursuant to this paragraph or otherwise used to reduce Maine taxable income.

Sec. E-3. 36 MRSA §5200-A, sub-§1, ¶GG is enacted to read:

GG. For taxable years beginning on or after January 1, 2019 and before January 1, 2021, the amount of the taxpayer's federal business interest deduction for the taxable year that exceeds the limitation for that deduction contained in the Code, Section 163(j) applying a rate of 30% to adjusted taxable income for the purposes of the Code, Section 163(j)(1)(B) without regard to the special rule described in the Code, Section 163(j)(10)(A)(i).

Sec. E-4. 36 MRSA §5200-A, sub-§2, ¶HH is enacted to read:

HH. For taxable years beginning on or after January 1, 2021, an amount equal to the value of any prior year addition modification under subsection 1, paragraph GG, but only to the extent that:

- (1) Maine taxable income is not reduced below zero;
- (2) No more than 25% of the amount is used as a modification in any taxable year; and
- (3) The amount has not been previously used as a modification pursuant to this paragraph or otherwise used to reduce Maine taxable income.

PART F

Sec. F-1. 36 MRSA §5219-NN, sub-§2, ¶F, as repealed and replaced by PL 2017, c. 211, Pt. D, §8, is amended to read:

F. Property owned by a person that provides multichannel, multipoint television distribution services; ~~and~~

Sec. F-2. 36 MRSA §5219-NN, sub-§2, ¶G, as repealed and replaced by PL 2017, c. 211, Pt. D, §8, is amended to read:

G. Property that is not in service in the State for the entire 12-month period following the date it is placed in service in the State; ~~and~~

Sec. F-3. 36 MRSA §5219-NN, sub-§2, ¶H is enacted to read:

H. Qualified improvement property, as defined in the Code, Section 168(e)(6), placed in service after December 31, 2017 and prior to January 1, 2020.

PART G

Sec. G-1. 36 MRSA §5200-A, sub-§1, ¶HH is enacted to read:

HH. For taxable years beginning after January 1, 2019 and before January 1, 2020, an amount equal to the difference between the taxpayer's charitable deduction as determined under the Code, Section 170 excluding application of the amendments made by Section 2205 of the federal Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, and the taxpayer's charitable deduction as determined under the Code, Section 170 including application of the amendments made by federal Public Law 116-136, Section 2205.

Sec. G-2. 36 MRSA §5200-A, sub-§2, ¶II is enacted to read:

II. For taxable years beginning after January 1, 2020 and before January 1, 2025, an amount equal to the amount by which federal taxable income was increased under subsection 1, paragraph HH, but only to the extent that:

- (1) Maine taxable income is not reduced below zero; and
- (2) The amount has not been previously used as a modification pursuant to this paragraph or otherwise used to reduce Maine taxable income.

PART H

Sec. H-1. 36 MRSA §5122, sub-§1, ¶LL, as corrected by RR 2019, c. 1, Pt. A, §68, is repealed.

Sec. H-2. 36 MRSA §5122, sub-§2, ¶TT, as enacted by PL 2017, c. 474, Pt. C, §3 and reallocated by RR 2019, c. 1, Pt. A, §69, is repealed.

Sec. H-3. 36 MRSA §5200-A, sub-§1, ¶DD, as corrected by RR 2019, c. 1, Pt. A, §72, is repealed.

Sec. H-4. 36 MRSA §5200-A, sub-§2, ¶GG, as enacted by PL 2017, c. 474, Pt. C, §7 and reallocated by RR 2019, c. 1, Pt. A, §73, is repealed.

Sec. H-5. Application; retroactivity. This Part applies retroactively to tax years beginning on or after January 1, 2018.

PART I

Sec. I-1. Credit for income tax paid to other taxing jurisdictions. For tax years beginning in 2020, when determining whether compensation for personal services performed as an employee teleworking from a location in the State must be treated as derived from sources in another jurisdiction for purposes of the credit for income tax paid to other taxing jurisdictions allowed pursuant to the Maine Revised Statutes, Title 36, section 5217-A, the compensation is sourced to that jurisdiction, notwithstanding Title 36, section 5142, if:

1. The employee was engaged in performing services from a location outside of this State immediately prior to a state of emergency declared due to the spread of the novel coronavirus disease referred to as COVID-19 by either this State or the state where the employee was engaged in performing those services;
2. The employee commenced working remotely from this State, as to those services or proportion of services referred to in subsection 1, due to the COVID-19 pandemic and during either state's state of emergency;
3. The services were performed prior to January 1, 2021 and during either state's state of emergency;
4. The compensation is sourced by that other taxing jurisdiction as derived from or connected with sources in that jurisdiction under the law of that jurisdiction; and
5. The employee does not qualify for an income tax credit in that other taxing jurisdiction for Maine income taxes paid as a result of the compensation.

The State Tax Assessor may adopt routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A as necessary to implement this section.

Sec. I-2. Educational opportunity tax credit. For tax years beginning in 2020, for purposes of the educational opportunity tax credit allowed pursuant to the Maine Revised Statutes, Title 36, section 5217-D, a qualified individual who worked in this State immediately prior to, or at any point during, the State's state of emergency declared due to the spread of the novel coronavirus disease referred to as COVID-19 is deemed to have worked in this State for the entire state of emergency.

PART J

Sec. J-1. Department of Administrative and Financial Services; lease-purchase authorization. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, in cooperation with the Treasurer of State, may enter into financing agreements in fiscal

years 2020-21, 2021-22 and 2022-23 for the acquisition, licensing, installation, implementation, maintenance and support of computer hardware, software and other systems development of a human resources and payroll system within the Central Administrative Applications program, General Fund account. The financing agreements entered into may not exceed \$8,000,000 in principal costs, and a financing agreement may not exceed 7 years in duration. The annual interest rate may not exceed 5%. The annual principal and interest costs must be paid from the appropriate line category allocations in the Central Administrative Applications program, General Fund account.

PART K

Sec. K-1. PL 2019, c. 343, Pt. O, §1 is amended to read:

Sec. O-1. Department of Administrative and Financial Services; financial agreement authorization; system requirements. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, Office of Information Technology and the Bureau of Revenue Services may enter into financial agreements on or after July 1, ~~2019~~ 2020, with debt service commencing on or after July 1, ~~2021~~ 2023, for the acquisition, licensing, installation, implementation, maintenance and support of computer hardware, software and other systems to support the operations of the tax collection system of the Bureau of Revenue Services. The financial agreements may not collectively exceed ~~7~~ 10 years in duration and \$46,400,000 in principal costs. The annual interest rate may not exceed 7%. Annual principal and interest costs must be paid from the Bureau of Revenue Services program accounts in the Department of Administrative and Financial Services. The hardware, software and other systems acquired to support the operations of Bureau of Revenue Services tax administration must be capable of collecting data that facilitates evaluation of tax expenditures conducted for the purpose of legislative oversight of those programs.

PART L

This Part left blank intentionally.

PART M

Sec. M-1. 10 MRSA §1020, sub-§2, ¶D, as amended by PL 2009, c. 434, §1 and affected by §84, is further amended to read:

D. All revenue received from the State Tax Assessor pursuant to former subsection 6 and former subsection 6-A.

Sec. M-2. 10 MRSA §1020, sub-§6-A, as repealed and replaced by PL 2011, c. 211, §5 and affected by §27, is repealed.

Sec. M-3. 10 MRSA §1020-B, as amended by PL 2011, c. 211, §13, is repealed.

Sec. M-4. 10 MRSA §1020-C, sub-§1, ¶A, as amended by PL 2011, c. 548, §1 and affected by §36, is further amended to read:

A. "Eligible dealer" means a motor vehicle oil dealer that has sold or distributed motor vehicle oil outside the State on which the motor vehicle oil premium was imposed by section 1020, former subsection 6-A.

Sec. M-5. 10 MRSA §1020-D is enacted to read:

§1020-D. Repeal

This subchapter is repealed September 30, 2021.

Sec. M-6. 10 MRSA §1053, sub-§6, ¶E, as amended by PL 2007, c. 464, §9, is further amended to read:

E. The sum of \$120,000,000 consisting of not more than \$100,000,000 for loans and up to \$20,000,000 for use of bond proceeds to fund capital reserve funds for revenue obligation securities issued pursuant to this subchapter relating to loans for paper industry job retention projects; and

Sec. M-7. 10 MRSA §1053, sub-§6, ¶F, as amended by PL 2007, c. 464, §9, is further amended to read:

F. The sum of \$100,000,000 consisting of not more than \$85,000,000 for loans and up to \$15,000,000 for use of bond proceeds to fund capital reserve funds for revenue obligation securities issued pursuant to this subchapter relating to loans for transmission facilities projects as defined in section 963-A, subsection 49-H; and

Sec. M-8. 10 MRSA §1053, sub-§6, ¶G, as enacted by PL 2007, c. 464, §9, is repealed.

Sec. M-9. 36 MRSA §112, sub-§8, ¶A, as amended by PL 2011, c. 548, §10, is further amended to read:

A. Collection of the tax on fire insurance companies imposed by Title 25, section 2399; and

Sec. M-10. 36 MRSA §112, sub-§8, ¶D, as amended by PL 2011, c. 548, §10, is repealed.

Sec. M-11. 36 MRSA §144, sub-§2, ¶A, as amended by PL 2011, c. 211, §18 and c. 380, Pt. M, §2, is further amended to read:

A. Subsection 1 does not apply in the case of ~~premiums imposed pursuant to Title 10, section 1020, subsection 6-A~~, sales and use taxes imposed by Part 3, estate taxes imposed by chapter 575 or 577, income taxes imposed by Part 8 and any other tax imposed by this Title for which a specific statutory refund provision exists.

Sec. M-12. 36 MRSA §191, sub-§2, ¶RR, as corrected by RR 2011, c. 1, §51, is repealed.

Sec. M-13. Transfer from the Waste Motor Oil Revenue Fund to the Uncontrolled Sites Fund. Notwithstanding any provision of the Maine Revised Statutes, Title 10, section 1020 to the contrary, as soon as practicable after the effective date of this Part, the Finance Authority of Maine shall transfer to the Uncontrolled Sites Fund established under Title 38, section 1364, subsection 6 all amounts remaining in the Waste Motor Oil Revenue Fund after payment of the authority's fund administration expenses to the effective date of this Part.

Sec. M-14. Segregation of funds transferred to the Uncontrolled Sites Fund. The Department of Environmental Protection shall establish within the Uncontrolled Sites Fund a segregated subsidiary account. The department shall deposit into the subsidiary account 50% of the amount transferred pursuant to section 13 of this Part and, in accordance with its authority under the Maine Revised Statutes, Title 38, chapter 13-B, may expend funds from that subsidiary account only for the purpose of abating, cleaning up or mitigating the threats or hazards posed or potentially posed by perfluoroalkyl and polyfluoroalkyl substances contamination in the State.

PART N

Sec. N-1. 22 MRSA §3762, sub-§8, ¶B, as amended by PL 2015, c. 267, Pt. RRRR, §3, is further amended to read:

B. The department shall provide limited transitional transportation benefits to meet employment-related costs to ASPIRE-TANF program participants who lose eligibility for TANF assistance due to employment and to employed families with children with income less than 200% of the federal poverty level. The department may also make transitional transportation benefits available to families in which one or both adults are working and who, although they remain financially eligible for TANF benefits, request that their benefits be terminated. Benefits may be provided for up to 18 months ~~following loss of TANF eligibility~~. The department may adopt rules that impose a weekly limit on available transitional transportation benefits and that require a contribution from each participant toward the cost of transportation. For the purposes of employed families whose household income is less than 200% of the federal poverty level and who do not qualify based on the loss of TANF eligibility due to earnings or are a 2-parent household who request termination of TANF benefits when at least one adult is working, the department may use up to \$1,400,000 annually from the federal TANF block grant for expenditures under this program.

PART O

Sec. O-1. 22 MRSA §3769-F, as enacted by PL 2017, c. 284, Pt. NNNNNNN, §12, is repealed.

PART P

Sec. P-1. Carrying balances; Department of Health and Human Services, Food Supplement Administration program. Notwithstanding any provision of law to the contrary, at the end of fiscal year 2020-21, the State Controller shall carry forward, to be used for the same purposes in fiscal year 2021-22, any unexpended balance of the \$1,335,770 appropriated in the All Other line category contained in Part A in the Department of Health and Human Services, Food Supplement Administration program, General Fund account for the purpose of reimbursing the Federal Government for the Supplemental Nutrition Assistance Program error penalty incurred in federal fiscal year 2019.

PART Q

Sec. Q-1. PL 2019, c. 343, Part BBBB, §4 is amended to read:

Sec. BBBB-4. Transfer to Fund for a Healthy Maine. After the State Controller has made the transfers for MaineCare payments authorized pursuant to section 3 of this Part, the State Controller shall transfer ~~any remaining balance, up to \$14,500,000, on June 30~~ July 1, 2021 to the Fund for a Healthy Maine dedicated revenue.

PART R

This Part left blank intentionally.

PART S

Sec. S-1. Transfer balances; indigent legal services. Notwithstanding any provision of law to the contrary, prior to June 30, 2021, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Reserve for Indigent Legal Services account, Other Special Revenue Funds to the Maine Commission on Indigent Legal Services account, Other Special Revenue Funds in the Maine Commission on Indigent Legal Services.

PART T

Sec. T-1. PL 2019, c. 343, Part ZZZ, §1 is amended to read:

Sec. ZZZ-1. Carrying provision; Department of Secretary of State, Elections and Commissions. Notwithstanding any provision of law to the contrary, the State Controller shall carry forward any unexpended balance in the All Other line category at the end of fiscal year 2019-20 to the ~~next fiscal year~~ end of fiscal year 2021-22 in the Department of Secretary of State, Elections and Commissions program to be used

as matching funds for the federal Help America Vote Act of 2002.

PART U

Sec. U-1. 36 MRSA §5200-A, sub-§1, ¶FF, as enacted by PL 2017, c. 474, Pt. D, §1, is amended to read:

FF. An amount equal to the taxpayer's global intangible low-taxed income deduction claimed in accordance with the Code, Section 250(a)(1)(B) and, for tax years beginning on or after January 1, 2020, an amount equal to the taxpayer's deduction claimed in accordance with the Code, Section 250(a).

PART V

This Part left blank intentionally.

PART W

This Part left blank intentionally.

PART X

Sec. X-1. 36 MRSA §5122, sub-§1, ¶OO is enacted to read:

OO. For each taxable year beginning on or after January 1, 2021, an amount equal to any increase in deductions allowed for federal income tax purposes pursuant to Division EE, Section 210 of the federal Consolidated Appropriations Act, 2021, Public Law 116-260.

Sec. X-2. 36 MRSA §5200-A, sub-§1, ¶KK is enacted to read:

KK. For each taxable year beginning on or after January 1, 2021, an amount equal to any increase in deductions allowed for federal income tax purposes pursuant to Division EE, Section 210 of the federal Consolidated Appropriations Act, 2021, Public Law 116-260.

PART Y

Sec. Y-1. 36 MRSA §5219-WW, sub-§2, ¶A, as enacted by PL 2019, c. 555, §6, is amended to read:

A. Equal to the total federal low-income housing tax credit computed using the entire federal low-income housing tax credit period as described in Section 42(f) of the Code for all buildings in a qualified Maine project or a lesser amount as may be allocated by the authority pursuant to subsection 4; or

Sec. Y-2. 36 MRSA §5219-WW, sub-§4, ¶C is enacted to read:

C. The authority shall allocate credit for a qualified Maine project in an amount equal to the total federal low-income housing tax credit computed using the entire federal low-income housing tax credit period as described in Section 42(f) of the Code for

all buildings in that qualified Maine project, except that the authority may allocate a lesser amount if the authority determines that is necessary to avoid any reduction pursuant to Section 42(m)(2) of the Code in the federal low-income housing tax credit otherwise available for that qualified Maine project.

PART Z

Sec. Z-1. 36 MRSA §5122, sub-§2, ¶WW is enacted to read:

WW. For tax years beginning on or after January 1, 2020 but not later than December 31, 2020, for a taxpayer with a federal adjusted gross income of less than \$150,000, the total amount of unemployment compensation, up to \$10,200, received by the taxpayer or, in the case of a joint return, received by each spouse, to the extent included in federal adjusted gross income pursuant to the Code, Section 85.

Sec. Z-2. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Revenue Services, Bureau of 0002

Initiative: Appropriates funds for the one-time printing and postage costs required for an informational postcard campaign to recipients of unemployment compensation benefits.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$65,830	\$0	\$0
GENERAL FUND	\$65,830	\$0	\$0
TOTAL			

PART AA

Sec. AA-1. Transfer; Reserve for General Fund Operating Capital to a COVID-19 response fund. Notwithstanding any provision of law to the contrary, the State Controller may transfer up to \$2,900,000 from the balance available in the Reserve for General Fund Operating Capital to a COVID-19 response fund established by the State Controller to address funding needs related to the novel coronavirus disease, known as COVID-19, through June 30, 2021. Amounts transferred may be expended based on allotment established by financial order approved by the State Budget Officer and the Governor. The amounts transferred are considered adjustments to appropriations. The Governor shall inform the Legislative Council and the Joint Standing Committee on Appropriations and Financial Affairs immediately upon such a transfer from the Reserve for General Fund Operating Capital. Any remaining balance in the COVID-19 response fund on July 1, 2021 must be transferred by the State Controller to the Reserve for General Fund Operating

Capital. All amounts received as reimbursement for expenses originally paid by the COVID-19 response fund, up to \$2,900,000, from any funding source whatsoever, must be returned to the Reserve for General Fund Operating Capital in accordance with this section.

PART BB

Sec. BB-1. 37-B MRSA §744, sub-§9 is enacted to read:

9. Application. This section does not apply to federal funds received under section 746.

Sec. BB-2. 37-B MRSA §746 is enacted to read:

§746. Federal funds received due to the COVID-19 pandemic

Notwithstanding the provisions of section 744 and Title 5, section 1669, an expenditure proposed by the Governor from discretionary funds not otherwise earmarked for use by the State that are received directly by the State from the Federal Government due to the pandemic related to coronavirus disease 2019, also known as COVID-19, following the effective date of this section must be approved by a majority vote of both Houses of the Legislature.

PART CC

Sec. CC-1. Transfer from Liquor Operation Revenue Fund. Notwithstanding the Maine Revised Statutes, Title 30-A, section 6054, subsection 4, or any other provision of law to the contrary, the Maine Municipal Bond Bank shall transfer \$50,000,000 during fiscal year 2020-21 from the Liquor Operation Revenue Fund, established in Title 30-A, section 6054, subsection 1, to the unappropriated surplus of the General Fund.

PART DD

Sec. DD-1. Appropriations and allocations. The following appropriations and allocations are made.

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Veterans Services 0110

Initiative: Appropriates funds for office professional services expenses to offset a deappropriation included in Part A of this Act.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$19,760	\$0	\$0
GENERAL FUND	\$19,760	\$0	\$0
TOTAL			

Veterans Services 0110

Initiative: Appropriates funds for maintenance expenses for cemetery equipment and vehicles to offset a deappropriation included in Part A of this Act.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$10,000	\$0	\$0
GENERAL FUND	\$10,000	\$0	\$0
TOTAL			

Veterans Services 0110

Initiative: Appropriates funds for utility services expenses to offset a deappropriation included in Part A of this Act.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$20,000	\$0	\$0
GENERAL FUND	\$20,000	\$0	\$0
TOTAL			

Veterans Services 0110

Initiative: Appropriates funds for office and other supply expenses to offset a deappropriation included in Part A of this Act.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$15,000	\$0	\$0
GENERAL FUND	\$15,000	\$0	\$0
TOTAL			

Veterans Services 0110

Initiative: Appropriates funds for general operation expenses to offset a deappropriation included in Part A of this Act.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$12,692	\$0	\$0
GENERAL FUND	\$12,692	\$0	\$0
TOTAL			

Veterans Services 0110

Initiative: Appropriates funds for one Office Associate II position to offset a deappropriation included in Part A of this Act.

GENERAL FUND	2020-21	2021-22	2022-23
Personal Services	\$35,636	\$0	\$0
GENERAL FUND	\$35,636	\$0	\$0
TOTAL			

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF DEPARTMENT TOTALS

	2020-21	2021-22	2022-23
GENERAL FUND	\$113,088	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$113,088	\$0	\$0

Sec. EE-1. Study of global intangible low-taxed income deduction add-back. For the purposes of studying the effectiveness of encouraging economic activity in this State, the Department of Administrative and Financial Services shall study the income modification required pursuant to the Maine Revised Statutes, Title 36, section 5200-A, subsection 1, paragraph FF of prior tax years beginning on or before December 31, 2020 regarding a taxpayer's foreign-derived intangible income deduction, referred to in this section as "the deduction," claimed pursuant to the federal Internal Revenue Code of 1986, Section 250(a)(1)(B) and the effect of decoupling from that deduction.

In performing the study, Maine Revenue Services shall determine:

1. Whether the deduction is being used by any Maine-based businesses;
2. The effectiveness of the deduction in meeting the goal of encouraging corporations to file their taxes domestically;
3. The annual cost in revenue to the State by that deduction;
4. The annual revenue that would be generated by decoupling from the deduction; and
5. Whether there is some other deduction or incentive that would fulfill the purpose of the deduction in a more effective or efficient manner.

Maine Revenue Services shall report, with suggested legislation, to the Joint Standing Committee on Taxation no later than January 15, 2022. The joint standing committee may report out a bill related to the report to the Second Regular Session of the 130th Legislature.

PART FF

Sec. FF-1. Transfer from General Fund unappropriated surplus; Maine Budget Stabilization Fund. Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$8,000,000 during fiscal year 2020-21 from the General Fund unappropriated surplus to the Maine Budget Stabilization Fund established in the Maine Revised Statutes, Title 5, section 1532.

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

Effective March 17, 2021.

PART EE

**CHAPTER 2
H.P. 118 - L.D. 162**

An Act To Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2021

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. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Buildings and Grounds Operations 0080

Initiative: Reduces funding to align with projected actual expenses for fuel costs. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$22,500)	\$0	\$0
HIGHWAY FUND TOTAL	(\$22,500)	\$0	\$0

Buildings and Grounds Operations 0080

Initiative: Reduces funding by managing materials and supplies expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$18,000)	\$0	\$0

HIGHWAY FUND	(\$18,000)	\$0	\$0
TOTAL			

Buildings and Grounds Operations 0080

Initiative: Reduces funding by deferring planned maintenance of buildings and grounds. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$12,000)	\$0	\$0
HIGHWAY FUND TOTAL	(\$12,000)	\$0	\$0

Buildings and Grounds Operations 0080

Initiative: Reduces funding to align with projected actual expenses for electricity costs. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$4,376)	\$0	\$0
HIGHWAY FUND TOTAL	(\$4,376)	\$0	\$0

Revenue Services, Bureau of 0002

Initiative: Reduces funding by allocating position costs from the Highway Fund to the General Fund to better reflect actual work percentages. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
Personal Services	(\$50,047)	\$0	\$0
All Other	(\$3,210)	\$0	\$0
HIGHWAY FUND TOTAL	(\$53,257)	\$0	\$0

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS

	2020-21	2021-22	2022-23
HIGHWAY FUND	(\$110,133)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$110,133)	\$0	\$0

Sec. A-2. Appropriations and allocations. The following appropriations and allocations are made.

MUNICIPAL BOND BANK, MAINE

TransCap Trust Fund Z064

Initiative: Recognizes revenue changes approved by the Revenue Forecasting Committee in its report dated December 1, 2020.

OTHER SPECIAL REVENUE FUNDS	2020-21	2021-22	2022-23
All Other	\$599,823	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$599,823	\$0	\$0

Sec. A-3. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

Motor Vehicle Inspection 0329

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
Personal Services	(\$71,651)	\$0	\$0
HIGHWAY FUND TOTAL	(\$71,651)	\$0	\$0

State Police 0291

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
Personal Services	(\$6,393,340)	\$0	\$0
HIGHWAY FUND TOTAL	(\$6,393,340)	\$0	\$0

Traffic Safety 0546

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
Personal Services	(\$490,021)	\$0	\$0
HIGHWAY FUND TOTAL	(\$490,021)	\$0	\$0

Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: Reduces funding by using federal Coronavirus Relief Fund funds to support public health and public safety Personal Services costs identified as an allowable use by guidance from the United States Department of the Treasury. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
Personal Services	(\$2,100,945)	\$0	\$0
HIGHWAY FUND TOTAL	(\$2,100,945)	\$0	\$0

PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS

HIGHWAY FUND	2020-21	2021-22	2022-23
	(\$9,055,957)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$9,055,957)	\$0	\$0

Sec. A-4. Appropriations and allocations. The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF

Administration - Motor Vehicles 0077

Initiative: Reduces funding one time to reflect projected actual expenses for contracted information technology services for hardware and software. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$120,000)	\$0	\$0
HIGHWAY FUND TOTAL	(\$120,000)	\$0	\$0

Administration - Motor Vehicles 0077

Initiative: Reduces funding one time by managing one vacant Staff Development Specialist IV position until April 2021. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
Personal Services	(\$61,826)	\$0	\$0
HIGHWAY FUND TOTAL	(\$61,826)	\$0	\$0

Administration - Motor Vehicles 0077

Initiative: Reduces funding one time by managing miscellaneous professional fees and services expenses within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$13,632)	\$0	\$0
HIGHWAY FUND TOTAL	(\$13,632)	\$0	\$0

Administration - Motor Vehicles 0077

Initiative: Reduces funding one time to reflect projected actual expenses for out-of-state travel expenses. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$4,542)	\$0	\$0
HIGHWAY FUND TOTAL	(\$4,542)	\$0	\$0

Administration - Motor Vehicles 0077

Initiative: Provides funding for increased costs as a result of higher STA-CAP rates.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	\$984,645	\$0	\$0
HIGHWAY FUND TOTAL	\$984,645	\$0	\$0

Administration - Motor Vehicles 0077

Initiative: Provides one-time funding for contracted services to modernize driver's license and vehicle services systems. These funds do not lapse but must be carried forward to the next fiscal year to be used for the same purpose.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	\$1,919,990	\$0	\$0
HIGHWAY FUND TOTAL	\$1,919,990	\$0	\$0

SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS

	2020-21	2021-22	2022-23
HIGHWAY FUND	\$2,704,635	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$2,704,635	\$0	\$0

Sec. A-5. Appropriations and allocations. The following appropriations and allocations are made.

TRANSPORTATION, DEPARTMENT OF

Administration 0339

Initiative: Reduces funding by managing the equivalent of 6 position vacancies within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
Personal Services	(\$381,610)	\$0	\$0
HIGHWAY FUND TOTAL	(\$381,610)	\$0	\$0

Highway and Bridge Capital 0406

Initiative: Reduces funding by managing the equivalent of 45% of 36 position vacancies within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
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Personal Services	(\$991,553)	\$0	\$0
HIGHWAY FUND TOTAL	(\$991,553)	\$0	\$0

Highway and Bridge Capital 0406

Initiative: Provides an allocation for flexible federal highway funds contained in the so-called Coronavirus Response and Relief Supplemental Appropriations Act of 2021 within the federal Consolidated Appropriations Act, 2021.

FEDERAL EXPENDITURES FUND	2020-21	2021-22	2022-23
Capital Expenditures	\$15,000,000	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$15,000,000	\$0	\$0

Highway Light Capital Z095

Initiative: Provides an allocation for flexible federal highway funds contained in the so-called Coronavirus Response and Relief Supplemental Appropriations Act of 2021 within the federal Consolidated Appropriations Act, 2021.

FEDERAL EXPENDITURES FUND	2020-21	2021-22	2022-23
Capital Expenditures	\$6,000,000	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$6,000,000	\$0	\$0

Local Road Assistance Program 0337

Initiative: Reduces funding to municipalities for maintenance or improvement of public roads in order to meet the requirement in the Maine Revised Statutes, Title 23, section 1803-B that the Local Road Assistance Program be funded at 9% of the Department of Transportation Highway Fund allocations. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$1,066,382)	\$0	\$0
HIGHWAY FUND TOTAL	(\$1,066,382)	\$0	\$0

Maintenance and Operations 0330

Initiative: Reduces funding by deferring the planned purchasing of heavy trucks in the Fleet Services program. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$2,000,000)	\$0	\$0
HIGHWAY FUND TOTAL	(\$2,000,000)	\$0	\$0

Maintenance and Operations 0330

Initiative: Reduces funding by managing payments to the Fleet Services program within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$1,700,000)	\$0	\$0
HIGHWAY FUND TOTAL	(\$1,700,000)	\$0	\$0

Maintenance and Operations 0330

Initiative: Reduces funding by deferring planned payments to the Facility Fund program for maintenance of Department of Transportation facilities. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$500,000)	\$0	\$0
HIGHWAY FUND TOTAL	(\$500,000)	\$0	\$0

Maintenance and Operations 0330

Initiative: Reduces funding by managing small equipment purchases within available resources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
Capital Expenditures	(\$300,000)	\$0	\$0
HIGHWAY FUND TOTAL	(\$300,000)	\$0	\$0

Multimodal - Freight Rail 0350

Initiative: Reduces funding by allocating Highway Fund Multimodal - Freight Rail program support to allowable Other Special Revenue Funds sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$603,599)	\$0	\$0
HIGHWAY FUND TOTAL	(\$603,599)	\$0	\$0

Multimodal - Island Ferry Service Z016

Initiative: Reduces funding by allocating Highway Fund Multimodal - Island Ferry Service program support to allowable Other Special Revenue Funds sources. This initiative relates to the curtailments ordered in Financial Order 001152 F1.

HIGHWAY FUND	2020-21	2021-22	2022-23
All Other	(\$6,091,588)	\$0	\$0
HIGHWAY FUND TOTAL	(\$6,091,588)	\$0	\$0

TRANSPORTATION, DEPARTMENT OF DEPARTMENT TOTALS

	2020-21	2021-22	2022-23
HIGHWAY FUND	(\$13,634,732)	\$0	\$0
FEDERAL EXPENDITURES FUND	\$21,000,000	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$7,365,268	\$0	\$0

PART B

Sec. B-1. Transfer of funds; Department of Transportation, Local Road Assistance Program. Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$21,712,948 by June 30, 2021 from the unencumbered balance of the Local Road Assistance Program, Highway Fund account in the Department of Transportation to the unallocated surplus of the Highway Fund.

PART C

Sec. C-1. Transfer of funds; Department of Transportation, Bond Interest-Highway account. Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$70,109 by June 30, 2021 from the unencumbered balance of the Bond Interest-Highway Highway Fund account in the Department of Transportation to the unallocated surplus of the Highway Fund.

PART D

Sec. D-1. Transfer of funds; Department of Secretary of State, Administration - Motor Vehicles program. Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$2,904,635 by June 30, 2021 from the unencumbered balance in the Department of Secretary of State, Administration - Motor Vehicles program, Highway Fund account to the Highway Fund unallocated surplus.

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

Effective March 17, 2021.

CHAPTER 3

S.P. 94 - L.D. 205

An Act To Extend the Ability of Restaurants and Bars To Serve Alcohol To Go

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 spread of the novel coronavirus disease referred to as COVID-19 has created a public health emergency; and

Whereas, in response to this public health emergency, the Governor issued an executive order on March 18, 2020 requiring all restaurants and bars, including tasting rooms, to close their dine-in facilities but permitting restaurants and bars to offer carry-out, delivery and drive-through food and beverage services, including carry-out, delivery and drive-through liquor sales; and

Whereas, although restaurants across the State were permitted to reopen June 17, 2020, restaurants are required to limit indoor seating capacity to prevent spread of the virus while the reopening of bars and tasting rooms has been postponed until further notice; and

Whereas, it is impossible to ascertain when the current public health emergency will abate, rendering the economic survival of restaurants, bars and tasting rooms dependent on their continued ability to provide carry-out, delivery and drive-through food and beverage services, including carry-out, delivery and drive-through liquor sales; 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:

Sec. 1. 28-A MRSA §1056 is enacted to read:

§1056. Authorized take-out and delivery sales of liquor; repeal

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

A. "Approved cocktail" means a beverage prepared by combining spirits or wine with spirits, wine or a nonalcoholic liquid or liquids and that:

- (1) Is prepared on the day of sale by a qualified on-premises retailer's or qualified distillery's employee who is at least 21 years of age or by an employee who is between 17 and 20 years of age and who is in the presence of another employee who is at least 21 years of age and is serving in a supervisory capacity;
- (2) Contains no more than 4 1/2 ounces of spirits; and
- (3) Is sealed in an approved container.

B. "Approved container" means a tamper-evident container that:

(1) Is rigid, is not made of paper or polystyrene foam, has not previously been used to contain beverages and has a secured lid or cap that does not contain any holes or opening including any hole or opening through which a straw may be inserted or the contents of the container may be sipped;

(2) Is sealed in a manner that makes opening the container or tampering with the contents of the container easily detectable; and

(3) Has an affixed label that identifies the name and license number of the qualified on-premises retailer or qualified distillery that prepared and sold the approved cocktail, the date on which the approved cocktail was prepared and sealed in the approved container and the ingredients of the approved cocktail.

C. "Food order" means an order of a full course meal as defined in section 2, subsection 15, paragraph R-1 or an order of a cold or hot meal including but not limited to a sandwich, salad, hamburger, cheeseburger, hot dog, pizza or other food item that customarily appears on a restaurant menu. "Food order" does not include an order consisting solely of a prepackaged snack food or foods such as popcorn, chips or pretzels.

D. "Original container" means, with respect to a wine or malt liquor product, the container in which the wine or malt liquor product was sealed when the qualified on-premises retailer obtained the wine or malt liquor product from an in-state manufacturer or a wholesale licensee.

E. "Qualified distillery" means a distillery or a small distillery licensed under section 1355-A that:

- (1) Serves samples of its products to the public for on-premises consumption under section 1355-A, subsection 2, paragraph A, B, E or F or sells its products to the public for off-premises consumption under section 1355-A, subsection 2, paragraph C, D or G; and
- (2) Has notified the bureau in accordance with subsection 2 of its intention to sell approved cocktails for off-premises consumption.

F. "Qualified on-premises retailer" means an establishment that possesses a license to sell spirits, wine or malt liquor for on-premises consumption under this chapter and has notified the bureau in accordance with subsection 2 of its intention to sell approved cocktails, wine or malt liquor for off-premises consumption.

2. Authorized take-out and delivery sales of liquor for off-premises consumption. Notwithstanding any provision of law to the contrary, a qualified on-premises retailer or a qualified distillery may sell liquor

for off-premises consumption only under the following conditions.

A. Prior to engaging in sales of liquor for off-premises consumption, a qualified on-premises retailer or qualified distillery shall notify the bureau of its intention to sell approved cocktails, wine or malt liquor for off-premises consumption on a form prepared and approved by the bureau.

B. Liquor sold by a qualified on-premises retailer for off-premises consumption must be accompanied by a food order.

C. A qualified on-premises retailer may sell for off-premises consumption only the type or types of liquor that it is authorized to sell for on-premises consumption pursuant to its license issued under this chapter.

(1) If the qualified on-premises retailer is licensed under this chapter to sell wine for on-premises consumption, it may sell wine for off-premises consumption only in an original container or as an ingredient in an approved cocktail. An approved cocktail sold by a qualified on-premises retailer under this subparagraph may not contain spirits unless the qualified on-premises retailer is also licensed to sell spirits for on-premises consumption under this chapter.

(2) If the qualified on-premises retailer is licensed under this chapter to sell malt liquor for on-premises consumption, it may sell malt liquor for off-premises consumption only in an original container.

(3) If the qualified on-premises retailer is licensed under this chapter to sell spirits for on-premises consumption, it may sell spirits for off-premises consumption only as an ingredient of an approved cocktail. An approved cocktail sold by a qualified on-premises retailer under this subparagraph may not contain wine unless the qualified on-premises retailer is also licensed to sell wine for on-premises consumption.

D. Except as provided in section 1355-A, a qualified distillery may sell spirits for off-premises consumption only as an ingredient of an approved cocktail. An approved cocktail sold by a qualified distillery under this paragraph may not contain wine or spirits not manufactured by the qualified distillery unless the qualified distillery purchased the wine or spirits from an agency liquor store licensed as a reselling agent.

E. Liquor sold for off-premises consumption must be accompanied by a sales receipt with a time stamp that indicates the time of purchase.

F. Liquor sold for off-premises consumption may be delivered by the qualified on-premises retailer or the qualified distillery or by an employee of the qualified on-premises retailer or the qualified distillery to a customer at the licensed premises or at a remote location only in accordance with this paragraph.

(1) Liquor may not be delivered to a customer at a remote location unless the individual making the delivery is at least 21 years of age.

(2) Liquor may not be delivered to a visibly intoxicated person.

(3) Liquor may not be delivered unless the individual making the delivery verifies, by means of reliable photographic identification containing the person's name and date of birth, that the person to whom the delivery is made is not a minor.

3. Repeal. This section is repealed September 10, 2022.

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

Effective March 17, 2021.

**CHAPTER 4
H.P. 101 - L.D. 145**

**An Act To Amend the Maine
Uniform Probate Code**

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

Whereas, the Maine Uniform Probate Code took effect September 1, 2019, but the new confidentiality of records provisions applicable to adult guardianships, conservatorships and other protective arrangements were delayed until January 1, 2021 to allow the development and adoption of rules governing those records by the Supreme Judicial Court; and

Whereas, the rules governing confidentiality of Probate Court records have not yet been adopted; and

Whereas, the effective date of the statutory provisions should be delayed until the rules are adopted and any appropriate statutory amendments can be made; 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:

Sec. 1. 18-C MRSA §3-108, sub-§1, ¶D, as amended by PL 2019, c. 417, Pt. A, §4, is further amended to read:

D. An Regardless of whether the decedent dies before, on or after the effective date of this Code, an informal appointment or a formal testacy or appointment proceeding may be commenced more than 3 years after the decedent's death if no proceeding concerning the succession or estate administration has occurred within the 3-year period after the decedent's death, but the personal representative has no right to possess estate assets as provided in section 3-709 beyond that necessary to confirm title in the successors to the estate, and claims other than expenses of administration may not be presented against the estate;

Sec. 2. 18-C MRSA §5-308, sub-§4, as enacted by PL 2019, c. 417, Pt. A, §30, is amended to read:

4. Effective date. This section takes effect January 1, ~~2021~~ 2023.

Sec. 3. 18-C MRSA §5-409, sub-§4, as enacted by PL 2019, c. 417, Pt. A, §62, is amended to read:

4. Effective date. This section takes effect January 1, ~~2021~~ 2023.

Sec. 4. 18-C MRSA §5-423, sub-§2, ¶E, as amended by PL 2019, c. 417, Pt. A, §80, is further amended to read:

E. An annual credit report of the individual subject to conservatorship and, to the extent feasible, a copy of the most recent reasonably available financial statements evidencing the status of bank accounts, investment accounts and mortgages or other debts of the individual subject to conservatorship, with all but the last 4 digits of the account numbers and the individual's social security number redacted, and, if ordered by the court, a credit report of the individual subject to guardianship;

Sec. 5. 18-C MRSA §5-431, sub-§8, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

8. Safeguard rights of individual. Unless the court otherwise orders for good cause, before terminating or modifying a conservatorship, the court shall follow the same procedures to safeguard the rights of the individual subject to conservatorship that apply to a petition for conservatorship.

Sec. 6. 18-C MRSA §5-511, sub-§4, as enacted by PL 2019, c. 417, Pt. A, §95, is amended to read:

4. Effective date. This section takes effect January 1, ~~2021~~ 2023.

Sec. 6. 18-C MRSA §8-301, sub-§2, ¶A-1, as amended by PL 2019, c. 598, §8, is further amended to read:

A-1. The intestate succession provisions of Article 2, Part 1, Subpart 1, the elective share provisions of Article 2, Part 2 ~~and~~ the exempt property and allowances provisions of Article 2, Part 4 ~~and the wrongful death provisions of section 2-807~~ apply to the estates of decedents who die on or after the effective date;

Sec. 7. Retroactivity. Those sections of this Act that amend the Maine Revised Statutes, Title 18-C, section 5-308, subsection 4, section 5-409, subsection 4 and section 5-511, subsection 4 apply retroactively to January 1, 2021.

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

Effective March 17, 2021.

CHAPTER 5

H.P. 159 - L.D. 224

An Act To Modify Requirements for Multiple-party Accounts, Limited Purpose Financial Institutions and Mergers

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

Whereas, financial institutions in this State are committed to preventing elder financial abuse; and

Whereas, the enactment of a new probate code in July 2019 made a change in the procedures for opening a multiple-party account; and

Whereas, the following legislation clarifies a provision in the Maine Revised Statutes, Title 9-B requiring financial institutions to affirm when a multiple-party account is established or a single account is converted whether the party establishing or converting the account intends for any sum remaining in the account upon death to belong to the surviving party; and

Whereas, this change must be enacted before the expiration of the 90-day period to allow financial institutions to establish procedures for opening multiple-party accounts to immediately help combat elder financial abuse; 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:

Sec. 1. 9-B MRSA §354, sub-§2, as amended by PL 1997, c. 398, Pt. G, §4, is further amended to read:

2. Resulting investor-owned institution. Except as the superintendent may authorize pursuant to section 354-A, a mutual financial institution may not merge into an investor-owned institution organized under the laws of this State without prior compliance with section 344 and all rules adopted under that section. In accordance with section 1054, subsection 3, paragraph B, a mutual holding company may acquire a mutual financial institution or mutual federal association through merger into a subsidiary universal bank or an interim subsidiary universal bank of the mutual holding company without prior compliance with section 344 and all rules adopted under that section.

Sec. 2. 9-B MRSA §427, sub-§13-A, as enacted by PL 2019, c. 1, §2 and affected by §5, is amended to read:

13-A. Notice on opening certain accounts. ~~A signature card or other document establishing a multiple party account, as defined in Title 18-C, section 6-201, must contain a clear and conspicuous printed notice to the depositor that on the depositor's death the balance in the account will belong to the surviving party. At the time a multiple-party account, as defined in Title 18-C, section 6-201, subsection 5, is established or at the time a single-party account is converted to a multiple-party account with a financial institution, the document establishing the account or adding another party must include for each party to the account the question, "Do you intend for the sum remaining upon your death to belong to the surviving party or parties? Yes or No." The question required by this subsection must be answered in writing on the form by each party to the account prior to opening the account. The answer provided on the form required by this subsection does not have any effect on any legal presumption or inference available in any civil or criminal matter.~~

Sec. 3. 9-B MRSA §1054, sub-§3, ¶B, as amended by PL 2009, c. 228, §15, is further amended to read:

B. Acquire a mutual financial institution or a mutual federal association through merger into a subsidiary universal bank or an interim subsidiary universal bank of the mutual holding company;

Sec. 4. 9-B MRSA §1212, sub-§1-A is enacted to read:

1-A. Principal office in State. Except for a non-depository trust company organized prior to the effective date of this subsection, a nondepository trust company shall locate its principal office in this State, have at least one resident of this State on its governing board and hold at least one of its governing board meetings in this State each year.

Sec. 5. 9-B MRSA §1222, sub-§1-A is enacted to read:

1-A. Principal office in State. Except for a merchant bank organized prior to the effective date of this subsection, a merchant bank shall locate its principal office in this State, have at least one resident of this State on its governing board and hold at least one of its governing board meetings in this State each year.

Sec. 6. 9-B MRSA §1232, sub-§1-A is enacted to read:

1-A. Principal office in State. Except for an uninsured bank organized prior to the effective date of this subsection, an uninsured bank shall locate its principal office in this State, have at least one resident of this State on its governing board and hold at least one of its governing board meetings in this State each year.

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

Effective March 17, 2021.

**CHAPTER 6
H.P. 191 - L.D. 275**

**An Act To Amend the
Retirement Laws Pertaining to
Certain Educational
Technicians**

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

Whereas, a regulatory change in certification requirements for educational technicians has made some educational technicians for the first time mandatory members of the State Employee and Teacher Retirement Program; and

Whereas, the affected positions had been covered by the United States Social Security Act or other retirement programs; and

Whereas, it was not the intent of the Legislature or the State Board of Education to change retirement benefit coverage for the affected positions; and

Whereas, correcting this unintended consequence immediately is necessary to prevent harm to employees

in these positions who would benefit from continuing to be covered by the United States Social Security Act or other retirement programs; 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:

Sec. 1. 5 MRSA §17001, sub-§42, ¶A, as amended by PL 2019, c. 460, §1, is further amended to read:

A. Any employee of a public school or a school management and leadership center established pursuant to Title 20-A, chapter 123 who fills any position that the Department of Education requires be filled by a person who holds the appropriate certification or license required for that position, other than an educational technician position for which certification is not required under Title 20-A, section 13019-H, and:

(1) Holds appropriate certification from the Department of Education, including an employee whose duties include, in addition to those for which certification is required, either the setup, maintenance or upgrading of a school computer system the use of which is to assist in the introduction of new learning to students or providing school faculty orientation and training related to use of the computer system for educational purposes; or

(2) Holds an appropriate license issued to a professional employee by a licensing agency of the State;

Sec. 2. Retroactivity. This Act applies retroactively to July 1, 2018.

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

Effective March 17, 2021.

CHAPTER 7

S.P. 132 - L.D. 306

An Act To Temporarily Waive Certain Requirements for Relicensing for Restaurants That Serve Liquor

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 spread of the novel coronavirus disease referred to as COVID-19 has created a public health emergency; and

Whereas, in response to this public health emergency, the Governor issued an executive order on March 18, 2020 requiring all restaurants to close their dine-in facilities; and

Whereas, although restaurants across the State were permitted to reopen for dine-in service by June 17, 2020, they were required to limit indoor seating capacity and, beginning November 20, 2020, were additionally required to close their dine-in facilities by 9:00 p.m. nightly to prevent spread of the virus; and

Whereas, the combined effects of the public health emergency and subsequent public health measures have negatively impacted the ability of restaurants to satisfy certain criteria for maintenance of their licenses to sell liquor for on-premises consumption under current law; 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:

Sec. 1. One-time waiver of requirements for food sales for license renewal. Notwithstanding any provision of the law to the contrary, an applicant for renewal of an on-premises retail license issued by the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations under the Maine Revised Statutes, Title 28-A is not required to demonstrate that it has satisfied any applicable requirement under Title 28-A, chapter 43 for income from the sale of food during the previous year if the license to be renewed expires, prior to the granting of any extension under section 2, during the period beginning on January 1, 2021 and ending on January 1, 2022. The bureau must grant any license renewal denied between January 1, 2021 and the effective date of this Act if the sole reason for the denial was the licensee's failure to demonstrate compliance with any applicable requirement under Title 28-A, chapter 43 for income from the sale of food.

Sec. 2. One-time extension of on-premises retail licenses. Notwithstanding any provision of law to the contrary, the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations, upon receipt of an application for renewal of an on-premises retail license issued under the Maine Revised Statutes, Title 28-A that expires during the period beginning on the effective date of this Act and ending one year after that date, shall grant a 90-day extension of the license if the license to be renewed was

active during the entire period beginning March 18, 2020 and ending June 16, 2020.

Sec. 3. Retroactivity. This Act applies retroactively to January 1, 2021.

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

Effective March 17, 2021.

**CHAPTER 8
S.P. 133 - L.D. 307**

**An Act To Expand the Market
for Maine Liquor
Manufacturers**

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 spread of the novel coronavirus disease referred to as COVID-19 has created a public health emergency; and

Whereas, in response to this public health emergency, the Governor issued an executive order on March 18, 2020 requiring the closure of tasting rooms and requiring restaurants and bars, including those operated by Maine manufacturers of spirits, wine and malt liquor, to close their dine-in facilities; and

Whereas, although restaurants were permitted to reopen for dine-in service by June 17, 2020, they were required to limit indoor seating capacity and, from November 20, 2020 through January 2021, were additionally required to close their dine-in facilities by 9:00 p.m. nightly to prevent spread of the virus; and

Whereas, the reopening of bars and tasting rooms has been postponed until further notice; and

Whereas, the combined effects of the public health emergency and subsequent public health measures have significantly affected the economic health of Maine manufacturers of spirits, wine and malt liquor; 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:

Sec. 1. 28-A MRSA §707, sub-§7, as amended by PL 2019, c. 665, §9, is further amended to read:

7. Exceptions. This section does not prohibit:

A. A manufacturer or out-of-state wholesaler from extending the usual and customary credit to a wholesale licensee for the purchase of malt liquor or wine; ~~or~~

B. A manufacturer or out-of-state wholesaler from furnishing materials and equipment for the use of a wholesale licensee or the wholesale licensee's employees, including:

- (1) Painting the wholesale licensee's vehicles;
- (2) Supplying legal advertising signs used by the wholesale licensee in the course of the wholesale licensee's business; and
- (3) Supplying uniforms for the employees of the wholesale licensee; or

C. A manufacturer licensed under section 1355-A from selling and shipping its products to an individual in another state for personal use and not for resale, as long as the sale and shipment are authorized by and conducted in accordance with the requirements of the law of the state where the shipment is delivered.

Sec. 2. 28-A MRSA §1357 is enacted to read:

§1357. Sales to persons in another state

Notwithstanding any provision of this Title to the contrary, a manufacturer licensed under section 1355-A may sell and ship its products to a person located in another state, as long as the sale and shipment are authorized by and conducted in accordance with the requirements of the law of the state where the shipment is delivered.

Sec. 3. 28-A MRSA §1651, sub-§1, as amended by PL 2019, c. 404, §29, is further amended to read:

1. State spirits tax. Except as provided in section 83-C, subsection 2-A and section 606, the commission shall determine and set the retail price at which ~~to sell~~ all spirits to agency liquor stores that will produce sufficient revenue to pay all spirits-related expenses of the bureau and to return to the Liquor Operation Revenue Fund established in Title 30-A, section 6054 and the General Fund an amount substantially equal to the amount of state spirits tax collected in the previous fiscal year.

C. The bureau shall charge agency liquor stores the refund value pursuant to Title 38, section 3103 in addition to the wholesale price for each product purchased.

Sec. 4. 28-A MRSA §1651, sub-§3, ¶C, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

C. To industrial establishments for use as an ingredient in the manufacture of food products; ~~or~~

Sec. 5. 28-A MRSA §1651, sub-§3, ¶D, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

D. For use as an ingredient in the manufacture of commodities which by reason of their nature cannot be used for beverage purposes; or

Sec. 6. 28-A MRSA §1651, sub-§3, ¶E is enacted to read:

E. To a person located outside of the State, including but not limited to sales of spirits to an out-of-state distributor for resale in another state and sales of spirits directly to a consumer located in another state under section 1357.

Sec. 7. 28-A MRSA §1652, sub-§1, as amended by PL 2013, c. 368, Pt. XXXX, §8 and affected by §13, is further amended to read:

1. Excise tax on malt liquor. An excise tax is imposed on the privilege of manufacturing and selling malt liquor in the State. ~~The Maine~~ Except as provided in subsection 2-A, the in-state manufacturer or importing wholesale licensee shall pay an excise tax of 35¢ per gallon on all malt liquor ~~sold~~ manufactured in or imported into the State.

Sec. 8. 28-A MRSA §1652, sub-§1-A, as amended by PL 2013, c. 368, Pt. XXXX, §8 and affected by §13, is further amended to read:

1-A. Excise tax on low-alcohol spirits products and fortified wines. An excise tax is imposed on the privilege of manufacturing and selling low-alcohol spirits products and fortified wines in the State. ~~The Maine~~ Except as provided in subsection 2-A, the in-state manufacturer or importing wholesale licensee shall pay an excise tax of \$1.24 per gallon on all low-alcohol spirits products and fortified wines manufactured in or imported into the State.

Sec. 9. 28-A MRSA §1652, sub-§2, as amended by PL 2013, c. 368, Pt. XXXX, §8 and affected by §13, is further amended to read:

2. Excise tax on wine; hard cider. An excise tax is imposed on the privilege of manufacturing and selling wine in the State. ~~The Maine~~ Except as provided in subsection 2-A, the in-state manufacturer or importing wholesale licensee shall pay an excise tax of 60¢ per gallon on all wine other than sparkling wine, fortified wine or hard cider manufactured in or imported into the State, \$1.24 per gallon on all sparkling wine manufactured in or imported into the State and 35¢ per gallon on all hard cider manufactured in or imported into the State.

Sec. 10. 28-A MRSA §1652, sub-§2-A, as amended by PL 2011, c. 147, §3, is further amended to read:

2-A. ~~Payment~~ Excise tax due; exemption. On the 15th day of each month, every brewery and winery

shall pay the excise taxes ~~and premium~~ due on malt liquor ~~and~~ wine and low-alcohol spirits products that that brewery or winery removed from areas required to be bonded by the Federal Government. Malt liquor, wine or low-alcohol spirits products that a brewery or winery removes from areas required to be bonded by the Federal Government for sale to an out-of-state wholesaler for resale in another state or for sale under section 1357 directly to a consumer located in another state are exempt from excise tax under this section.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect April 1, 2021.

Effective April 1, 2021.

CHAPTER 9

S.P. 165 - L.D. 377

An Act To Allow Public Members of the Maine-Canadian Legislative Advisory Commission To Receive Reimbursement for Travel Expenses

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

Whereas, this legislation must take effect before the end of the 90-day period so that public members of the Maine-Canadian Legislative Advisory Commission may have their expenses reimbursed for upcoming conferences; 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:

Sec. 1. 5 MRSA §12004-K, sub-§10, as enacted by PL 1987, c. 786, §5, is amended to read:

10.

State Government	Maine-Canadian Legislative Advisory Commission	Not Authorized Expenses Only	3 MRSA §27
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Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective March 17, 2021.

**CHAPTER 10
H.P. 57 - L.D. 91**

**An Act To Update the Maine
Uniform Accounting and
Auditing Practices Act for
Community Agencies**

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

Sec. 1. 5 MRSA §1660-D, sub-§11, as amended by PL 2005, c. 519, Pt. SS, §1, is further amended to read:

11. Federal audit. "Federal audit" means an audit made pursuant to the federal Office of Management and Budget ~~Circular A-133~~ uniform guidance under 2 Code of Federal Regulations, Part 200 or any subsequent revisions.

Sec. 2. 5 MRSA §1660-E, as enacted by PL 1995, c. 402, Pt. C, §2, is repealed.

Sec. 3. 5 MRSA §1660-F, sub-§1, ¶A, as amended by PL 2005, c. 519, Pt. SS, §2, is further amended to read:

A. If the community agency expends less than ~~\$500,000~~ \$100,000, the agency shall comply with the terms of financial reporting contained in the individual social service agreements with the department.

Sec. 4. 5 MRSA §1660-F, sub-§1, ¶A-1 is enacted to read:

A-1. If the community agency expends between \$100,000 and \$500,000, the agency shall have an entitywide review of its financial statements and agreement supplemental schedules conducted by a qualified independent public accountant.

Sec. 5. 5 MRSA §1660-L, as corrected by RR 2003, c. 2, §5, is repealed.

Sec. 6. 5 MRSA §1660-M, as enacted by PL 1995, c. 402, Pt. C, §2, is amended to read:

§1660-M. Appeals

Any person aggrieved under this chapter is entitled to judicial review, as provided in the Maine Administrative Procedure Act. ~~The commissioner shall consult with the Advisory Committee to the Commissioner about additional appeal procedures and may adopt rules providing for such procedures.~~

See title page for effective date.

**CHAPTER 11
H.P. 68 - L.D. 102**

**An Act To Extend the Time
Frame for Processing Absentee
Ballots**

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

Sec. 1. 21-A MRSA §760-B, first ¶, as amended by PL 2019, c. 371, §37, is further amended to read:

Any municipality or jurisdiction that conducts its own elections may opt to process absentee ballots beginning on the ~~4th~~ 7th day immediately prior to election day. The clerk shall use the following procedure when processing the absentee ballots during this time.

Sec. 2. 21-A MRSA §760-B, sub-§2, as amended by PL 2019, c. 636, §16, is further amended to read:

2. Notice of early processing. The clerk must give notice of the municipality's intent to process absentee ballots prior to election day using a notice of early processing form provided by the Secretary of State, stating the days and times that the clerk intends to begin processing absentee ballots and the inspection period provided in subsection 3. At least ~~60~~ 30 days before election day, the clerk shall provide a copy of the notice of early processing to the Secretary of State and the chairs of each political party of the municipality indicating that early processing of absentee ballots will occur. The notice to the political parties must be considered sufficient as long as it is mailed to the last address of each municipal chair that is known to the clerk. The notice to the Secretary of State may be delivered by mail or facsimile or as a scanned attachment to an e-mail address established by the Secretary of State. If the notice is not received by the Secretary of State by 5:00 p.m. on the ~~60th~~ 30th day before election day, the municipality may not process absentee ballots prior to election day. The clerk shall post a copy of the notice of early processing with the notice of election as provided in section 621-A.

See title page for effective date.

**CHAPTER 12
H.P. 70 - L.D. 104**

**An Act To Protect the Health
of Student Athletes by
Requiring the Department of
Education To Report on the
Incidence of Concussions**

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

Sec. 1. 20-A MRSA §254, sub-§17, as enacted by PL 2011, c. 688, §1, is amended by enacting a new first blocked paragraph to read:

The commissioner, in consultation with an organization representing school principals, shall report no later than January 31, 2022 and annually thereafter to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs on any available data on the incidence of concussions sustained by student athletes in the State using existing or new data collection systems. The report must include recommendations on best practices for the collection of such data.

See title page for effective date.

**CHAPTER 13
S.P. 80 - L.D. 192**

**An Act To Define the
Responsibilities of Residential
Property Owners for the
Maintenance and Repair of
Private Roads**

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

Sec. 1. 23 MRSA c. 305, sub-c. 2-A is enacted to read:

SUBCHAPTER 2-A

**MAINTENANCE OF PRIVATE ROADS THAT
BENEFIT RESIDENTIAL PROPERTIES**

**§3121. Responsibility for cost of repairs to and
maintenance of private roads that benefit
residential properties**

1. Cost sharing. If more than one property shares a common benefit from a private road, each property owner who shares the common benefit is responsible for a share of the cost of reasonable and necessary repairs to and maintenance of that private road determined pursuant to the terms of any agreement entered into to determine the share of the cost of reasonable and necessary repairs to and maintenance of the private road, any deed restriction, covenant or declaration applicable to the benefited property, any road association

created pursuant to this chapter or otherwise or any method elected under section 3101, when applicable. In the absence of any such agreement, restriction, covenant, declaration, road association or method elected under section 3101, each residential property owner, after reasonable due process and notice, shall share equally in the cost of reasonable and necessary repairs to and maintenance of the private road when the private road is the primary means of access to the benefited property. For purposes of this section, each residential property may be assessed only one share toward the collective cost of repairs and maintenance regardless of whether there are multiple owners of record for one property.

2. Repairs and maintenance defined. For the purposes of this section, "repairs and maintenance" has the same meaning as set forth in section 3101, subsection 1, paragraph B.

3. Enforcement. If a residential property owner fails to pay that owner's share of the cost of reasonable and necessary repairs to and maintenance of the private road in accordance with subsection 1, after a demand in writing, a legal claim for payment of the amount owed may be brought against that owner by a residential property owner or owners who share a common benefit in the road, either jointly or severally.

4. Conflict. In the event of any conflict between the provisions of this section and an agreement, restriction, covenant, declaration, road association or method elected in section 3101 existing on or entered into after the effective date of this section, the terms of the agreement, restriction, covenant, declaration, road association or method elected in section 3101 control.

5. Exceptions. This section does not apply to:

A. A private road constructed or primarily used for commercial or forest management purposes; or

B. A property owner who issues a ground lease to a 3rd party who maintains a residence on the subject property. As used in this section, "ground lease" means an arrangement under which a property owner leases only land to a lessee and the lessee retains the rights to use the land and any improvements the lessee makes for the term of the lease.

See title page for effective date.

**CHAPTER 14
H.P. 144 - L.D. 209**

**An Act Concerning Name
Changes for Minors**

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

Sec. 1. 18-C MRSA §1-701, as amended by PL 2019, c. 629, §1, is further amended to read:

§1-701. ~~Petition~~ Process to change name

1. ~~Petition, request; where filed.~~ Petition, request; where filed. ~~If a person desires to have that person's name changed, the person may petition the judge in the county where the person resides. If the person is a minor, the person's legal custodian may petition on the person's behalf. If there is a proceeding involving custody or other parental rights with respect to the minor pending in the District Court, the petition must be filed in the District Court. This section governs the process to change the name of a person.~~

A. A person may petition to change that person's name in the Probate Court in the county where the person resides.

B. A parent or guardian of a minor may petition to change a minor's name in the Probate Court in the county where the minor resides, unless the District Court has exclusive jurisdiction pursuant to Title 4, section 152, subsection 5-A, in which case the petition must be filed in the District Court.

C. A parent or guardian may request to change a minor's name as part of a proceeding concerning parentage or other parental rights, including actions for divorce, parental rights and responsibilities, post-judgment motions and any other proceeding involving parental rights with respect to the minor, in the District Court without filing a separate petition if the parent or guardian asserts good cause.

D. A minor may petition for a name change through an emancipation proceeding without filing a separate petition if the minor asserts good cause.

E. A change of a minor's name may not be ordered pursuant to a protection from abuse order under Title 19-A, section 4007.

For purposes of this section, "parent" means a person who, with respect to the minor, has established parentage pursuant to Title 19-A, chapter 61 and whose parental rights have not been terminated.

For purposes of this section, "guardian" means a person appointed by a court to make decisions with respect to the personal affairs of an individual. "Guardian" includes a coguardian and a permanency guardian appointed under Title 22, section 4038-C but does not include a guardian ad litem.

2. ~~Notice and name change; adults; notice.~~ Notice and name change; adults; notice.

Upon receipt of a petition filed under subsection 1, paragraph A, the ~~judge court~~, after due notice, may change the name of the person who is an adult. To protect the ~~person's safety of the person for whom the name change is sought, the judge court~~ may limit the notice required if the person shows by a preponderance of the evidence that: ~~the person is currently in reasonable fear of the person's safety.~~

~~B. The person is currently in reasonable fear of the person's safety.~~

2-A. ~~Notice and name change; minors.~~ Notice and name change; minors. ~~A parent or guardian who has filed a petition under subsection 1, paragraph B or has requested a name change in a District Court proceeding under subsection 1, paragraph C shall provide notice pursuant to the applicable rules of procedure to any other parent, any guardian and any person or agency with legal custody of the minor; to the guardian ad litem if one is currently appointed; and to the minor if the minor is 14 years of age or older, but does not need to publish notice of the minor's name change unless the court orders that notice of the name change of the minor be published due to the specific circumstances of the case. To protect the safety of the minor for whom the name change is sought, the court may limit notice required if the parent who has sole parental rights and responsibilities shows by a preponderance of the evidence that:~~

~~A. The minor is a victim of abuse; or~~

~~B. The minor or petitioner is currently in reasonable fear of the minor's or petitioner's safety.~~

2-B. ~~Evaluation of minor's name change.~~ Evaluation of minor's name change. ~~Upon proof of service of the notice required under subsection 2-A and after providing an opportunity for those entitled to notice to respond to the petition:~~

~~A. The court shall change a minor's name by agreement of all parties, which a party may indicate by signing a waiver; or~~

~~B. In the event that not all parties agree to the name change, the court shall consider the following factors to assess whether the request or petition is in the best interest of the minor:~~

~~(1) The minor's expressed preference, if the minor is of sufficient age and maturity to articulate a basis for preferring a particular name;~~

~~(2) If the minor is 14 years of age or older, whether the minor consents or objects to the name change petition;~~

~~(3) The extent to which the minor uses a particular name;~~

~~(4) Whether the minor's name is different from any of the minor's siblings and the degree to which the minor associates and identifies with siblings on any side of the minor's family;~~

~~(5) The difficulties, harassment or embarrassment that the minor may experience by bearing the current or proposed name; and~~

~~(6) Any other factor the court considers relevant to the minor's best interests, including the factors outlined in Title 19-A, section 1653, subsection 3.~~

If the court finds that the name change is in the best interest of the minor by a preponderance of the evidence, the court shall change the minor's name.

3. Record. The judge court shall make and preserve a record of a name change. If the judge court limited the notice required under subsection 2 or 2-A, the judge court may ~~seal~~ make the record of the name change confidential or not public.

4. Filing fee. The fee for filing a name change petition is \$40.

5. Background checks. The judge court may require a person seeking a name change to undergo one or more of the following background checks: a criminal history record check; a motor vehicle record check; or a credit check. The judge court may require the person to pay the cost of each background check required.

6. Denial of petition brought for improper purpose. The judge court may not change the name of a person if the judge court has reason to believe that the person is seeking the name change for purposes of defrauding another person or entity or for purposes otherwise contrary to the public interest.

Sec. 2. 19-A MRSA §1653, sub-§2, ¶F is enacted to read:

F. The court may order that a minor's name be changed pursuant to Title 18-C, section 1-701.

Sec. 3. 19-A MRSA §1843, sub-§3, as enacted by PL 2015, c. 296, Pt. A, §1 and affected by Pt. D, §1, is repealed and the following enacted in its place:

3. Change of name. Title 18-C, section 1-701 governs all name changes of minors.

See title page for effective date.

**CHAPTER 15
S.P. 12 - L.D. 5**

**An Act Concerning the
Reporting of Health Care
Information or Records to the
Emergency Medical Services'
Board**

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

Whereas, in order to be fully implemented, this legislation requires the adoption of rules by the Emergency Medical Services' Board; and

Whereas, it is important for the board to be able to begin the rule-making process as soon as possible; 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:

Sec. 1. 32 MRSA §88, sub-§2, ¶K is enacted to read:

K. The board may collect or receive health care information or records, including information or records that identify or permit identification of any patient, for the purpose of monitoring and improving the provision of emergency medical services and health outcomes within the State.

Sec. 2. 32 MRSA §91-B, sub-§1, ¶E is enacted to read:

E. Health care information or records provided to the board under section 88, subsection 2, paragraph K are confidential if the information or records identify or permit the identification of a patient or a member of that patient's family.

Sec. 3. 32 MRSA §91-B, sub-§1, ¶F is enacted to read:

F. Health care information or records provided to the board under section 96 are confidential if the information or records identify or permit the identification of a patient who received emergency medical treatment or a member of that patient's family.

Sec. 4. 32 MRSA §96 is enacted to read:

§96. Monitoring and improving the provision of emergency medical services and health outcomes

For the purpose of monitoring and improving the provision of emergency medical services and health outcomes within the State, the board may request and collect health care information or records, including information or records that identify or permit identification of any patient, concerning individuals who have received emergency medical treatment within the State, except for any information or records identifying a patient, in any format, that include HIV or AIDS status or test results, that relate to abortion, miscarriage, domestic violence or sexual assault or that relate to referral, treatment or services for a behavioral or mental health disorder or substance use disorder.

1. Reporting by hospitals and physicians. Hospitals and physicians shall report health care information or records concerning individuals who have received emergency medical treatment as follows and in accordance with this section and rules adopted by the board.

A. A hospital shall report to the board health care information or records requested by the board, including information or records that identify or permit identification of any patient, concerning an individual under or formerly under that hospital's care who received emergency medical treatment.

B. A physician shall report to the board health care information or records requested by the board, including information or records that identify or permit identification of any patient, concerning an individual under or formerly under that physician's care who received emergency medical treatment.

2. Access to health care information or records through a state-designated statewide health information exchange or direct reporting. A hospital or physician may satisfy the board's request for health care information or records under subsection 1 as follows.

A. A hospital or physician that participates in a state-designated statewide health information exchange as described in Title 22, section 1711-C may satisfy the board's request for health care information or records by authorizing the board to retrieve that hospital's or physician's data from the health information exchange.

B. A hospital or physician that participates in a state-designated statewide health information exchange as described in Title 22, section 1711-C that does not authorize the board to retrieve that hospital's or physician's data from the health information exchange shall provide the health care information or records to the board directly in the manner specified by rule.

3. Health care information and records requested. When requesting health care information or records pursuant to this section and any rules adopted by the board, the board shall request only the minimum amount of information or number of records necessary to fulfill the purposes of this section.

4. No liability for hospital or physician reporting in good faith. A hospital or physician that reports in good faith in accordance with this section is not liable for any civil damages for making the report.

5. Rulemaking. The board shall adopt rules regarding the collection and reporting of health care information and records pursuant to this section, including, but not limited to, the frequency of reporting by hospitals and physicians. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 5. Rulemaking by the Emergency Medical Services' Board. In adopting rules pursuant to the Maine Revised Statutes, Title 32, section 96, subsection 5, the Department of Public Safety, Maine Emergency Medical Services, Emergency Medical Services' Board shall address the following issues:

1. How different quality initiatives are adopted by the board;

2. How providers are notified about the different quality initiatives in subsection 1;

3. How providers communicate their decisions to the board to authorize a state-designated statewide health information exchange as described in Title 22, section 1711-C to provide health care information or records to the board;

4. For providers who authorize a state-designated statewide health information exchange to provide health care information or records to the board, the manner in which a provider may revoke that authorization; and

5. How health care information or records remitted from a state-designated statewide health information exchange to the board and data remitted from the board to any 3rd parties are tracked and reported to providers when data requests are made to the state-designated statewide health information exchange.

The rules must include a requirement that any executed agreements must be made available to providers if any 3rd parties are provided health care information or records under those agreements.

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

Effective March 17, 2021.

CHAPTER 16

S.P. 13 - L.D. 6

**An Act To Revise Certain
Financial Regulatory
Provisions of the Maine
Insurance Code**

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

Whereas, this legislation is immediately necessary to recognize bilateral agreements entered into by the United States with the European Union and the United Kingdom; 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:

Sec. 1. 24-A MRSA §221, sub-§3, as amended by PL 1991, c. 828, §2, is repealed.

Sec. 2. 24-A MRSA §221, sub-§3-A, as enacted by PL 1993, c. 313, §3, is amended to read:

3-A. ~~On or after January 1, 1994 the~~ The superintendent may accept a full examination report by the insurance regulatory authority of the insurance company's state of domicile or port-of-entry state for any foreign or alien insurer licensed in this State in lieu of an examination by the superintendent if, at the time of the examination, that regulatory authority was accredited under the National Association of Insurance Commissioners' Financial Regulation Standards and Accreditation Program or if the examination was performed under the supervision of an accredited insurance regulatory authority or with the participation of one or more examiners who are employed by an accredited insurance regulatory authority and who, after a review of the examination workpapers and report, state under oath that the examination was performed in a manner consistent with the standards and procedures required by the regulatory authority.

Sec. 3. 24-A MRSA §222, sub-§7, ¶A, as amended by PL 2013, c. 238, Pt. A, §14 and affected by §34, is further amended to read:

A. The superintendent shall hold a hearing in accordance with the procedures set forth in ~~the Maine Administrative Procedure Act, section 231 and~~ Title 5, chapter 375, subchapter 4, within 30 days after the application required by subsection 4-C has been filed with the superintendent. The superintendent shall make a determination within 30 days after the conclusion of that hearing. The superintendent shall approve any purchase, exchange, merger or other change of control referred to in subsection 4-C unless the superintendent finds that:

- (1) After the change of control, the domestic insurer could not satisfy the requirements for the issuance of a certificate of authority according to requirements in force at the time of the issuance or last renewal or continuation of its certificate of authority to do the insurance business that it intends to transact in this State;
- (2) The effect of the purchases, exchanges, merger of a controlling person of the insurer or other changes of control may be substantially to lessen competition in insurance in this State or tend to create a monopoly in this State or would violate the laws of this State or of the United States relating to monopolies or restraints of trade;
- (3) The financial condition of an acquiring person would jeopardize the financial stability of the insurer or prejudice the interest of its policyholders;

(4) The plans or proposals that the acquiring or divesting person has to liquidate the insurer, to sell its assets or to merge it with any person, or to make any other major change in its business or corporate structure or management, are unfair or prejudicial to policyholders;

(5) The competence, experience and integrity of those persons who would control the operation of the insurer indicate that it would not be in the interest of policyholders or the public to permit them to do so;

(6) Any merger of a domestic insurer does not comply with section 3474; or

(7) The change of control would tend to affect adversely the contractual obligations of the domestic insurer or its ability and tendency to render service in the future to its policyholders and the public.

Sec. 4. 24-A MRSA §222, sub-§7-A, ¶D, as enacted by PL 2013, c. 238, Pt. A, §15 and affected by §34, is amended by amending subparagraph (3) to read:

(3) The proceeding is public to the same extent as a proceeding conducted under subsection 7, except that deliberations of a decision-making panel are not public proceedings and communications in the course of those deliberations among panel members and their advisers, other than the decision itself, are not public records.

Sec. 5. 24-A MRSA §222, sub-§8, ¶B-3, as enacted by PL 2013, c. 238, Pt. A, §18 and affected by §34, is amended to read:

B-3. A domestic insurer that is subject to registration, and has annual premium of \$500,000,000 or more or is a member of an insurance holding company system with annual premium of \$1,000,000,000 or more, shall conduct an own risk and solvency assessment in accordance with the requirements of this paragraph and the ORSA guidance manual at least annually, and also at any time when there are significant changes to the risk profile of the insurer or its insurance holding company system, except as otherwise provided in subparagraph (1). For purposes of this paragraph, "premium" means direct written and unaffiliated assumed premium, including international direct and assumed premium but excluding premiums reinsured with the Federal Crop Insurance Corporation within the United States Department of Agriculture, Risk Management Agency and with the National Flood Insurance Program within the United States Department of Homeland Security, Federal Emergency Management Agency.

- (1) This paragraph does not apply if:

- (a) The insurer is an agency, authority or instrumentality of the United States, its possessions and territories, the Commonwealth of Puerto Rico, the District of Columbia or a state or political subdivision of a state;
- (b) The insurer and its insurance holding company system did not meet either of the minimum premium criteria of this paragraph in the financial statements immediately preceding their most recent financial statements and the superintendent has not required compliance with this paragraph under subparagraph (2); or
- (c) The superintendent has granted a waiver from the requirements of this paragraph based upon unique circumstances. In deciding whether to grant a waiver, the superintendent may consider the type and volume of business written by the insurer, the ownership and organizational structure of the insurer and its insurance holding company system and any other factor the superintendent considers relevant to the insurer or the insurer's insurance holding company system. If the insurer's insurance holding company system includes insurers domiciled in more than one state, the superintendent shall coordinate with the lead regulator and with other domiciliary regulators in considering whether to grant the insurer's request for a waiver.
- (2) The superintendent may require an insurer that does not meet either of the minimum premium criteria of this paragraph to comply with the requirements of this paragraph if:
- (a) The superintendent determines that the insurer should be subject to this paragraph due to unique circumstances, including, but not limited to, the type and volume of business written by the insurer, the ownership and organizational structure of the insurer and its insurance holding company system, federal agency requests and international supervisor requests;
- (b) The insurer is subject to a corrective order or required to adopt a risk-based capital plan under sections 6453 to 6456;
- (c) The superintendent has determined in accordance with rules adopted by the superintendent that the insurer is in hazardous financial condition; or
- (d) The superintendent has determined that the insurer otherwise exhibits qualities of a troubled insurer.
- (3) If an insurer's insurance holding company system has annual premium of \$1,000,000,000 or more, the assessment and reporting required by this paragraph must be conducted for each insurer within the insurance holding company system, either on a systemwide basis or separately for insurers or combinations of insurers within the insurance holding company system.
- (4) An insurer subject to this paragraph shall maintain a risk management framework to assist the insurer with identifying, assessing, monitoring, managing and reporting on its material and relevant risks. An insurer may satisfy this requirement by participating in an applicable risk management framework maintained by the insurance holding company system of which the insurer is a member.
- (5) An insurer subject to this paragraph shall prepare and submit regular ORSA summary reports that satisfy the requirements of this subparagraph and shall provide additional information to the superintendent upon request.
- (a) Beginning no later than 2015, the ORSA summary report must be prepared at least annually, on a timetable consistent with the insurer's internal strategic planning processes, and submitted to the lead regulator of the insurer's insurance holding company system, as determined by the procedures within a financial analysis handbook adopted by the National Association of Insurance Commissioners. If the superintendent is not the lead regulator, the insurer shall submit the insurer's or insurance holding company system's most recent ORSA summary report to the superintendent on request.
- (b) The ORSA summary report must be prepared consistent with the ORSA guidance manual. Documentation and supporting information must be maintained and made available upon examination by or upon request of the superintendent.
- (c) The insurer's or insurance holding company system's chief risk officer, or other executive having responsibility for the oversight of the insurer's enterprise risk management process, shall sign the ORSA summary report attesting to the best of the signer's belief and knowledge that the insurer applies the enterprise risk management process described in the ORSA summary report and that a copy of the report has been provided to the insurer's board of directors or the appropriate committee of the board.

(d) An insurer may comply with this paragraph by providing the most recent ORSA summary report and a report or reports that are substantially similar to the ORSA summary report that are provided by the insurer or another member of its insurance holding company system to the insurance commissioner of another state or to an insurance supervisor or regulator of a foreign jurisdiction if that report provides information that is comparable to the information described in the ORSA guidance manual. Any report in a language other than English must be accompanied by an English translation.

(6) The superintendent's review of the ORSA summary report, and any additional requests for information, must be consistent with accepted regulatory procedures for the analysis and examination of multistate or global insurers and insurance groups.

Sec. 6. 24-A MRSA §731-B, sub-§1, as amended by PL 2007, c. 169, Pt. C, §1, is further amended to read:

1. ~~Credit~~ Except to the extent that the liabilities ceded are secured in accordance with subsection 3, credit for reinsurance is allowed a domestic ceding insurer as either an asset or a deduction from liability on account of reinsurance ceded only when the reinsurance is ceded to a solvent assuming insurer that:

A. Is licensed to transact insurance or reinsurance in this State, provided the assuming insurer maintains surplus as regards policyholders in an amount not less than the sum of paid-in capital stock, if any, and surplus as otherwise required for a certificate of authority for the kinds and amount of insurance and assumed reinsurance the insurer has in force net of any applicable ceded reinsurance. If the assuming insurer is licensed as a special purpose reinsurance vehicle pursuant to section 782 and maintains capital and surplus in accordance with the requirements of section 787, credit for reinsurance under a special purpose reinsurance vehicle contract, as defined in section 781, subsection 15, is allowed only to the extent that:

- (1) The fair value of the assets held by or for the benefit of the ceding insurer equals or exceeds the obligations due and payable to the ceding insurer by the special purpose reinsurance vehicle under the special purpose reinsurance vehicle contract;
- (2) The assets are held in accordance with the requirements in subchapter 6;
- (3) The assets are administered in the manner and pursuant to arrangements under subchapter 6;

- (4) The assets are held or invested in one or more of the forms allowed in section 795; and
- (5) The contract complies with all other relevant requirements of subchapter 6;

B. Is domiciled and licensed in a state that employs standards regarding credit for reinsurance substantially similar to those applicable under this section, if the insurer:

- (1) Submits to the authority of this State to examine its books and records; and
- (2) Except where reinsurance is ceded and assumed pursuant to pooling arrangements among insurers in the same holding company system, maintains a surplus regarding policyholders in an amount not less than \$20,000,000;

B-1. Is accredited as a reinsurer in this State, in accordance with the following standards.

(1) To apply for accreditation, a reinsurer shall file with the superintendent a written application on a form prescribed by the superintendent, accompanied by the fee prescribed in section 601, subsection 26 and an agreement to submit to the jurisdiction of the courts of this State and to the authority of the superintendent to examine the reinsurer's books and records.

(2) An accredited reinsurer must be licensed to transact insurance or reinsurance in at least one state, or in the case of a United States branch of an alien reinsurer, that reinsurer must be entered through and licensed to transact insurance or reinsurance in at least one state.

(3) An accredited reinsurer shall file with the superintendent, as part of its application and annually thereafter, a copy of its annual statement filed with the insurance department of its state of domicile or United States port of entry and a copy of its most recent audited financial statement.

(4) A reinsurer applying for accreditation that maintains a surplus as regards to policyholders in an amount not less than \$20,000,000 is deemed to be accredited if the reinsurer's application is not denied by the superintendent within 90 days after submission of the application. The superintendent has the discretion to grant accreditation to an applicant with a surplus less than \$20,000,000 subject to such terms and conditions as the superintendent determines to be necessary and appropriate for the protection of domestic ceding insurers and their policyholders.;

B-2. Is certified as a reinsurer in this State and secures its obligations in accordance with this paragraph.

(1) To be eligible for certification, the assuming insurer must meet the following requirements:

(a) The assuming insurer must be domiciled and licensed to transact insurance or reinsurance in a jurisdiction determined by the superintendent to be a qualified jurisdiction pursuant to subparagraph (3);

(b) The assuming insurer must maintain minimum capital and surplus, or its equivalent, in an amount to be determined by the superintendent pursuant to rules adopted under subsection 7;

(c) The assuming insurer must maintain financial strength ratings from 2 or more rating agencies determined by the superintendent to be acceptable pursuant to rules adopted under subsection 7;

(d) The assuming insurer must agree to submit to the jurisdiction of this State and to appoint an agent for service of process in the same manner as provided for authorized insurers under section 421 and agree to provide security for 100% of the assuming insurer's liabilities attributable to reinsurance ceded by United States ceding insurers if the assuming insurer resists enforcement of a final United States judgment;

(e) The assuming insurer must agree to meet applicable information filing requirements as determined by the superintendent, both with respect to an initial application for certification and on an ongoing basis. Documents filed with the superintendent by the assuming insurer are not public records if the documents are confidential under the laws of the assuming insurer's domiciliary jurisdiction;

(f) The assuming insurer must pay the application fee prescribed in section 601, subsection 26-A and, to the extent provided in rules adopted under subsection 7, must agree to pay reasonable costs of review; and

(g) The assuming insurer must satisfy any other requirements for certification established by the superintendent.

(2) An association including incorporated and individual unincorporated underwriters may be a certified reinsurer. In order to be eligible

for certification, in addition to satisfying the requirements of subparagraph (1):

(a) The association may satisfy its minimum capital and surplus requirements through the capital and surplus equivalents, net of liabilities, of the association and its members, which must include a joint central fund that may be applied to any unsatisfied obligation of the association or any of its members, in an amount determined by the superintendent to provide adequate protection;

(b) The incorporated members of the association may not be engaged in any business other than underwriting as a member of the association and must be subject to the same level of regulation and solvency control by the association's domiciliary regulator as are the unincorporated members; and

(c) Within 90 days after its financial statements are due to be filed with the association's domiciliary regulator, the association shall provide to the superintendent an annual certification by the association's domiciliary regulator of the solvency of each underwriter member of the association or, if a certification is unavailable, financial statements, prepared by independent public accountants, of each underwriter member of the association.

(3) The superintendent shall create and publish a list of jurisdictions that are qualified to serve as the domiciliary regulators of certified reinsurers.

(a) In order to determine whether the domiciliary jurisdiction of an alien assuming insurer is eligible to be recognized as a qualified jurisdiction, the superintendent shall evaluate the appropriateness and effectiveness of the reinsurance supervisory system of the jurisdiction, both initially and on an ongoing basis, and consider the rights, benefits and the extent of reciprocal recognition afforded by the jurisdiction to reinsurers licensed and domiciled in the United States. To be recognized as qualified, a jurisdiction must agree to share information and cooperate with the superintendent with respect to all certified reinsurers domiciled within that jurisdiction. A jurisdiction may not be recognized as a qualified jurisdiction if the superintendent has determined that the jurisdiction does not adequately and promptly enforce final United States judgments and

arbitration awards. The superintendent may consider additional factors.

(b) If the National Association of Insurance Commissioners has published a list of recommended qualified jurisdictions, the superintendent shall consider that list in determining qualified jurisdictions. If the superintendent recognizes a jurisdiction as qualified that does not appear on the list published by the National Association of Insurance Commissioners, the superintendent shall make detailed findings of fact supporting the recognition in accordance with criteria to be developed in rules adopted under subsection 7.

(c) United States jurisdictions that are accredited by the National Association of Insurance Commissioners must be recognized as qualified jurisdictions.

(d) If a certified reinsurer's domiciliary jurisdiction ceases to be a qualified jurisdiction, the superintendent may suspend the reinsurer's certification indefinitely, in lieu of revocation.

(4) The superintendent shall assign a rating to each certified reinsurer, giving due consideration to the financial strength ratings that have been assigned by rating agencies determined to be acceptable pursuant to rules adopted under subsection 7. The superintendent shall publish a list of all certified reinsurers and their ratings.

(5) A certified reinsurer shall secure all obligations assumed from United States ceding insurers under this subsection, and under comparable laws of other states, at a level consistent with its rating and in a form acceptable to the superintendent, in compliance with rules adopted under subsection 7.

(a) If the security is insufficient, the superintendent shall reduce the allowable credit by an amount proportionate to the deficiency and may impose further reductions in allowable credit upon finding that there is a material risk that the certified reinsurer's obligations will not be paid in full when due.

(b) The reinsurer may secure its obligations as a certified reinsurer through a multibeneficiary trust that meets the requirements of paragraph C and subsection 2-A, with the following modifications.

(i) The maximum credit allowable may exceed the value of the qualifying security to the extent provided in this subparagraph.

(ii) The minimum trustee surplus is \$10,000,000, rather than the amount specified in paragraph C.

(iii) If the certified reinsurer also maintains a multibeneficiary trust for obligations required to be fully secured under paragraph C or comparable laws of other states, the certified reinsurer shall maintain separate trust accounts for its obligations incurred or renewed with reduced security as permitted by this paragraph or comparable laws of other United States jurisdictions and for its obligations that are required to be fully secured. The trust accounts may not be approved as qualifying security unless the reinsurer has bound itself, by the language of the trust and by agreement with the insurance regulator with principal oversight of each such trust account, to apply, upon termination of any such trust account, the remaining surplus of that trust to the extent necessary to fund any deficiency of any other such trust account.

(c) If a certified reinsurer does not secure its obligations through a qualifying multibeneficiary trust, it must secure its obligations to the ceding insurer consistent with the requirements of subsection 3, except that the maximum credit allowable may exceed the value of the qualifying security to the extent provided in this subparagraph.

(d) For purposes of this subparagraph, a certified reinsurer whose certification has been terminated for any reason must be treated as a certified reinsurer required to secure 100% of its obligations, unless the superintendent has continued to assign a higher rating, as permitted by other provisions of this section, to a certified reinsurer in inactive status or to a reinsurer whose certification has been suspended.

(6) If an applicant for certification has been certified as a reinsurer in a jurisdiction accredited by the National Association of Insurance Commissioners, the superintendent may defer to that jurisdiction's certification to grant certification in this State and may defer to the rating assigned by that jurisdiction.

(7) A certified reinsurer that ceases to assume new business in this State may request to maintain its certification in inactive status in order to continue to qualify for a reduction in security for its in-force business. An inactive certified reinsurer shall continue to comply with all applicable requirements of this subsection, and the superintendent shall assign a rating that takes into account, if relevant, the reasons why the reinsurer is not assuming new business;

B-3. Meets each of the conditions established in subparagraphs (2) to (8).

(1) For purposes of this paragraph, the following terms have the following meanings.

(a) "Covered agreement" means an agreement, entered into pursuant to the federal Dodd-Frank Wall Street Reform and Consumer Protection Act, 31 United States Code, Sections 313 and 314, that is in effect or in a period of provisional application and addresses the elimination, under specified conditions, of collateral requirements as a condition for entering into any reinsurance agreement with a ceding insurer domiciled in this State or for allowing the ceding insurer to recognize credit for reinsurance.

(b) "Reciprocal jurisdiction" means a jurisdiction that is:

(i) A non-United States jurisdiction that is subject to an in-force covered agreement with the United States, as long as each agreeing jurisdiction is within its legal authority to enter the agreement, or, in the case of a covered agreement between the United States and the European Union, a member state of the European Union;

(ii) A United States jurisdiction that meets the requirements for accreditation under the financial regulation standards and accreditation program of the National Association of Insurance Commissioners; or

(iii) A qualified jurisdiction, as determined by the superintendent pursuant to paragraph B-2, subparagraph (3), that meets certain additional requirements, consistent with the terms and conditions of covered agreements, as specified by the superintendent by rule.

(2) The assuming insurer must have its domicile or head office in, and be licensed in, a reciprocal jurisdiction.

(3) The assuming insurer must have and maintain on an ongoing basis minimum capital and surplus, or its equivalent, calculated according to the methodology applicable in its domiciliary jurisdiction, in an amount established by rule. If the assuming insurer is an association that includes incorporated and individual unincorporated underwriters, it must have and maintain on an ongoing basis minimum capital and surplus equivalents, net of liabilities, calculated according to the methodology applicable in its domiciliary jurisdiction, and a central fund containing a balance in amounts established by rule.

(4) The assuming insurer must have and maintain on an ongoing basis a minimum solvency or capital ratio, as applicable, as established by rule. If the assuming insurer is an association that includes incorporated and individual unincorporated underwriters, it must have and maintain on an ongoing basis a minimum solvency or capital ratio, as applicable, in the jurisdiction where the assuming insurer has its head office or is domiciled, as applicable.

(5) The assuming insurer must agree, and provide adequate assurance to the superintendent in a form specified by the superintendent by rule, as follows:

(a) The assuming insurer must provide prompt written notice and explanation to the superintendent if it fails to meet the minimum requirements set forth in subparagraph (3) or (4) or if any regulatory action is taken against it for serious non-compliance with applicable law;

(b) The assuming insurer must consent in writing to the jurisdiction of the courts of this State and to the appointment of the superintendent as agent for service of process. The superintendent may require the assuming insurer to include such consent in each reinsurance agreement for which credit is taken under this paragraph. This division does not limit or in any way alter the capacity of parties to a reinsurance agreement to agree to alternative dispute resolution mechanisms, except to the extent that such agreements are unenforceable under applicable insolvency or delinquency laws;

(c) The assuming insurer must consent in writing to pay all final judgments, wher-

ever enforcement is sought, that are obtained by a ceding insurer or its legal successor and that have been declared enforceable in the jurisdiction where the judgment was obtained;

(d) Each reinsurance agreement for which credit is taken under this paragraph must include a provision requiring the assuming insurer to provide security for the full amount of the assuming insurer's liabilities attributable to reinsurance ceded pursuant to that agreement if the assuming insurer resists enforcement of a final judgment that is enforceable under the law of the jurisdiction where the final judgment was obtained or resists enforcement of a properly enforceable arbitration award, whether the judgment or award is obtained by the ceding insurer or by its legal successor on behalf of its resolution estate. As used in this division, "resolution estate" means the estate of an insurer or reinsurer that has been placed into a receivership or comparable legal status; and

(e) The assuming insurer must confirm that it is not participating in any solvent scheme of arrangement that involves this State's ceding insurers and must agree to notify the ceding insurer and the superintendent and to provide security for the full amount of the assuming insurer's liabilities to the ceding insurer should the assuming insurer enter into such a solvent scheme of arrangement. Such security must be in a form consistent with the provisions of paragraph B-2 and subsection 3 and as specified by the superintendent by rule.

(6) The assuming insurer or its legal successor must provide, on behalf of itself and any legal predecessors, certain documentation to the superintendent as specified by the superintendent by rule, if requested by the superintendent.

(7) The assuming insurer must maintain a practice of prompt payment of claims under reinsurance agreements, pursuant to criteria established by rule.

(8) The supervisory authority for insurance for the jurisdiction of the assuming insurer must confirm to the superintendent on an annual basis that, as of the preceding December 31st or the annual date specified in statute for reporting to that supervisory authority in the assuming insurer's jurisdiction, the assuming insurer complies with the requirements of subparagraphs (3) and (4).

(9) The assuming insurer may provide additional information on a voluntary basis.

(10) The superintendent shall promptly create, publish and administer a list of reciprocal jurisdictions as described in this subparagraph.

(a) The superintendent shall include all reciprocal jurisdictions identified in subparagraph (1), division (b), subdivisions (i) and (ii) in the list maintained pursuant to this subparagraph.

(b) If the National Association of Insurance Commissioners has published a list of recommended reciprocal jurisdictions, the superintendent shall consider that list and may defer to that list in determining whether a jurisdiction qualifies as a reciprocal jurisdiction pursuant to subparagraph (1), division (b), subdivision (iii). The superintendent may determine that a jurisdiction that does not appear on the recommended list is a reciprocal jurisdiction in accordance with criteria established in rules adopted by the superintendent.

(c) If a jurisdiction has been determined to be a reciprocal jurisdiction pursuant to subparagraph (1), division (b), subdivision (iii), the superintendent, in accordance with a process established by rule by the superintendent, may determine that the jurisdiction is no longer a reciprocal jurisdiction and remove it from the list of reciprocal jurisdictions upon a determination that the jurisdiction no longer meets the conditions of this paragraph. Upon removal of a reciprocal jurisdiction from the list, credit for reinsurance ceded to an assuming insurer that has its head office or is domiciled in that jurisdiction is allowed only as otherwise allowed pursuant to this section.

(11) The superintendent shall promptly create, publish and administer a list of assuming insurers that have satisfied the conditions set forth in subparagraphs (2) to (8) for recognition for credit for reinsurance. The superintendent may add an assuming insurer to the list if it has been listed under a substantially similar law by a jurisdiction accredited by the National Association of Insurance Commissioners or if, upon a request for recognition of eligibility, the assuming insurer submits the information to the superintendent as required under subparagraph (5) and complies with any additional requirements that the superintendent may impose by rule, except to the extent

that those requirements conflict with an applicable covered agreement.

(12) If the superintendent determines that an assuming insurer no longer meets one or more of the conditions of this paragraph, the superintendent may suspend or revoke the recognition of the assuming insurer for credit for reinsurance under this paragraph in accordance with procedures established by rule.

(a) While an assuming insurer's recognition for credit is suspended, a reinsurance agreement issued, amended or renewed after the effective date of the suspension does not qualify for credit under this paragraph. Credit may be granted only to the extent that the assuming insurer's obligations under the contract are secured in accordance with other provisions of this subsection or with subsection 3.

(b) If an assuming insurer's recognition for credit is revoked, credit for reinsurance may not be granted after the effective date of the revocation with respect to any reinsurance agreements entered into by the assuming insurer, including reinsurance agreements entered into before the date of revocation, except to the extent that the assuming insurer's obligations under the contract are secured in a form acceptable to the superintendent and consistent with other provisions of this subsection or with subsection 3.

(13) If a ceding insurer that has been granted credit under this paragraph is subject to a legal process of rehabilitation, liquidation or conservation, the ceding insurer or its representative may seek and, if determined appropriate by the court in which the proceedings are pending, may obtain an order requiring the assuming insurer to post security for all outstanding ceded liabilities.

(14) This paragraph does not limit or in any way alter the capacity of parties to a reinsurance agreement to agree on requirements for security or other terms in that reinsurance agreement, except as expressly prohibited by this section or other applicable law or rule.

(15) Credit under this paragraph may be taken only for reinsurance pursuant to reinsurance agreements entered into, renewed or amended on or after the effective date of this paragraph and only with respect to losses incurred or reserves reported on or after the date on which the assuming insurer has met all eligibility requirements pursuant to subparagraphs (2) to (8) or the effective date of the new reinsurance

agreement, amendment or renewal, whichever is later.

This subparagraph does not alter or impair a ceding insurer's right to take credit for reinsurance, to the extent that credit is not available under this paragraph, as long as the reinsurance qualifies for credit under any other applicable provision of this section.

(16) Nothing in this paragraph:

(a) Authorizes an assuming insurer to withdraw or reduce the security provided under any reinsurance agreement except as permitted by the terms of the agreement; or

(b) Limits, or in any way alters, the capacity of parties to any reinsurance agreement to renegotiate the agreement;

C. Maintains a trust fund in a qualified United States financial institution for the payment of the valid claims of its United States ceding insurers, their assigns and successors in interest.

(1) The assuming insurer shall report annually to the superintendent information substantially the same as that required to be reported on the National Association of Insurance Commissioners Annual Statement form by licensed insurers to enable the superintendent to determine the sufficiency of the trust fund.

(2) In the case of a single assuming insurer, the trust must consist of a trustee account representing the assuming insurer's liabilities attributable to reinsurance ceded by United States ceding insurers and, in addition, unless the assuming insurer has permanently discontinued underwriting new business secured by the trust for at least 3 full years, must include a trustee surplus of at least \$20,000,000. The trust must provide that after the assuming insurer has permanently discontinued underwriting new business secured by the trust for at least 3 full years, the insurance regulator with principal oversight of the trust may authorize a reduction in the required trustee surplus, but only after a finding, based on an assessment of the risk, that the new required surplus level is adequate for the protection of United States ceding insurers, policyholders and claimants in light of reasonably foreseeable adverse loss development. The risk assessment may involve an actuarial review, including an independent analysis of reserves and cash flows, and must consider all material risk factors, including when applicable the lines of business involved, the stability of the incurred loss estimates and the effect of the surplus requirements on the assuming insurer's liquidity or

solvency. The minimum required trusteed surplus may not be reduced to an amount less than 30% of the assuming insurer's liabilities attributable to reinsurance ceded by United States ceding insurers covered by the trust.

(3-A) A group including incorporated and individual unincorporated underwriters may secure its obligations with funds held in trust in compliance with the following standards.

(a) For reinsurance ceded under reinsurance agreements with an inception, amendment or renewal date on or after January 1, 1993, the trust must consist of a trusteed account in an amount at least equal to the respective underwriters' several liabilities attributable to reinsurance ceded by United States domiciled ceding insurers to any underwriter that is a member of the group.

(b) Notwithstanding the other provisions of this section, for reinsurance ceded under reinsurance agreements with an inception date on or before December 31, 1992 and not amended or renewed after that date, the trust must consist of a trusteed account in an amount not less than the respective underwriters' several insurance and reinsurance liabilities attributable to business written in the United States.

(c) In addition, the group shall maintain a trusteed surplus of at least \$100,000,000 held jointly for the benefit of the United States domiciled ceding insurers of any member of the group for all years of account.

An incorporated member of the group may not be engaged in any business other than underwriting as a member of the group and is subject to the same level of solvency regulation and control by the group's domiciliary regulator as are the unincorporated members. Within 90 days after its financial statements are due to be filed with the group's domiciliary regulator, the group shall provide to the superintendent an annual certification by the group's domiciliary regulator of the solvency of each underwriter member of the group or, if a certification is unavailable, financial statements prepared by independent public accountants.

(4-A) The superintendent in rules adopted pursuant to subsection 7 may establish alternative criteria for approval of a reinsurance trust if the superintendent determines that the criteria provide adequate protection to policyholders of United States ceding insurers and are in

substantial conformance with standards approved by the National Association of Insurance Commissioners.

(5) The trust must be established in a form approved by the superintendent and consistent with any rules adopted by the superintendent pursuant to this section. The form of the trust and any amendments to the trust must also have been approved by the insurance regulatory official of the state where the trust is domiciled or of another state that, pursuant to the terms of the trust instrument, has accepted principal regulatory oversight of the trust. The trust instrument must provide that contested claims are valid and enforceable upon the final order of any court of competent jurisdiction in the United States. The trust must vest legal title to its assets in the trustees of the trust for the benefit of the assuming insurer's United States ceding insurers, their assigns and successors in interest. The trust and the assuming insurer are subject to examination, as determined by the superintendent, at the assuming insurer's expense. The trust must remain in effect for as long as the assuming insurer has outstanding obligations due under the reinsurance agreements subject to the trust.

(6) The trustees of the trust shall report to the superintendent in writing by February 28th of each year, setting forth the balance of the trust and listing the trust's investments at the end of the preceding year and certifying the date of termination of the trust, if so planned, or certifying that the trust does not expire before December 31st of the current year.

(7) The corpus of the trust is to be valued as any other admitted asset or assets; or

D. Does not meet the requirements of paragraph A, B, B-1, B-2, ~~B-3~~ or C, but only with respect to risks located in a jurisdiction where that reinsurance is required by law. The superintendent may waive the requirements of subsections 2 and 5 to the extent that compliance with those requirements is not feasible for compulsory reinsurance subject to this paragraph. The superintendent for good cause after notice and opportunity for hearing may disallow or reduce the credit otherwise permitted under this paragraph.

Sec. 7. 24-A MRS §731-B, sub-§2-B, ¶E, as enacted by PL 2017, c. 169, Pt. C, §2, is amended to read:

E. This subsection does not apply to cessions to an assuming insurer that:

(1) Is certified in this State pursuant to subsection 1, paragraph B-2; ~~or~~

(2) Maintains at least \$250,000,000 in capital and surplus as determined in accordance with section 901-A, excluding the impact of any permitted or prescribed practices; and is:

- (a) Licensed in at least 26 states; or
- (b) Licensed in at least 10 states and licensed or accredited in a total of at least 35 states; or

(3) Is eligible for credit for assumed reinsurance by reciprocity pursuant to subsection 1, paragraph B-3.

Sec. 8. 24-A MRSA §731-B, sub-§3, ¶B, as amended by PL 2013, c. 238, Pt. B, §8, is further amended to read:

B. Securities listed by the Securities Valuation Office of the National Association of Insurance Commissioners, including those designated as exempt from filing in the purposes and procedures manual of the Securities Valuation Office, and qualifying as admitted assets; ~~or~~

Sec. 9. 24-A MRSA §731-B, sub-§3, ¶C, as amended by PL 1993, c. 313, §18, is further amended by amending subparagraph (2) to read:

(2) The letter of credit must indicate that it is not subject to any condition or qualification outside the letter of credit, and that the beneficiary need only draw a sight draft under the letter and present the letter to obtain funds and that no other document need be presented; ~~or~~

Sec. 10. 24-A MRSA §731-B, sub-§3, ¶D is enacted to read:

D. Any other form of security that the superintendent may permit by rule adopted as set forth in subsection 7.

Sec. 11. 24-A MRSA §1151-A, sub-§41, as enacted by PL 1999, c. 715, §8, is amended to read:

41. Repurchase transaction. "Repurchase transaction" means a transaction in which an insurer ~~pur-~~
~~chases securities from a counter party that is obligated to repurchase the purchased securities or equivalent securities from the insurer~~ sells securities to a qualified bank or a qualified business entity or to a bank or a business entity whose obligations with respect to the transaction are guaranteed by a qualified bank or a qualified business entity and the insurer is obligated to repurchase the sold securities or equivalent securities from the bank or business entity at a specified price, either within a specified period of time or upon demand.

Sec. 12. 24-A MRSA §1151-A, sub-§42, as enacted by PL 1999, c. 715, §8, is amended to read:

42. Reverse repurchase transaction. "Reverse repurchase transaction" means a transaction in which an insurer ~~sells securities to a qualified bank or a qualified~~

~~business entity or a bank or a business entity whose obligations with respect to such transaction are guaranteed by a qualified bank or a qualified business entity and the insurer is obligated to repurchase the sold securities or equivalent securities from the bank or business entity~~ purchases securities from a counter-party that is obligated to repurchase the purchased securities or equivalent securities from the insurer at a specified price, either within a specified period of time or upon demand.

Sec. 13. 24-A MRSA §4215, sub-§1, as enacted by PL 1975, c. 503, is amended to read:

1. The superintendent may make an examination of the affairs of any health maintenance organization as often as ~~he deems~~ the superintendent considers it necessary for the protection of the interests of the people of this State, but not less frequently than once every 3 years. The superintendent may defer making an examination for no more than 2 additional years. In lieu of the superintendent's making an examination of a foreign or alien health maintenance organization, the superintendent may accept a full report of the most recent examination certified by the chief regulatory official of another state with responsibility for the financial oversight of health maintenance organizations.

Sec. 14. 24-A MRSA §4353, sub-§6, as amended by PL 1973, c. 585, §12, is further amended to read:

6. "Reciprocal state" means any state other than this State in which there is in force, in substance and effect, a law substantially similar to the uniform insurers liquidation act, as defined in section 4363, is in force Uniform Insurers Liquidation Act or another law determined by the superintendent to establish adequate procedures for the conduct and interstate coordination of the rehabilitation and liquidation of delinquent insurers, including provisions requiring that the ~~Insurance Superintendent~~ insurance superintendent or equivalent insurance supervisory official be the receiver of a delinquent insurer, and in which effective provisions exist for avoidance of fraudulent conveyances and unlawful preferential transfers.

Sec. 15. 24-A MRSA §4367, sub-§3 is enacted to read:

3. The courts of this State shall give full faith and credit to any stay of or injunction barring new actions against an insurer or its receiver, or the continuation of existing actions against an insurer or its receiver, when the stay or injunction is pursuant to an order to liquidate or rehabilitate an insurer issued in accordance with the delinquency laws of a reciprocal state.

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

Effective March 17, 2021.

**CHAPTER 17
S.P. 26 - L.D. 19**

**An Act To Amend the Maine
Education Savings Program**

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 Legislature established the Maine Education Savings Program, also known as NextGen 529, as Maine's Section 529 plan, so-called after Section 529 of the federal Internal Revenue Code of 1986, to be administered by the Finance Authority of Maine; and

Whereas, the Maine Education Savings Program provides account owners and beneficiaries the opportunity to realize potential tax advantages if assets are used for qualified higher education expenses; and

Whereas, the United States Congress has recently expanded the federal definition of "qualified higher education expenses" to include certain expenses related to registered and certified apprenticeship programs and limited repayments of qualified education loans; and

Whereas, under the Maine Revised Statutes, Title 20-A, section 11483, the Finance Authority of Maine is authorized to take necessary action to ensure that the Maine Education Savings Program complies with federal law, and the authority considers it prudent to make statutory changes to conform with the expanded federal definition and to make certain other amendments to the law; and

Whereas, in order to avoid confusion in the application and use of the Maine Education Savings Program, it is necessary that these conforming changes take effect as soon as possible; 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:

Sec. 1. 20-A MRSA §11471, as amended by PL 2017, c. 474, Pt. F, §§2, 3 and 9, is further amended to read:

§11471. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Advisory committee. "Advisory committee" means the Advisory Committee on Education Savings established in this chapter.

2. Authority. "Authority" means the Finance Authority of Maine, which serves as administrator of the Maine Education Savings Program.

3. Beneficiary. "Beneficiary" means any person designated by a participation agreement to benefit from payments for higher education expenses ~~at an institution of higher education.~~

~~**4. Benefits.** "Benefits" means the payment of higher education expenses on behalf of a beneficiary by the Maine Education Savings Program during the beneficiary's attendance at an institution of higher education.~~

5. Board. "Board" means the board of directors of the Finance Authority of Maine.

6. Contributions. "Contributions" means amounts deposited by a participant to an account within the program fund.

7. Higher education expenses. "Higher education expenses" means the certified expenses for attendance at an institution of higher education as those expenses are defined by rule of the authority consistent with applicable provisions of the federal Internal Revenue Code of 1986 and its regulations addressing qualified ~~state~~ tuition programs. Beginning January 1, 2018, "higher education expenses" has the same meaning as "qualified higher education expenses" as defined in Section 529 of the federal Internal Revenue Code of 1986 and amendments to that Code and its regulations addressing qualified ~~state~~ tuition programs.

8. Institution of higher education. "Institution of higher education" means an institution of higher education that meets the requirements established by rule of the authority consistent with applicable provisions of the federal Internal Revenue Code of 1986 and its regulations addressing qualified ~~state~~ tuition programs.

9. Participant. "Participant" means any person who has entered into a participation agreement pursuant to this chapter.

10. Participation agreement. "Participation agreement" means an agreement between a participant and the authority providing for the establishment by the participant of one or more accounts within the program fund and for the administration of those accounts for the benefit of the participant and of one or more beneficiaries.

11. Program earnings. "Program earnings" means all interest, dividends, premiums, fees, profits upon disposition of assets and other revenue actually received by or on behalf of the program with respect to any assets held within the program fund to which that asset may be credited, less all administrative costs of the program and the program fund, as periodically determined by the authority.

~~12. Tuition. "Tuition" means the charges imposed to attend an institution of higher education and required as a condition of enrollment.~~

Sec. 2. 20-A MRSA §11472, as amended by PL 2017, c. 474, Pt. F, §4, is further amended to read:

§11472. Maine Education Savings Program

The Maine Education Savings Program, referred to in this chapter as the "program," is established to encourage the investment of funds to be used for higher education expenses ~~at institutions of higher education and, beginning January 1, 2018, and as long as permitted by provisions of Section 529 of the federal Internal Revenue Code of 1986, expenses for tuition in connection with enrollment or attendance at an elementary or secondary public, private or religious school.~~ The authority shall administer the program and act as administrator of the program fund.

Sec. 3. 20-A MRSA §11474, sub-§2, as amended by PL 2011, c. 150, §3 and affected by §9, is further amended to read:

2. Invest funds. With the advice of the advisory committee, invest and reinvest, or cause to be invested and reinvested, money in the program fund in any investments determined by the authority to be appropriate, notwithstanding any general statutory limitations on investments of public funds specifically determined to be inapplicable to the program fund. The authority ~~must~~ may invest, or cause to be invested, money from the program fund in financial institutions located in the State to the extent determined reasonable by the authority;

Sec. 4. 20-A MRSA §11475, sub-§11, as enacted by PL 1997, c. 732, §4, is amended to read:

11. No guaranty of admission. The execution of a participation agreement by the authority does not guarantee in any way that higher education expenses will be equal to projections and estimates provided by the authority or that the beneficiary named in any participation agreement will:

A. Be admitted to ~~an~~ any elementary or secondary school, apprenticeship program or institution of higher education;

B. Be allowed to continue attendance at ~~the~~ any elementary or secondary school, apprenticeship program or institution of higher education following admission; or

C. Graduate from ~~the~~ any elementary or secondary school, apprenticeship program or institution of higher education.

Sec. 5. 20-A MRSA §11476, as amended by PL 2011, c. 150, §4 and affected by §9, is further amended to read:

§11476. Investment options and parameters

The authority, with the advice of the advisory committee, may provide investment options for a participant within the program fund to the extent permitted by federal Internal Revenue Code of 1986 provisions addressing qualified ~~state~~ tuition programs. The authority, with the advice of the advisory committee, shall invest, or cause to be invested, the amounts on deposit in the program fund in a reasonable manner to achieve the objectives of each fund, exercising the discretion and care of a prudent person in similar circumstances with similar objectives. A participant or designated beneficiary may not direct the investment of any amounts on deposit in the program fund, except to the extent allowed pursuant to provisions of the federal Internal Revenue Code of 1986 addressing qualified ~~state~~ tuition programs. The authority shall give due consideration to rate of return, term or maturity, diversification and liquidity of investments within the program fund or any account in the program fund pertaining to the projected disbursements and expenditures from the program fund and the expected payments, deposits, contributions and gifts to be received.

Sec. 6. 20-A MRSA §11478, sub-§1, as enacted by PL 1997, c. 732, §4, is amended to read:

1. Participant retains ownership. The participant retains ownership of all contributions and all program earnings credited to a participant's account under a participation agreement up to the date of utilization for payment of higher education expenses ~~for the beneficiary~~ and, notwithstanding any other provision of law, an amount credited to any account is not susceptible to levy, execution, judgment or other operation of law, garnishment or other judicial enforcement and the amount is not an asset or property of either the participant or the beneficiary for purposes of any state insolvency laws. Notwithstanding this subsection, an amount credited to the participant's account may not be included in any gross estate of the participant for purposes of state tax law, except to the extent that the amount may be includable in any gross estate for purposes of federal tax law.

Sec. 7. 20-A MRSA §11479, as amended by PL 2017, c. 474, Pt. F, §6, is further amended to read:

§11479. Tax exemption

The assets of the program fund, all program earnings and any income from operations are exempt from all taxation by the State or any of its political subdivisions. A deposit to any account, transfer of that account to a successor participant, designation of a successor beneficiary of that account, credit of program earnings to that account or qualified distribution from that account used for the purpose of paying higher education expenses ~~of the designated beneficiary of that account~~ pursuant to this chapter, as long as that distribution does not exceed the limits established in Section 529 of the federal Internal Revenue Code of 1986, as amended, or rollover distributions permitted under Section 529 of

the federal Internal Revenue Code of 1986, as amended, does not subject that participant, the estate of that participant or any beneficiary to any state income or estate tax liability. In the event of cancellation or termination of a participation agreement and distribution of funds to a participant, the increase in value over the amount deposited in the program fund by that participant may be taxable to that participant in the year distributed.

Sec. 8. 20-A MRSA §11483, as enacted by PL 1997, c. 732, §4, is amended to read:

§11483. Compliance with federal law

The authority may take any action necessary to ensure that the program complies with the federal Internal Revenue Code of 1986, Section 529, as amended, and any successor provisions and other applicable laws, rules and regulations adopted pursuant to that provision to the extent necessary for the program fund to constitute a qualified ~~state~~ tuition program with the benefits of eligibility under provisions of the federal Internal Revenue Code of 1986 addressing qualified ~~state~~ tuition programs.

Sec. 9. 20-A MRSA §11485, as enacted by PL 1997, c. 732, §4, is amended to read:

§11485. Rulemaking

The authority ~~must~~ shall establish rules for the implementation of the program established by this chapter, including rules establishing fees and penalties and rules necessary to ensure treatment as a qualified ~~state~~ tuition program for federal tax purposes. Rules adopted pursuant to this section, including those setting fees and penalties, are routine technical rules as defined by Title 5, chapter 375, subchapter ~~II-A 2-A~~. ~~The authority shall submit a report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by January 30, 1999 on the rules and rule-making process to implement a program providing limits on future increases in the costs of education of participating institutions of higher education pursuant to section 11474, subsection 8.~~

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

Effective March 17, 2021.

CHAPTER 18
S.P. 30 - L.D. 22

**An Act To Authorize Early
Payment of Anticipated Funds
to the Loring Job Increment
Financing Fund**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until

90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation authorizes the payment of anticipated funds to the Loring Job Increment Financing Fund in advance of the payment scheduled on July 31, 2021; 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:

Sec. 1. 5 MRSA §13080-S, sub-§3, ¶B is enacted to read:

B. At any time during the 12 months preceding the July 31, 2021 payment date, the assessor, at the direction of the Governor or upon the recommendation of the Commissioner of Economic and Community Development and the approval of the Commissioner of Administrative and Financial Services, shall deposit into the contingent account and pay to the fund an amount not to exceed the anticipated payment amount to the fund or the amount paid the previous year, whichever is greater. Any difference between the amount advanced and the amount finally determined to be due, in the event of an underpayment, must be added to the final payment due by July 31, 2021 or, in the event of an overpayment, must be deducted from the final payment due by July 31, 2022.

This paragraph is repealed August 1, 2022.

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

Effective March 17, 2021.

CHAPTER 19
S.P. 45 - L.D. 37

**An Act To Amend the Laws
Concerning the Retired County
and Municipal Law
Enforcement Officers and
Municipal Firefighters Health
Insurance Program**

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

Whereas, pursuant to Public Law 2019, chapter 446, section 7, the open enrollment period for certain

county or municipal law enforcement officers or municipal firefighters who are employed as county or municipal law enforcement officers or municipal firefighters to enroll in the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program ends December 31, 2021; and

Whereas, it is necessary for this legislation to be enacted as soon as possible to provide sufficient time for such officers and firefighters to enroll prior to December 31, 2021; 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:

Sec. 1. 5 MRSA §286-M, sub-§3, as amended by PL 2019, c. 446, §1, is further amended to read:

3. Eligibility for program coverage. A person must make contributions pursuant to subsection 5, paragraph D and subsection 8 ~~for 60 months~~ in order to be eligible for coverage under the program. In addition, a person must satisfy the eligibility criteria specified in this subsection as follows:

A. The person must:

- (1) Be at least 50 years of age;
- (2) Be a retired county or municipal law enforcement officer or a retired municipal firefighter;
- (3) Have, while actively employed as a county or municipal law enforcement officer or municipal firefighter, participated in the person's employer's health insurance plan or other fully-insured health insurance plan; and
- (4) Receive or be eligible to receive:
 - (a) If retired from at least 25 years of service in a position as a county or municipal law enforcement officer or a municipal firefighter, a retirement benefit from the Maine Public Employees Retirement System or a defined contribution retirement plan other than the United States Social Security Act; or
 - (b) If retired from less than 25 years of service in a position as a county or municipal law enforcement officer or a municipal firefighter, a retirement benefit from the Maine Public Employees Retirement System or a defined contribution retirement plan other than the United States Social Security Act, as long as the benefit provided is at least 50% of average final

compensation, with no reduction for early retirement and with or without a cost-of-living adjustment; or

B. The person must be a dependent of a person meeting the criteria of paragraph A.

Sec. 2. 5 MRSA §286-M, sub-§5, ¶D, as enacted by PL 2019, c. 446, §2, is amended to read:

D. When the effective date of hire of the eligible person is on or after October 1, 2019, the eligible person must enroll in the program no later than 5 years following the effective date of hire, ~~subject to the enrollment and eligibility requirements of the applicable group health plan.~~ If the eligible person enrolls in the program no later than 60 days following the effective date of hire, the eligible person contributes to the fund at the rate specified in subsection 8, paragraph A. If the eligible person enrolls in the program more than 60 days following the effective date of hire, the eligible person shall contribute to the fund 2% of the eligible person's gross wages since the eligible person's effective date of hire to that person's date of enrollment in the program and shall contribute to the fund at the rate specified in subsection 8, paragraph A after the eligible person's date of enrollment.

Sec. 3. 5 MRSA §286-M, sub-§6, ¶D, as enacted by PL 2019, c. 446, §2, is amended to read:

D. An enrollee may participate in the group health insurance plan in which the enrollee's spouse participates if that plan is offered in this State or in another group health insurance plan that is offered in this State. An enrollee is responsible for the premium payment associated with the cost of the group health insurance plan in which the enrollee is participating, ~~to the extent such premium obligations exist following the application of any premium subsidy authorized by law.~~ An enrollee who fails to remit the premium payments as established and required by the group health insurance plan in which the enrollee is participating must be disenrolled from the program. The State shall provide a premium subsidy for each enrollee in the form of a direct payment to the ~~group health insurance plan in which the enrollee is participating~~ enrollee. Prior to July 1, 2021, the level of the premium subsidy must equal 45% of the individual premium cost for the enrollee or a dollar amount equivalent to the highest premium subsidy provided in accordance with paragraph A, whichever is less. Beginning July 1, 2021, the level of the premium subsidy must equal 55% of the individual premium cost for the enrollee or a dollar amount equivalent to the highest premium subsidy provided in accordance with paragraph A, whichever is less. Enrollees are responsible for the balance of the applicable individual premium, as well as the total cost of the premium for any applicable dependent coverage, and

shall make payments directly to the group health insurance plan in which the enrollee is participating.

Sec. 4. PL 2019, c. 446, §7 is amended to read:

Sec. 7. Open enrollment. Notwithstanding the Maine Revised Statutes, Title 5, section 286-M, subsection 5, a county or municipal law enforcement officer or a municipal firefighter, as defined in Title 5, section 286-M, subsection 2, paragraphs A and H, respectively, who is employed as a county or municipal law enforcement officer or a municipal firefighter at any time beginning October 1, 2019 and ending December 31, 2021 may enroll in the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program established in Title 5, section 286-M, subsection 1 at any time during that period while employed as a county or municipal law enforcement officer or a municipal firefighter. ~~Such~~ Notwithstanding Title 5, section 286-M, subsection 5, paragraph D, such a person who enrolls in the program and is not otherwise eligible to enroll in the program under Title 5, section 286-M, subsection 5 shall contribute to the Firefighters and Law Enforcement Officers Health Insurance Program Fund established in Title 5, section 286-M, subsection 7 a percentage of that person's gross wages in each year of creditable service since that person's effective date of hire as a county or municipal law enforcement officer or a municipal firefighter ~~to that person's date of enrollment in the program or since January 1, 2007, whichever is later, equal to 1.5% for the first 5 years 3% until December 31, 2014 and 3% 1.5% for additional years.~~

Sec. 5. Retroactive application; enrollment contributions. That section of this Act that amends Public Law 2019, chapter 446, section 7 applies retroactively to September 19, 2019. The Department of Administrative and Financial Services, Bureau of Human Resources, office of employee health and benefits shall ensure that enrollment contributions pursuant to Public Law 2019, chapter 446, section 7, as amended, to the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program under the Maine Revised Statutes, Title 5, section 286-M made by enrollees between September 19, 2019 and the effective date of this Act are consistent with this Act.

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

Effective March 17, 2021.

**CHAPTER 20
H.P. 26 - L.D. 60**

**An Act To Clarify the
Minimum Amount of
Emergency Refills of Insulin**

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

Whereas, legislation to authorize a pharmacist to provide an emergency refill of insulin was enacted as emergency legislation on March 18, 2020; and

Whereas, this legislation clarifies the minimum amount of insulin that may be provided on an emergency basis by a pharmacist and requires notice of the refill to the provider that prescribed the insulin to the patient; and

Whereas, it is important for a pharmacist to be able to provide emergency refills of insulin in the minimum amounts permitted by this legislation as soon as possible; 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:

Sec. 1. 32 MRSA §13786-D, sub-§2, as enacted by PL 2019, c. 666, Pt. B, §1, is amended to read:

2. Authorization. As authorized by the board in accordance with rules adopted under subsection 3, a pharmacist may dispense emergency refills of insulin and associated insulin-related devices and supplies by prescription drug order or standing order or pursuant to a collaborative practice agreement authorizing insulin to be dispensed. The insulin dispensed under this subsection must be in a quantity that is ~~the lesser of a 30-day supply and the smallest available package~~ at least a 30-day supply unless the intended recipient requests a lesser quantity upon consultation with the pharmacist. The intended recipient shall provide evidence of a previous prescription from a practitioner and attest that a refill of that previous prescription may not be readily or easily obtained under the circumstances. Upon receiving evidence of a previous prescription from a practitioner, the pharmacist shall immediately notify that practitioner that an emergency refill of insulin was dispensed and instruct the recipient to seek follow-up care from the practitioner as soon as possible.

Sec. 2. 32 MRSA §13786-D, sub-§3, as enacted by PL 2019, c. 666, Pt. B, §1, is amended to read:

3. **Rules; protocols.** The board by rule shall establish standards for authorizing pharmacists to dispense insulin in accordance with subsection 2, including adequate training requirements and protocols for dispensing insulin protocols for notifying practitioners when emergency refills of insulin are dispensed. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

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

Effective March 17, 2021.

**CHAPTER 21
H.P. 5 - L.D. 2**

**An Act To Require the
Inclusion of Racial Impact
Statements in the Legislative
Process**

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

Sec. 1. 2 MRSA c. 7 is enacted to read:

CHAPTER 7

RACIAL IMPACT STATEMENTS

§201. Information regarding racial impact statements

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

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

B. "Racial impact statement" means an assessment of the potential impact that legislation could have on historically disadvantaged racial populations.

C. "State agency" means a state department, agency, office, board or commission or a quasi-independent agency, board, commission, authority or institution.

2. Racial impact statement information. Upon the request of a legislative committee, a commissioner or director of a state agency or the commissioner's or director's designee shall provide to that legislative committee data, analysis and other information within the agency's possession necessary for the Legislature to prepare a racial impact statement for legislation before that legislative committee or legislation being prepared

by that legislative committee. The racial impact statement information must be provided in a timely manner.

Sec. 2. Implementation of racial impact statement process pilot project. The Legislative Council or its delegate shall perform a study to determine the best method to establish and implement a system of using racial impact statements for legislation. For purposes of this section, "racial impact statement" means an assessment of the potential impact that legislation could have on historically disadvantaged racial populations.

1. Study. In making the determination required by this section, the Legislative Council shall study and consider:

A. What has been done in other states to accomplish the development and use of racial impact statements;

B. What data, analysis or other information is needed to produce a racial impact statement and what the best source of that data, analysis or other information is, such as, but not limited to, an executive branch department or agency;

C. Specific policy areas that would benefit from the use of racial impact statements, including, but not limited to, education; health care; employment, including wages; housing, including home ownership; and criminal justice and public safety;

D. The costs of implementing the use of racial impact statements, either on a limited basis, such as for certain committees, policy areas or instruments, such as committee or floor amendments, or for all joint standing committees and all legislation; and

E. Anything else the Legislative Council considers relevant.

2. Findings; recommendations for limited pilot project. The Legislative Council shall complete its study under subsection 1 no later than November 1, 2021 and compile a report with its findings. Based on the information gathered pursuant to subsection 1 and its findings, the Legislative Council shall implement, no later than December 1, 2021, a pilot project for the limited use of racial impact statements in the Second Regular Session of the 130th Legislature.

In determining the scope of the pilot project, the Legislative Council shall consider:

A. Which joint standing committees will participate in the pilot project, which must be at least one but not more than 4;

B. What legislation, such as bills, committee amendments and floor amendments, will be subject to racial impact statement review;

C. What standards will be used to review legislation under paragraph B;

D. What resources or adjustments to the committee process will be needed to facilitate the inclusion of racial impact statements;

E. The cost required to implement such a pilot project;

F. Information or other resources needed to compile racial impact statements; and

G. Any other information relevant to the Legislative Council.

3. Report by pilot project committees. The chairs of each joint standing committee that was a part of the pilot project established pursuant to subsection 2 shall provide a report to the Legislative Council no later than 30 days following adjournment of the Second Regular Session of the 130th Legislature. The report must include:

A. The number of pieces of legislation and the types of legislation for which racial impact statements were requested and used;

B. The manner in which the racial impact statements were obtained or developed;

C. The amount of time, both as an average and individually, needed to develop each racial impact statement; and

D. The cost, if any, to the joint standing committee from obtaining or developing racial impact statements.

Based on the report of the joint standing committees, the Legislative Council shall determine whether to expand or eliminate the use of racial impact statements and make that recommendation to the Legislative Council of the 131st Legislature no later than December 15, 2022.

See title page for effective date.

**CHAPTER 22
S.P. 23 - L.D. 16**

An Act To Change the Renewal Application Deadline from 6 Months to 60 Days before the Expiration of a License Issued by the Gambling Control Board

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

Sec. 1. 8 MRSA §1012, first ¶, as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

An application for renewal of a ~~At least 60 days before a slot machine operator applies for renewal of a~~

~~slot machine operator license under section 1017, subsection 4, the slot machine operator license must first be approved seek approval for the renewal under this section by from the municipal officers of the municipality in which the commercial track with slot machines is located or, if the commercial track is in an unincorporated place, the application must be approved by slot machine operator must seek approval for the renewal under this section from the county commissioners of the county in which the commercial track with slot machines is located.~~

Sec. 2. 8 MRSA §1012, sub-§1, ¶C, as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

C. If municipal officers or county commissioners, as the case may be, fail to take final action on an application for a renewal of a slot machine operator license within 60 days of the filing of an application, the application is considered approved and ~~ready for action by the board~~ the slot machine operator may submit a renewal application to the board pursuant to section 1017, subsection 4. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners.

Sec. 3. 8 MRSA §1012-A, first ¶, as enacted by IB 2009, c. 2, §30, is amended to read:

~~An application for renewal of a~~ At least 60 days before a casino operator applies for renewal of a casino operator license under section 1017, subsection 4, the casino operator license must first be approved seek approval for the renewal under this section by from the municipal officers of the municipality in which the casino is located or, if the casino is in an unincorporated place, the application must be approved by casino operator must seek approval for the renewal under this section from the county commissioners of the county in which the casino is located.

Sec. 4. 8 MRSA §1012-A, sub-§1, ¶C, as enacted by IB 2009, c. 2, §30, is amended to read:

C. If municipal officers or county commissioners, as the case may be, fail to take final action on an application for a renewal of a casino operator license within 60 days of the filing of an application, the application is considered approved and ~~ready for action by the board~~ the casino operator may submit a renewal application to the board pursuant to section 1017, subsection 4. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners.

Sec. 5. 8 MRSA §1017, sub-§4, as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

4. **Application for renewal.** Application for renewal of a license issued under this chapter must be made no less than ~~6 months~~ 60 days prior to the expiration of the current license. Before submitting an application for renewal of a slot machine operator license under this subsection, the slot machine operator must comply with section 1012. Before submitting an application for renewal of a casino operator license under this subsection, the casino operator must comply with section 1012 A.

Sec. 6. 8 MRSA §1018, sub-§2, as enacted by PL 2003, c. 687, Pt. A, §5 and affected by Pt. B, §11, is amended to read:

2. **Term of license; renewal, renewal fees.** ~~All~~ Except as provided in section 1071, subsection 6 for licenses to conduct advance deposit wagering, licenses issued by the board under this chapter are effective for one year, unless revoked or surrendered pursuant to subchapter 5. Upon proper application and payment of the required fees and taxes and in accordance with rules adopted by the board, the board may renew a license for an additional year if municipal approval has been obtained as provided in section 1012 or 1012-A. The board shall transfer \$25,000 of the renewal fee required by subsection 1, paragraph C to the municipality in which the slot machines are operated.

See title page for effective date.

CHAPTER 23
S.P. 35 - L.D. 27

An Act To Provide an Immediate Opportunity To Appeal for a Juvenile Bound Over into Criminal Court

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

Sec. 1. 15 MRSA §3402, sub-§1, ¶B, as amended by PL 1997, c. 645, §11, is further amended to read:

B. An order of disposition, or of any subsequent order modifying disposition, for an abuse of discretion; ~~and~~

Sec. 2. 15 MRSA §3402, sub-§1, ¶D, as amended by PL 2005, c. 488, §2, is further amended to read:

D. A detention order entered pursuant to section 3203-A, subsection 5 or any refusal to alter a detention order upon petition of the juvenile pursuant to section 3203-A, subsection 11, for abuse of discretion, provided that the appeal must be handled expeditiously; and

Sec. 3. 15 MRSA §3402, sub-§1, ¶H is enacted to read:

H. An order binding a juvenile over for prosecution as an adult, which may be taken following issuance of the bind-over order, or, at the election of the appellant, following a judgment of conviction as an adult, but not both.

Sec. 4. 15 MRSA §3402, sub-§2-A, as enacted by PL 2015, c. 100, §3, is repealed.

See title page for effective date.

CHAPTER 24
H.P. 17 - L.D. 51

An Act To Enact the Maine Insurance Data Security Act

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

Sec. 1. 24-A MRSA c. 24-B is enacted to read:

CHAPTER 24-B

MAINE INSURANCE DATA SECURITY ACT

§2261. Short title

This chapter may be known and cited as "the Maine Insurance Data Security Act."

§2262. Construction

This chapter establishes standards for data security and exclusive standards for the investigation of and notification to the superintendent regarding a cybersecurity event applicable to licensees. This chapter may not be construed to create or imply a private cause of action for violation of its provisions or to curtail a private cause of action that would otherwise exist in the absence of this chapter.

§2263. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Authorized individual. "Authorized individual" means an individual whose access to the nonpublic information held by a licensee and its information systems is authorized and determined by the licensee to be necessary and appropriate.

2. Consumer. "Consumer" means an individual, including but not limited to an applicant for insurance, policyholder, insured, beneficiary, claimant or certificate holder, who is a resident of this State and whose nonpublic information is in a licensee's possession, custody or control.

3. Cybersecurity event. "Cybersecurity event" means an event resulting in unauthorized access to, disruption of or misuse of an information system or information stored on an information system.

"Cybersecurity event" does not include the unauthorized acquisition of encrypted nonpublic information if the encryption process or key is not also acquired, released or used without authorization.

"Cybersecurity event" does not include an event with regard to which the licensee has determined that the nonpublic information accessed by an unauthorized person has not been used or released and has been returned or destroyed.

4. Encrypted. "Encrypted," with respect to data, means that the data has been transformed into a form that results in a low probability of assigning meaning without the use of a protective process or key.

5. Information security program. "Information security program" means the administrative, technical and physical safeguards that a licensee uses to access, collect, distribute, process, protect, store, use, transmit, dispose of or otherwise handle nonpublic information.

6. Information system. "Information system" means a discrete set of electronic information resources organized for the collection, processing, maintenance, use, sharing, dissemination or disposition of electronic information, as well as any specialized system such as an industrial or process control system, a telephone switching and private branch exchange system or an environmental control system.

7. Insurance carrier. "Insurance carrier" has the same meaning as in section 2204, subsection 15.

8. Licensee. "Licensee" means a person licensed, authorized to operate or registered or required to be licensed, authorized or registered pursuant to the insurance laws of this State. "Licensee" does not include a purchasing group or a risk retention group chartered and licensed in a state other than this State or a licensee that is acting as an assuming insurer and is domiciled in another state or jurisdiction.

9. Multifactor authentication. "Multifactor authentication" means authentication through verification of at least 2 of the following types of authentication factors:

- A. Knowledge factors, such as a password;
- B. Possession factors, such as a token or text message on a mobile telephone; and
- C. Inherence factors, such as a biometric characteristic.

10. Nonpublic information. "Nonpublic information" means information that is not publicly available information and is:

A. Business-related information of a licensee the tampering with or unauthorized disclosure of, access to or use of which would materially and adversely affect the business, operations or security of the licensee;

B. Information that, because of name, number, personal mark or other identifier, can be used in combination with any one or more of the following data elements to identify a consumer:

- (1) Social security number;
- (2) Driver's license number or nondriver identification card number;
- (3) Financial account number or credit or debit card number;
- (4) Any security code, access code or password that would permit access to a consumer's financial account; or
- (5) Biometric records; or

C. Information or data, except age or gender, in any form or medium created by or derived from a health care provider or a consumer and that relates to:

- (1) The past, present or future physical, mental or behavioral health or condition of a consumer or a member of the consumer's family;
- (2) The provision of health care to a consumer; or
- (3) Payment for the provision of health care to a consumer.

"Nonpublic information" does not include a consumer's personally identifiable information that has been anonymized using a method no less secure than the so-called safe harbor method under the federal Health Insurance Portability and Accountability Act of 1996, Public Law 104-191.

11. Publicly available information. "Publicly available information" means information that a licensee has a reasonable basis to believe is lawfully made available to the general public from:

- A. Federal, state or local government records;
- B. Widely distributed media; or
- C. Disclosures to the general public that are required to be made by federal, state or local law.

For the purposes of this definition, a licensee has a reasonable basis to believe that information is lawfully made available to the general public if the licensee has taken steps to determine that the information is of a type that is available to the general public and if a consumer can direct that the information not be made available to the general public and, if so, that the consumer has not done so.

12. Risk assessment. "Risk assessment" means the risk assessment that a licensee is required to conduct under section 2264, subsection 3.

13. Third-party service provider. "Third-party service provider" means a person that is not a licensee and that contracts with a licensee to maintain, process or store or otherwise is permitted access to nonpublic information through its provision of services to the licensee.

§2264. Information security program

1. Implementation of information security program. Commensurate with the size and complexity of the licensee, the nature and scope of the licensee's activities, including its use of 3rd-party service providers, and the sensitivity of the nonpublic information used by the licensee or in the licensee's possession, custody or control, a licensee shall develop, implement and maintain a comprehensive, written information security program based on the licensee's risk assessment and containing administrative, technical and physical safeguards for the protection of nonpublic information and the licensee's information systems.

2. Objectives of information security program. A licensee's information security program must be designed to:

- A. Protect the security and confidentiality of nonpublic information and the security of the licensee's information systems;
- B. Protect against reasonably foreseeable threats or hazards to the security or integrity of nonpublic information and the licensee's information systems;
- C. Protect against unauthorized access to or use of nonpublic information and minimize the likelihood of harm to any consumer; and
- D. Define and periodically reevaluate a schedule for retention of nonpublic information and a mechanism for its destruction when it is no longer needed.

3. Risk assessment. A licensee shall:

- A. Designate one or more employees, an affiliate or another person to act on behalf of the licensee to be responsible for the licensee's information security program;
- B. Identify reasonably foreseeable internal or external threats that could result in unauthorized access to or transmission, disclosure, misuse, alteration or destruction of nonpublic information, including threats to the security of the licensee's information systems and nonpublic information that are accessible to or held by 3rd-party service providers;
- C. Assess the likelihood and potential damage of the threats described in paragraph B, taking into

consideration the sensitivity of the nonpublic information;

D. Assess the sufficiency of policies, procedures and other safeguards in place to manage the threats described in paragraph B, including consideration of threats in each relevant area of the licensee's operations, including:

- (1) Employee training and management;
- (2) Information systems, including network and software design, as well as information classification, governance, processing, storage, transmission and disposal; and
- (3) Detecting, preventing and responding to attacks, intrusions or other system failures; and

E. At least annually, assess the effectiveness of the key controls, information systems and procedures and other safeguards in paragraph D implemented to manage the threats described in paragraph B that are identified in the licensee's ongoing assessment.

4. Risk management. Based on its risk assessment pursuant to subsection 3, a licensee shall:

A. Design its information security program to mitigate the identified risks, commensurate with the size and complexity of the licensee, the nature and scope of the licensee's activities, including its use of 3rd-party service providers, and the sensitivity of the nonpublic information used by the licensee or in the licensee's possession, custody or control;

B. Consider the following security measures and implement the measures considered appropriate:

- (1) Place access controls on information systems, including controls to authenticate and permit access only to authorized individuals to protect against the unauthorized acquisition of nonpublic information;
- (2) Identify and manage the data, personnel, devices, systems and facilities that enable the licensee to achieve its business purposes in accordance with their relative importance to business objectives and the licensee's risk management strategy;
- (3) Restrict access at physical locations containing nonpublic information to only authorized individuals;
- (4) Protect, by encryption or other appropriate means, all nonpublic information while it is being transmitted over an external network and all nonpublic information stored on a laptop computer or other portable computing or storage device or media;
- (5) Adopt secure development practices for applications developed and used by the licensee and procedures for evaluating, assessing or

testing the security of externally developed applications used by the licensee;

(6) Modify information systems in accordance with the licensee's information security program;

(7) Use effective controls, which may include multifactor authentication procedures, for individuals accessing nonpublic information;

(8) Regularly test and monitor systems and procedures to detect actual and attempted attacks on or intrusions into information systems;

(9) Include audit trails within the information security program designed to detect and respond to cybersecurity events and to reconstruct material financial transactions sufficient to support normal operations and obligations of the licensee;

(10) Implement measures to protect against destruction, loss or damage of nonpublic information due to environmental hazards, such as fire and water damage, or other catastrophes or technological failures; and

(11) Develop, implement and maintain procedures for the secure disposal of nonpublic information in any format;

C. Include cybersecurity risks in the licensee's enterprise risk management process;

D. Stay informed regarding emerging threats to or vulnerabilities of information systems and use reasonable security measures when sharing information relative to the character of the sharing and the type of information shared; and

E. Provide its personnel with cybersecurity awareness training that is updated as necessary to reflect risks identified by the licensee in its risk assessment.

5. Oversight by board of directors. If a licensee has a board of directors, the board or an appropriate committee of the board, at a minimum, shall require the licensee's executive management or the executive management's delegates to:

A. Develop, implement and maintain the licensee's information security program; and

B. Report to the board in writing at least annually the following information:

(1) The overall status of the licensee's information security program and the licensee's compliance with this chapter; and

(2) Material matters related to the information security program, addressing issues such as risk assessment, risk management and control

decisions, 3rd-party service provider arrangements, results of testing, cybersecurity events or cybersecurity violations and the executive management's responses to cybersecurity events or cybersecurity violations, and recommendations for changes to the information security program.

If a licensee's executive management delegates any of its responsibilities under this section, the licensee's executive management shall oversee each delegate's efforts with respect to the development, implementation and maintenance of the licensee's information security program and shall require each delegate to submit a report to the board pursuant to paragraph B.

6. Oversight of 3rd-party service provider arrangements. A licensee shall:

A. Exercise due diligence in selecting its 3rd-party service providers; and

B. Require each 3rd-party service provider to implement appropriate administrative, technical and physical safeguards to protect and secure the information systems and nonpublic information that are accessible to or held by the 3rd-party service provider.

7. Program adjustments. A licensee shall monitor, evaluate and adjust, as appropriate, its information security program consistent with any relevant changes in technology, the sensitivity of the licensee's nonpublic information, internal or external threats to nonpublic information and the licensee's own changing business arrangements, such as mergers and acquisitions, alliances and joint ventures, outsourcing arrangements and changes to information systems.

8. Incident response plan. As part of its information security program, a licensee shall establish a written incident response plan designed to promptly respond to and recover from any cybersecurity event that compromises the confidentiality, integrity or availability of nonpublic information in its possession; the licensee's information systems; or the continuing functionality of any aspect of the licensee's business or operations. The incident response plan must address the following areas:

A. The internal process for responding to a cybersecurity event;

B. The goals of the incident response plan;

C. The definition of clear roles, responsibilities and levels of decision-making authority;

D. External and internal communications and information sharing;

E. Requirements for the remediation of any identified weaknesses in the licensee's information systems and associated controls;

F. Documentation and reporting regarding cybersecurity events and related incident response activities; and

G. The evaluation and revision as necessary of the incident response plan following a cybersecurity event.

9. Annual certification to superintendent. By April 15th annually, an insurance carrier domiciled in this State shall submit to the superintendent a written statement certifying that the insurance carrier is in compliance with the requirements set forth in this section. An insurance carrier shall maintain for examination by the superintendent all records, schedules and data supporting this certification for a period of 5 years. To the extent that an insurance carrier has identified areas, systems or processes that require material improvement, updating or redesign, the insurance carrier shall document the identification and the remedial efforts planned and underway to address such areas, systems or processes. The documentation required pursuant to this subsection must be available for inspection by the superintendent.

§2265. Investigation of cybersecurity event

1. Investigation. If a licensee learns that a cybersecurity event has or may have occurred, the licensee or an outside vendor or service provider designated to act on behalf of the licensee shall conduct a prompt investigation. During the investigation, the licensee or an outside vendor or service provider designated to act on behalf of the licensee, at a minimum, shall:

- A. Determine whether a cybersecurity event has occurred;
- B. Assess the nature and scope of the cybersecurity event;
- C. Identify any nonpublic information that may have been involved in the cybersecurity event; and
- D. Perform or oversee the performance of reasonable measures to restore the security of the information systems compromised in the cybersecurity event in order to prevent further unauthorized acquisition, release or use of nonpublic information in the licensee's possession, custody or control.

2. System maintained by 3rd-party service provider. If a licensee learns that a cybersecurity event has or may have occurred in an information system maintained by a 3rd-party service provider, the licensee shall either use its best efforts to complete the steps listed in subsection 1 or confirm that the 3rd-party service provider has completed those steps.

3. Maintenance of records. A licensee shall maintain records concerning a cybersecurity event for a period of at least 5 years from the date of the cybersecurity event and shall produce those records upon demand of the superintendent.

§2266. Notification of cybersecurity event

1. Notification to superintendent. Notwithstanding Title 10, chapter 210-B, a licensee shall notify the superintendent as promptly as possible but in no event later than 3 business days from a determination that a cybersecurity event has occurred if:

A. This State is the licensee's state of domicile, in the case of an insurance carrier, or this State is the licensee's home state, as that term is defined in section 1420-A, subsection 2, in the case of an insurance producer; or

B. The licensee reasonably believes that the non-public information involved concerns 250 or more consumers residing in this State and that the cybersecurity event is either of the following:

- (1) A cybersecurity event affecting the licensee of which notice is required to be provided to any government body, self-regulatory organization or other supervisory body pursuant to any state or federal law; or
- (2) A cybersecurity event that has a reasonable likelihood of materially harming:

- (a) Any consumer residing in this State; or
- (b) Any material part of the normal operation of the licensee.

2. Provision of information by licensee. A licensee shall provide in electronic form as directed by the superintendent as much of the following information regarding a cybersecurity event as possible:

- A. The date of the cybersecurity event;
- B. A description of how the information was exposed, lost, stolen or breached, including the specific roles and responsibilities of 3rd-party service providers, if any;
- C. How the cybersecurity event was discovered;
- D. Whether any lost, stolen or breached information has been recovered and, if so, how this was done;
- E. The identity of the source of the cybersecurity event;
- F. Whether the licensee has filed a police report or has notified any regulatory, government or law enforcement agencies and, if so, when the report was filed or the notification was provided;
- G. A description of the specific types of information acquired without authorization. For purposes of this subsection, "specific types of information" includes, but is not limited to, medical information, financial information and information allowing identification of a consumer;

H. The period of time during which the information system was compromised by the cybersecurity event;

I. The total number of consumers in this State affected by the cybersecurity event. The licensee shall provide its best estimate in the notification provided pursuant to subsection 1 to the superintendent and update this estimate with each subsequent report to the superintendent pursuant to this section;

J. The results of any review conducted by or for the licensee identifying a lapse in either automated controls or internal procedures or confirming that all automated controls or internal procedures were followed;

K. A description of efforts being undertaken to remediate the situation that permitted the cybersecurity event to occur;

L. A copy of the licensee's privacy policy and a statement outlining the steps the licensee will take to investigate and notify consumers affected by the cybersecurity event; and

M. The name and contact information of a person who is familiar with the cybersecurity event and authorized to act for the licensee.

The licensee has a continuing obligation to update and supplement initial and subsequent notifications to the superintendent concerning the cybersecurity event.

3. Notification to consumers. A licensee shall comply with Title 10, chapter 210-B, as applicable, and, when required to notify the superintendent under subsection 1, provide to the superintendent a copy of the notice sent to consumers pursuant to Title 10, chapter 210-B.

4. Notice regarding cybersecurity events of 3rd-party service providers. In the case of a cybersecurity event in an information system maintained by a 3rd-party service provider of which the licensee has become aware:

A. The licensee shall respond to the cybersecurity event as described under subsection 1; and

B. The computation of the licensee's deadlines for notification under this section begins on the day after the 3rd-party service provider notifies the licensee of the cybersecurity event or the day after the licensee otherwise has actual knowledge of the cybersecurity event, whichever is sooner.

Nothing in this chapter may be construed to prevent or abrogate an agreement between a licensee and another licensee, a 3rd-party service provider or any other party to fulfill any of the investigation requirements imposed under section 2265 or notice requirements imposed under this subsection.

5. Notice regarding cybersecurity events of reinsurers to insurers. This subsection governs notice regarding cybersecurity events of reinsurers to insurers.

A. In the case of a cybersecurity event involving nonpublic information that is used by a licensee that is acting as an assuming insurer or is in the possession, custody or control of a licensee that is acting as an assuming insurer and that does not have a direct contractual relationship with the affected consumers:

(1) The assuming insurer shall notify its affected ceding insurers and the superintendent of its state of domicile within 3 business days of making the determination that a cybersecurity event has occurred; and

(2) The ceding insurers that have a direct contractual relationship with affected consumers shall fulfill the consumer notification requirements imposed under the laws of this State and any other notification requirements relating to a cybersecurity event imposed under this section.

B. In the case of a cybersecurity event involving nonpublic information that is in the possession, custody or control of a 3rd-party service provider of a licensee that is acting as an assuming insurer:

(1) The assuming insurer shall notify its affected ceding insurers and the superintendent of its state of domicile within 3 business days of receiving notice from its 3rd-party service provider that a cybersecurity event has occurred; and

(2) The ceding insurers that have a direct contractual relationship with affected consumers shall fulfill the consumer notification requirements imposed under the laws of this State and any other notification requirements relating to a cybersecurity event imposed under this section.

6. Notice regarding cybersecurity events of insurance carriers to producers of record. In the case of a cybersecurity event involving nonpublic information that is in the possession, custody or control of a licensee that is an insurance carrier or its 3rd-party service provider, and for which information a consumer accessed the insurance carrier's services through an independent insurance producer, the insurance carrier shall notify the producers of record of all affected consumers no later than the time consumers must be notified under subsection 3 or as directed by the superintendent, except that the insurance carrier is excused from this obligation for those instances in which it does not have the current producer of record information for any individual consumer.

§2267. Power of superintendent

1. Investigate. The superintendent may examine and investigate the affairs of any licensee to determine whether the licensee has been or is engaged in any conduct in violation of this chapter. This power is in addition to the powers the superintendent has under sections 220 and 221. Any such examination or investigation must be conducted pursuant to those sections.

2. Enforcement. Whenever the superintendent has reason to believe that a licensee has been or is engaged in conduct in this State that violates this chapter, the superintendent may take action that is necessary or appropriate to enforce the provisions of this chapter.

§2268. Confidentiality

1. Materials held confidential. Documents, materials and other information in the control or possession of the bureau that are furnished by a licensee or an employee or agent acting on behalf of the licensee pursuant to section 2264, subsection 9 or section 2266, subsection 2, paragraph B, C, D, E, H, J or K or that are obtained by the superintendent in an investigation or examination pursuant to section 2267 are confidential by law and privileged, are not subject to Title 1, chapter 13, subchapter 1, are not subject to subpoena and are not subject to discovery or admissible in evidence in any private civil action; however, the superintendent is authorized to use the documents, materials and other information in the furtherance of any regulatory or legal action brought as a part of the superintendent's duties and to share them on a confidential basis in accordance with section 216, subsection 5.

2. Private civil action. Neither the superintendent nor any person who received documents, materials or other information while acting under the authority of the superintendent may be permitted or required to testify in any private civil action concerning any confidential documents, materials or other information subject to subsection 1.

3. Disclosure not waiver. Disclosure of information to the superintendent under this section or as a result of sharing as authorized in section 216, subsection 5 does not constitute a waiver of any applicable privilege or claim of confidentiality regarding the documents, materials or other information.

4. Final actions. This chapter may not be construed to prohibit the superintendent from releasing final, adjudicated actions that are open to public inspection pursuant to Title 1, chapter 13, subchapter 1 to a database or other clearinghouse service maintained by the National Association of Insurance Commissioners, its affiliates or subsidiaries or any successor organization.

§2269. Application; exceptions

1. Small business exception. A licensee with fewer than 10 employees, including any independent

contractors working for the licensee in the business of insurance, is exempt from section 2264.

2. Licensees subject to federal law. The following provisions apply to licensees subject to federal law.

A. A licensee that is subject to and in compliance with the federal Health Insurance Portability and Accountability Act of 1996, Public Law 104-191 and related privacy, security and breach notification regulations pursuant to 45 Code of Federal Regulations, Parts 160 and 164 and the federal Health Information Technology for Economic and Clinical Health Act, Public Law 111-5 is considered to meet the requirements of this chapter, other than the requirements of section 2266, subsection 1 for notification to the superintendent, if:

(1) The licensee maintains a program for information security and breach notification that treats all nonpublic information relating to consumers in this State in the same manner as protected health information;

(2) The licensee annually submits to the superintendent a written statement certifying that the licensee is in compliance with the requirements of this paragraph; and

(3) The superintendent has not issued a determination finding that the applicable federal regulations are materially less stringent than the requirements of this chapter.

B. A licensee that is an insurance producer business entity, as licensed pursuant to section 1420-E, owned by a depository institution and that maintains an information security program in compliance with the standards for safeguarding customer information as set forth pursuant to the federal Gramm-Leach-Bliley Act, 15 United States Code, Sections 6801 and 6805 is considered to meet the requirements of section 2264 if:

(1) Upon request, the licensee produces documentation satisfactory to the superintendent that independently validates the controlling depository institution's adoption of an information security program that satisfies the standards for safeguarding customer information;

(2) The licensee annually submits to the superintendent a written statement certifying that the licensee is in compliance with the requirements of this paragraph; and

(3) The superintendent has not issued a determination finding that the standards for safeguarding customer information are materially less stringent than the requirements of section 2264.

3. Employee, agent, representative or designee also a licensee. An employee, agent, representative or designee of a licensee that is also a licensee is exempt from section 2264 and need not develop its own information security program to the extent that the employee, agent, representative or designee is covered by the information security program of the other licensee.

If a licensee ceases to qualify for an exception under this section, the licensee has 180 days to comply with this chapter.

§2270. Penalties

The superintendent may take any enforcement action permitted under section 12-A against any person that violates any provision of this chapter.

§2271. Rules

The superintendent may adopt rules necessary to carry out the provisions of this chapter. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

§2272. Effective date; implementation

This chapter takes effect January 1, 2022. A licensee must comply with section 2264 no later than January 1, 2022, except that a licensee must comply with section 2264, subsection 6 no later than January 1, 2023.

See title page for effective date.

**CHAPTER 25
H.P. 21 - L.D. 55**

**An Act To Protect Minority
Religious Groups by
Eliminating the Prior Approval
Requirement for a School
Absence for a Recognized
Religious Holiday**

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

Sec. 1. 20-A MRSA §3272, sub-§3, ¶C, as amended by PL 2007, c. 304, §2, is further amended to read:

C. Observance of a recognized religious holiday when the observance is required during the regular school day ~~and the absence has prior approval;~~

See title page for effective date.

**CHAPTER 26
H.P. 39 - L.D. 73**

**An Act To Authorize
Municipalities To Allow
Harbor Masters and Deputy
Harbor Masters To Use Red or
Combination Red and White
Auxiliary Lights When
Responding to Watercraft
Emergencies**

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

Sec. 1. 29-A MRSA §2054, sub-§2, ¶F, as amended by PL 2017, c. 21, §2, is further amended by enacting a new subparagraph (5) to read:

(5) A municipality may authorize a harbor master or deputy harbor master appointed under Title 38, section 1 or 2, respectively, to use one red or combination red and white flashing auxiliary light mounted in the windshield or on the dashboard at the front of a vehicle or 2 flashing red or combination red and white auxiliary lights mounted on the front of the vehicle above the front bumper and below the hood and one red auxiliary light mounted in the rear window area. The light or lights may be displayed but may be used only while the harbor master or deputy harbor master is responding to a watercraft emergency. A light mounted on the dashboard or in the windshield must be shielded so that the emitted light does not interfere with the operator's vision. The authorization for the use of lights may be revoked at any time by the municipality.

See title page for effective date.

**CHAPTER 27
H.P. 43 - L.D. 77**

**An Act To Authorize the
Department of Marine
Resources To Charge an
Application Fee for Entering a
Lottery for a Scallop License**

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

Sec. 1. 12 MRSA §6706, sub-§5 is enacted to read:

5. Fee. If the scallop license limited entry system established under subsection 3 is conducted through a lottery, the commissioner may charge a nonrefundable

lottery application fee not to exceed \$50. An application fee collected under this subsection must be deposited in the Scallop Research Fund established in section 6729-A.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

**MARINE RESOURCES, DEPARTMENT OF
Bureau of Marine Science 0027**

Initiative: Provides an ongoing allocation for the administration of a scallop license lottery program and development of programs that address the restoration, development or conservation of scallop resources.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000

See title page for effective date.

**CHAPTER 28
S.P. 29 - L.D. 1**

**An Act To Establish the
COVID-19 Patient Bill of
Rights and To Amend the
Governor's Emergency Powers**

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 spread of the novel coronavirus disease referred to as COVID-19 has created a public health emergency; and

Whereas, in response to COVID-19, the World Health Organization has declared a pandemic, the President of the United States has declared a national emergency and the Governor of Maine has declared a civil state of emergency; and

Whereas, in response to COVID-19, the Governor of Maine has also proclaimed an insurance emergency pursuant to the Maine Revised Statutes, Title 24-A, section 471 and, pursuant to that proclamation, the Superintendent of Insurance has issued orders relating to health insurance coverage for COVID-19 screening, testing and immunization during the civil state of emergency; and

Whereas, it is important to maintain these important consumer protections related to health insurance coverage once the civil state of emergency expires; and

Whereas, the purpose of this legislation is to ensure that those consumer protections are codified in state law; 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. 22 MRSA §1718-D, sub-§2, as amended by PL 2019, c. 668, §1, is further amended to read:

2. Prohibition on balance billing. An out-of-network provider reimbursed for a surprise bill or a bill for covered emergency services under Title 24-A, section 4303-C or, if there is a dispute, under Title 24-A, section 4303-E or a bill for COVID-19 screening and testing under Title 24-A, section 4320-P may not bill an enrollee for health care services beyond the applicable coinsurance, copayment, deductible or other out-of-pocket cost expense that would be imposed for the health care services if the services were rendered by a network provider under the enrollee's health plan. For an enrollee subject to coinsurance, the out-of-network provider shall calculate the coinsurance amount based on the median network rate for that health care service under the enrollee's health plan. An out-of-network provider is also subject to the following with respect to any overpayment made by an enrollee.

A. If an out-of-network provider provides health care services covered under an enrollee's health plan and the out-of-network provider receives payment from the enrollee for health care services for which the enrollee is not responsible pursuant to this subsection, the out-of-network provider shall reimburse the enrollee within 30 calendar days after the earlier of the date that the provider received notice of the overpayment and the date the provider became aware of the overpayment.

B. An out-of-network provider that fails to reimburse an enrollee for an overpayment as required by paragraph A shall pay interest on the overpayment at the rate of 10% per annum beginning on the earlier of the date the provider received notice of the overpayment and the date the provider became aware of the overpayment. An enrollee is not required to request the accrued interest from the out-of-network provider in order to receive interest with the reimbursement amount.

Sec. A-2. 22 MRSA §1718-G is enacted to read:

§1718-G. Requirements for notice to patients of costs for COVID-19 screening and testing

and prohibited charges for COVID-19 vaccination for uninsured patients

1. COVID-19 defined. For the purposes of this section, "COVID-19" has the same meaning as in Title 24-A, section 4320-P, subsection 1, paragraph A.

2. Notice of costs for COVID-19 screening and testing. A provider, as defined in Title 24-A, section 4301-A, subsection 16, shall, at the time a patient schedules or registers for screening or testing services and before providing screening or testing services for COVID-19:

A. Provide notice of any payment or upfront charge and the amount of that payment or charge that will be due from the patient for the services, including payments or charges for which the provider will submit a claim on the patient's behalf or for which the patient will need to submit a claim for reimbursement to the patient's health insurance carrier or to the department;

B. To the extent applicable, provide the form for requesting coverage from the department through emergency MaineCare coverage; and

C. To the extent applicable, inform any patient who will be required to make a payment or upfront charge that there are locations where COVID-19 screening and testing services are provided without such payments and that those locations are identified on the State's publicly accessible website.

3. Charges to uninsured patients for COVID-19 vaccination prohibited. A provider, as defined in Title 24-A, section 4301-A, subsection 16, may not charge an uninsured patient any amount for administering a COVID-19 vaccine or any associated costs of administration.

4. Rules. The department may adopt rules to implement and administer this section to align with any applicable federal regulations. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. A-3. 24-A MRSA §4320-P is enacted to read:

§4320-P. Coverage for health care services for COVID-19

Notwithstanding any requirements of this Title to the contrary, a carrier offering a health plan in this State shall provide, at a minimum, coverage as required by this section for screening, testing and immunization for COVID-19.

1. Definitions. For the purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "COVID-19" means the coronavirus disease 2019 resulting from SARS-CoV-2, severe acute

respiratory syndrome coronavirus 2, and any virus mutating from that virus.

B. "Surveillance testing program" means a structured program of asymptomatic testing at a community or population level to understand the incidence or prevalence of COVID-19 in a group. "Surveillance testing program" does not include a program of testing that occurs less often than once per month per individual.

2. Testing. A carrier shall provide coverage for screening and testing for COVID-19 as follows.

A. A carrier shall provide coverage for screening and testing for COVID-19, except when such screening and testing is part of a surveillance testing program.

B. A carrier may not impose any deductible, copayment, coinsurance or other cost-sharing requirement for the costs of COVID-19 screening and testing, including all associated costs of administration.

C. A carrier may not make coverage without cost sharing as required by paragraph B dependent on any prior authorization requirement.

D. A carrier may not make coverage without cost sharing as required by paragraph B dependent on the use of a provider in a carrier's network unless an enrollee is offered screening and testing by a network provider without additional delay and the enrollee chooses instead to obtain screening from an out-of-network provider or to be tested by an out-of-network laboratory.

E. For the purposes of this subsection, with respect to COVID-19 screening and testing rendered by an out-of-network provider, a carrier shall reimburse the out-of-network provider in accordance with section 4303-C, subsection 2, paragraph B.

3. Immunization; COVID-19 vaccines. A carrier shall provide coverage for COVID-19 vaccines as follows.

A. A carrier shall provide coverage for any COVID-19 vaccine licensed or authorized under an emergency use authorization by the United States Food and Drug Administration that is recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices, or successor organization, for administration to an enrollee.

B. A carrier may not impose any deductible, copayment, coinsurance or other cost-sharing requirement for the cost of COVID-19 vaccines, including all associated costs of administration.

C. A carrier may not make coverage without cost sharing as required by paragraph B dependent on any prior authorization requirement.

D. A carrier may not make coverage without cost sharing as required by paragraph B dependent on the use of a provider in a carrier's network unless an enrollee is offered immunization by a network provider without additional delay and the enrollee chooses instead to obtain immunization from an out-of-network provider.

4. Rules. The superintendent may adopt rules to implement and administer this section to align with any applicable federal requirements. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. A-4. Exemption from mandate review. Notwithstanding the Maine Revised Statutes, Title 24-A, section 2752, this Part is enacted without review and evaluation by the Department of Professional and Financial Regulation, Bureau of Insurance.

PART B

Sec. B-1. 24-A MRSA §4311, sub-§2-A is enacted to read:

2-A. Coverage of prescription during emergency declared by the Governor. Except as provided in this subsection, a carrier shall provide coverage for the furnishing or dispensing of a prescription drug in accordance with a valid prescription issued by a provider in a quantity sufficient for an extended period of time, not to exceed a 180-day supply, during a statewide state of emergency declared by the Governor in accordance with Title 37-B, section 742. This subsection does not apply to coverage of prescribed contraceptive supplies furnished and dispensed pursuant to section 2756, 2847-G or 4247 or coverage of opioids prescribed in accordance with limits set forth in Title 32.

Sec. B-2. 32 MRSA §13831, sub-§2-A is enacted to read:

2-A. Administration of COVID-19 vaccines. A pharmacist licensed in this State who meets the qualifications and requirements of section 13832 and rules adopted by the board may administer and order COVID-19 vaccines licensed or authorized under an emergency use authorization by the United States Food and Drug Administration that are recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices, or successor organization, to a person 3 years of age or older. For the purposes of this subsection, "COVID-19" has the same meaning as in Title 24-A, section 4320-P, subsection 1, paragraph A.

Sec. B-3. Exemption from mandate review. Notwithstanding the Maine Revised Statutes, Title 24-A, section 2752, section 1 of this Part is enacted without review and evaluation by the Department of Professional and Financial Regulation, Bureau of Insurance.

PART C

Sec. C-1. 37-B MRSA §742, sub-§1, ¶E is enacted to read:

E. In dealing with a declared state of emergency under this subsection, the Governor shall ensure that:

(1) Medical privacy and confidentiality requirements, including but not limited to requirements under the federal Health Insurance Portability and Accountability Act of 1996, are followed; and

(2) Health care services and surgeries are not considered to be nonessential services.

PART D

Sec. D-1. Permitted delegation of COVID-19 vaccine administration at point-of-dispensing vaccine sites for immunizations against COVID-19. This section governs the permitted delegation of COVID-19 vaccine administration at point-of-dispensing vaccine sites for immunizations against COVID-19. For the purposes of this section, "COVID-19" means the coronavirus disease 2019 resulting from SARS-CoV-2, severe acute respiratory syndrome coronavirus 2, and any virus mutating from that virus.

1. Applicability. This section applies only to point-of-dispensing vaccine sites that have a written memorandum of understanding with the Department of Health and Human Services, Maine Center for Disease Control and Prevention to administer vaccines against COVID-19. This section is effective only during the state of emergency declared by the Governor due to COVID-19 as of March 15, 2020 and any renewals of that declaration in accordance with the Maine Revised Statutes, Title 37-B, section 742 and Title 22, section 801, subsection 4-A and section 802, subsection 2-A.

2. Permitted delegation of COVID-19 vaccine administration. Any on-site clinician in charge of a point-of-dispensing vaccine site with a memorandum of understanding that complies with the requirements of subsection 4 may delegate the administration of COVID-19 vaccines within the State to employees, staff, agents or volunteers as long as the on-site clinician in charge is currently licensed by the State as a physician, advanced practice registered nurse or physician assistant and any employee, staff member, agent or volunteer to whom such authority is delegated under this section is subject to the supervision and control of the point-of-dispensing vaccine site and any on-site clinician in charge and has completed the training and observation required in subsection 3. Any individual to whom vaccine administration is delegated under this section is authorized to administer any COVID-19 vaccine identified as a "covered countermeasure" in the 4th amendment to the declaration by the Secretary of the United States Department of Health and Human Ser-

vices under the federal Public Readiness and Emergency Preparedness Act, referred to in this section as "the PREP Act," or in any subsequent declaration under that Act, and that meets the 42 United States Code, Section 247d-6d(i)(1) definition of "covered countermeasure."

3. Training and observation. Prior to undertaking any vaccine administration, anyone to whom vaccine administration is delegated under subsection 2 must complete the United States Department of Health and Human Services, Centers for Disease Control and Prevention COVID-19 vaccine training modules; any applicable training required by the PREP Act or any declaration issued pursuant to that Act for medical countermeasures against COVID-19 or guidance from an authority having jurisdiction under such declaration; and any applicable observation period by a currently practicing health care professional adequately experienced in vaccination who confirms competency in preparation and administration of the particular COVID-19 vaccine or vaccines to be administered by the individual, if required by the PREP Act or in any declaration or guidance under that Act. The individual must provide documentation of any training and observation required by this section to the point-of-dispensing vaccine site and the on-site clinician in charge prior to any administration of a COVID-19 vaccine as authorized by this section.

4. Requirements for the memorandum of understanding and other record keeping. Any on-site clinician in charge of a point-of-dispensing vaccine site may make a delegation under subsection 2 only if the point-of-dispensing vaccine site's memorandum of understanding or addendum to that memorandum of understanding identifies the clinician in charge by name. The point-of-dispensing vaccine site and the Department of Health and Human Services, Maine Center for Disease Control and Prevention shall each retain a copy of the memorandum of understanding for a period of 3 years. The point-of-dispensing vaccine site and on-site clinician in charge are each responsible for retaining for a period of 3 years a record of the name of each individual to whom vaccine administration is delegated under subsection 2 and evidence of each individual's completion of the required training and observation.

5. Delegation authority under other state law. The authority to delegate the administration of COVID-19 vaccines granted in this section is in addition to any delegation authority that may otherwise exist under state law. Clinicians in charge who exercise delegation authority pursuant to other state law are not required to comply with the requirements of this section.

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

Effective March 25, 2021.

**CHAPTER 29
H.P. 525 - L.D. 715**

An Act Making Unified 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 Years Ending June 30, 2022 and June 30, 2023

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

PART A

Sec. A-1. Appropriations and allocations. The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF
Accident - Sickness - Health Insurance 0455**

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	0.500	0.500
COUNT		
Personal Services	\$33,324	\$34,758
All Other	\$772,957	\$772,957
GENERAL FUND TOTAL	\$806,281	\$807,715

RETIREE HEALTH INSURANCE FUND	2021-22	2022-23
All Other	\$116,951,295	\$116,951,295
RETIREE HEALTH INSURANCE FUND TOTAL	\$116,951,295	\$116,951,295

ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	12.000	12.000
COUNT		
Personal Services	\$1,082,319	\$1,110,639
All Other	\$169,431,976	\$169,431,976
ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND TOTAL	\$170,514,295	\$170,542,615

FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$95,761	\$100,103
All Other	\$1,710,526	\$1,710,526
FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND TOTAL	<u>\$1,806,287</u>	<u>\$1,810,629</u>

**ACCIDENT - SICKNESS - HEALTH
INSURANCE 0455**

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$33,324	\$34,758
All Other	\$772,957	\$772,957
GENERAL FUND TOTAL	<u>\$806,281</u>	<u>\$807,715</u>

RETIREE HEALTH INSURANCE FUND	2021-22	2022-23
All Other	\$116,951,295	\$116,951,295
RETIREE HEALTH INSURANCE FUND TOTAL	<u>\$116,951,295</u>	<u>\$116,951,295</u>

ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,082,319	\$1,110,639
All Other	\$169,431,976	\$169,431,976
ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND TOTAL	<u>\$170,514,295</u>	<u>\$170,542,615</u>

FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$95,761	\$100,103
All Other	\$1,710,526	\$1,710,526
FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND TOTAL	<u>\$1,806,287</u>	<u>\$1,810,629</u>

Administration - Human Resources 0038

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	21.500	21.500
Personal Services	\$2,570,714	\$2,607,467
All Other	\$362,601	\$362,601

GENERAL FUND TOTAL	<u>\$2,933,315</u>	<u>\$2,970,068</u>
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$5,000	\$5,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$5,000</u>	<u>\$5,000</u>

**ADMINISTRATION - HUMAN RESOURCES
0038**

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	21.500	21.500
Personal Services	\$2,570,714	\$2,607,467
All Other	\$362,601	\$362,601
GENERAL FUND TOTAL	<u>\$2,933,315</u>	<u>\$2,970,068</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$5,000	\$5,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$5,000</u>	<u>\$5,000</u>

**Adult Use Marijuana Public Health and Safety
Fund Z263**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$358,416	\$358,416
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$358,416</u>	<u>\$358,416</u>

**ADULT USE MARIJUANA PUBLIC HEALTH
AND SAFETY FUND Z263**

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$358,416	\$358,416
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$358,416</u>	<u>\$358,416</u>

**Adult Use Marijuana Regulatory Coordination
Fund Z264**

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	32.000	32.000
Personal Services	\$3,297,500	\$3,388,875
GENERAL FUND TOTAL	<u>\$3,297,500</u>	<u>\$3,388,875</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$318,075	\$331,612
All Other	\$550,000	\$550,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$868,075	\$881,612

**ADULT USE MARIJUANA REGULATORY
COORDINATION FUND Z264**

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	32.000	32.000
Personal Services	\$3,297,500	\$3,388,875
GENERAL FUND TOTAL	\$3,297,500	\$3,388,875

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$318,075	\$331,612
All Other	\$550,000	\$550,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$868,075	\$881,612

Alcoholic Beverages - General Operation 0015

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$975,569	\$995,757
All Other	\$683,002	\$683,002
GENERAL FUND TOTAL	\$1,658,571	\$1,678,759

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$19,190	\$19,190
OTHER SPECIAL REVENUE FUNDS TOTAL	\$19,190	\$19,190

STATE ALCOHOLIC BEVERAGE FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$310,208	\$317,970
All Other	\$147,645,127	\$147,645,127

STATE ALCOHOLIC BEVERAGE FUND TOTAL	\$147,955,335	\$147,963,097
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**ALCOHOLIC BEVERAGES - GENERAL
OPERATION 0015**

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$975,569	\$995,757

All Other	\$683,002	\$683,002
GENERAL FUND TOTAL	\$1,658,571	\$1,678,759

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$19,190	\$19,190
OTHER SPECIAL REVENUE FUNDS TOTAL	\$19,190	\$19,190

STATE ALCOHOLIC BEVERAGE FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$310,208	\$317,970
All Other	\$147,645,127	\$147,645,127

STATE ALCOHOLIC BEVERAGE FUND TOTAL	\$147,955,335	\$147,963,097
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Budget - Bureau of the 0055

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,522,407	\$1,547,190
All Other	\$62,683	\$62,683

GENERAL FUND TOTAL	\$1,585,090	\$1,609,873
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BUDGET - BUREAU OF THE 0055

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,522,407	\$1,547,190
All Other	\$62,683	\$62,683

GENERAL FUND TOTAL	\$1,585,090	\$1,609,873
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Buildings and Grounds Operations 0080

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	88.000	88.000
Personal Services	\$6,105,935	\$6,223,377
All Other	\$7,316,050	\$7,316,050

GENERAL FUND TOTAL	\$13,421,985	\$13,539,427
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$711,277	\$711,277

OTHER SPECIAL REVENUE FUNDS TOTAL	\$711,277	\$711,277
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REAL PROPERTY LEASE INTERNAL SERVICE FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000

Personal Services	\$318,705	\$326,046
All Other	\$25,585,877	\$25,585,877

REAL PROPERTY LEASE	\$25,904,582	\$25,911,923
INTERNAL SERVICE FUND		
TOTAL		

BUILDINGS AND GROUNDS OPERATIONS 0080

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	88.000	88.000
COUNT		
Personal Services	\$6,105,935	\$6,223,377
All Other	\$7,316,050	\$7,316,050

GENERAL FUND TOTAL	\$13,421,985	\$13,539,427
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$711,277	\$711,277

OTHER SPECIAL REVENUE FUNDS TOTAL	\$711,277	\$711,277
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REAL PROPERTY LEASE INTERNAL SERVICE FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	3.000	3.000
COUNT		
Personal Services	\$318,705	\$326,046
All Other	\$25,585,877	\$25,585,877

REAL PROPERTY LEASE	\$25,904,582	\$25,911,923
INTERNAL SERVICE FUND		
TOTAL		

Bureau of General Services - Capital Construction and Improvement Reserve Fund 0883

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$310,587	\$310,587

GENERAL FUND TOTAL	\$310,587	\$310,587
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$645,000	\$645,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$645,000	\$645,000
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BUREAU OF GENERAL SERVICES - CAPITAL CONSTRUCTION AND IMPROVEMENT RESERVE FUND 0883

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$310,587	\$310,587

GENERAL FUND TOTAL	\$310,587	\$310,587
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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All Other	\$645,000	\$645,000
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OTHER SPECIAL REVENUE	\$645,000	\$645,000
FUNDS TOTAL		

Bureau of Revenue Services Fund 0885

Initiative: BASELINE BUDGET

BUREAU OF REVENUE SERVICES FUND	2021-22	2022-23
All Other	\$151,720	\$151,720

BUREAU OF REVENUE SERVICES FUND TOTAL	\$151,720	\$151,720
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BUREAU OF REVENUE SERVICES FUND 0885

PROGRAM SUMMARY

BUREAU OF REVENUE SERVICES FUND	2021-22	2022-23
All Other	\$151,720	\$151,720

BUREAU OF REVENUE SERVICES FUND TOTAL	\$151,720	\$151,720
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Capital Construction/Repairs/Improvements - Administration 0059

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$92,909	\$92,909

GENERAL FUND TOTAL	\$92,909	\$92,909
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$948,359	\$948,359

OTHER SPECIAL REVENUE FUNDS TOTAL	\$948,359	\$948,359
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CAPITAL CONSTRUCTION/REPAIRS/IMPROVEMENTS - ADMINISTRATION 0059

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$92,909	\$92,909

GENERAL FUND TOTAL	\$92,909	\$92,909
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$948,359	\$948,359

OTHER SPECIAL REVENUE FUNDS TOTAL	\$948,359	\$948,359
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Central Administrative Applications Z234

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$13,799,293	\$13,799,293

GENERAL FUND TOTAL	\$13,799,293	\$13,799,293
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**CENTRAL ADMINISTRATIVE APPLICATIONS
Z234**

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$13,799,293	\$13,799,293
GENERAL FUND TOTAL	<u>\$13,799,293</u>	<u>\$13,799,293</u>

Central Fleet Management 0703

Initiative: BASELINE BUDGET

CENTRAL MOTOR POOL	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,178,216	\$1,211,697
All Other	\$8,049,202	\$8,049,202
CENTRAL MOTOR POOL TOTAL	<u>\$9,227,418</u>	<u>\$9,260,899</u>

CENTRAL FLEET MANAGEMENT 0703

PROGRAM SUMMARY

CENTRAL MOTOR POOL	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,178,216	\$1,211,697
All Other	\$8,049,202	\$8,049,202
CENTRAL MOTOR POOL TOTAL	<u>\$9,227,418</u>	<u>\$9,260,899</u>

Central Services - Purchases 0004

Initiative: BASELINE BUDGET

POSTAL, PRINTING AND SUPPLY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	31.000	31.000
Personal Services	\$2,395,135	\$2,450,250
All Other	\$51,743,394	\$51,743,394
POSTAL, PRINTING AND SUPPLY FUND TOTAL	<u>\$54,138,529</u>	<u>\$54,193,644</u>

CENTRAL SERVICES - PURCHASES 0004

PROGRAM SUMMARY

POSTAL, PRINTING AND SUPPLY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	31.000	31.000
Personal Services	\$2,395,135	\$2,450,250
All Other	\$51,743,394	\$51,743,394
POSTAL, PRINTING AND SUPPLY FUND TOTAL	<u>\$54,138,529</u>	<u>\$54,193,644</u>

County Tax Reimbursement 0263

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,440,000	\$1,440,000

OTHER SPECIAL REVENUE	\$1,440,000	\$1,440,000
FUNDS TOTAL		

COUNTY TAX REIMBURSEMENT 0263

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,440,000	\$1,440,000

OTHER SPECIAL REVENUE	\$1,440,000	\$1,440,000
FUNDS TOTAL		

**Debt Service - Government Facilities Authority
0893**

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$21,955,674	\$21,955,674
GENERAL FUND TOTAL	<u>\$21,955,674</u>	<u>\$21,955,674</u>

**DEBT SERVICE - GOVERNMENT FACILITIES
AUTHORITY 0893**

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$21,955,674	\$21,955,674
GENERAL FUND TOTAL	<u>\$21,955,674</u>	<u>\$21,955,674</u>

Financial and Personnel Services - Division of 0713

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$30,000	\$30,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$30,000</u>	<u>\$30,000</u>

FINANCIAL AND PERSONNEL SERVICES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	275.000	275.000
Personal Services	\$25,185,496	\$25,771,710
All Other	\$1,714,853	\$1,714,853

FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	<u>\$26,900,349</u>	<u>\$27,486,563</u>
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**FINANCIAL AND PERSONNEL SERVICES -
DIVISION OF 0713**

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$30,000	\$30,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$30,000</u>	<u>\$30,000</u>

FINANCIAL AND PERSONNEL SERVICES FUND	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	275.000	275.000
Personal Services	\$25,185,496	\$25,771,710
All Other	\$1,714,853	\$1,714,853
FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	<u>\$26,900,349</u>	<u>\$27,486,563</u>

**Homestead Property Tax Exemption
Reimbursement 0886**

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$89,580,000	\$89,580,000
GENERAL FUND TOTAL	<u>\$89,580,000</u>	<u>\$89,580,000</u>

**HOMESTEAD PROPERTY TAX EXEMPTION
REIMBURSEMENT 0886**

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$89,580,000	\$89,580,000
GENERAL FUND TOTAL	<u>\$89,580,000</u>	<u>\$89,580,000</u>

Information Services 0155

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$4,700,000	\$4,700,000
GENERAL FUND TOTAL	<u>\$4,700,000</u>	<u>\$4,700,000</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	<u>\$500</u>	<u>\$500</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>

OFFICE OF INFORMATION SERVICES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	428.000	428.000
Personal Services	\$49,058,071	\$50,042,620
All Other	\$43,801,773	\$43,801,773
OFFICE OF INFORMATION SERVICES FUND TOTAL	<u>\$92,859,844</u>	<u>\$93,844,393</u>

INFORMATION SERVICES 0155

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$4,700,000	\$4,700,000
GENERAL FUND TOTAL	<u>\$4,700,000</u>	<u>\$4,700,000</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	<u>\$500</u>	<u>\$500</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>

OFFICE OF INFORMATION SERVICES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	428.000	428.000
Personal Services	\$49,058,071	\$50,042,620
All Other	\$43,801,773	\$43,801,773
OFFICE OF INFORMATION SERVICES FUND TOTAL	<u>\$92,859,844</u>	<u>\$93,844,393</u>

Leased Space Reserve Fund Program Z145

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>

**LEASED SPACE RESERVE FUND PROGRAM
Z145**

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>

Lottery Operations 0023

Initiative: BASELINE BUDGET

STATE LOTTERY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$1,796,712	\$1,818,149
All Other	\$2,684,381	\$2,684,381
STATE LOTTERY FUND TOTAL	<u>\$4,481,093</u>	<u>\$4,502,530</u>

LOTTERY OPERATIONS 0023

PROGRAM SUMMARY

STATE LOTTERY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$1,796,712	\$1,818,149
All Other	\$2,684,381	\$2,684,381

STATE LOTTERY FUND TOTAL \$4,481,093 \$4,502,530

Maine Board of Tax Appeals Z146

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	3.000	3.000
COUNT		
Personal Services	\$314,406	\$320,220
All Other	\$62,948	\$62,948

GENERAL FUND TOTAL \$377,354 \$383,168

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$45,000	\$45,000

OTHER SPECIAL REVENUE FUNDS TOTAL \$45,000 \$45,000

MAINE BOARD OF TAX APPEALS Z146

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	3.000	3.000
COUNT		
Personal Services	\$314,406	\$320,220
All Other	\$62,948	\$62,948

GENERAL FUND TOTAL \$377,354 \$383,168

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$45,000	\$45,000

OTHER SPECIAL REVENUE FUNDS TOTAL \$45,000 \$45,000

Maine Developmental Disabilities Council Z185

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$160,155	\$160,155

GENERAL FUND TOTAL \$160,155 \$160,155

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$480,465	\$480,465

FEDERAL EXPENDITURES FUND TOTAL \$480,465 \$480,465

MAINE DEVELOPMENTAL DISABILITIES COUNCIL Z185

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$160,155	\$160,155

GENERAL FUND TOTAL \$160,155 \$160,155

FEDERAL EXPENDITURES FUND **2021-22** **2022-23**

All Other \$480,465 \$480,465

FEDERAL EXPENDITURES FUND TOTAL \$480,465 \$480,465

Mandate BETE - Reimburse Municipalities Z065

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$19,097	\$19,097

GENERAL FUND TOTAL \$19,097 \$19,097

MANDATE BETE - REIMBURSE MUNICIPALITIES Z065

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$19,097	\$19,097

GENERAL FUND TOTAL \$19,097 \$19,097

Medical Use of Marijuana Fund Z265

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE	8.000	8.000
COUNT		
Personal Services	\$614,323	\$621,046
All Other	\$670,255	\$670,255

OTHER SPECIAL REVENUE FUNDS TOTAL \$1,284,578 \$1,291,301

MEDICAL USE OF MARIJUANA FUND Z265

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE	8.000	8.000
COUNT		
Personal Services	\$614,323	\$621,046
All Other	\$670,255	\$670,255

OTHER SPECIAL REVENUE FUNDS TOTAL \$1,284,578 \$1,291,301

Office of the Commissioner - Administrative and Financial Services 0718

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	8.000	8.000
COUNT		
Personal Services	\$1,283,673	\$1,298,183
All Other	\$123,188	\$123,188

GENERAL FUND TOTAL \$1,406,861 \$1,421,371

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$5,000	\$5,000

OTHER SPECIAL REVENUE \$5,000 \$5,000
 FUNDS TOTAL

**OFFICE OF THE COMMISSIONER -
 ADMINISTRATIVE AND FINANCIAL
 SERVICES 0718**

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	8.000	8.000
COUNT		
Personal Services	\$1,283,673	\$1,298,183
All Other	\$123,188	\$123,188
GENERAL FUND TOTAL	<u>\$1,406,861</u>	<u>\$1,421,371</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$5,000	\$5,000

OTHER SPECIAL REVENUE \$5,000 \$5,000
 FUNDS TOTAL

**Public Improvements - Planning/Construction -
 Administration 0057**

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	9.000	9.000
COUNT		
Personal Services	\$1,137,281	\$1,154,071
All Other	\$1,014,951	\$1,014,951
GENERAL FUND TOTAL	<u>\$2,152,232</u>	<u>\$2,169,022</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$31,000	\$31,000

OTHER SPECIAL REVENUE \$31,000 \$31,000
 FUNDS TOTAL

**PUBLIC IMPROVEMENTS -
 PLANNING/CONSTRUCTION -
 ADMINISTRATION 0057**

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	9.000	9.000
COUNT		
Personal Services	\$1,137,281	\$1,154,071
All Other	\$1,014,951	\$1,014,951
GENERAL FUND TOTAL	<u>\$2,152,232</u>	<u>\$2,169,022</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$31,000	\$31,000

OTHER SPECIAL REVENUE \$31,000 \$31,000
 FUNDS TOTAL

Purchases - Division of 0007

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	13.500	13.500
COUNT		
Personal Services	\$1,571,981	\$1,591,298
All Other	\$419,252	\$419,252
GENERAL FUND TOTAL	<u>\$1,991,233</u>	<u>\$2,010,550</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$4,000	\$4,000

OTHER SPECIAL REVENUE \$4,000 \$4,000
 FUNDS TOTAL

PURCHASES - DIVISION OF 0007

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	13.500	13.500
COUNT		
Personal Services	\$1,571,981	\$1,591,298
All Other	\$419,252	\$419,252
GENERAL FUND TOTAL	<u>\$1,991,233</u>	<u>\$2,010,550</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$4,000	\$4,000

OTHER SPECIAL REVENUE \$4,000 \$4,000
 FUNDS TOTAL

Revenue Services, Bureau of 0002

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	281.500	281.500
COUNT		
Personal Services	\$27,656,985	\$28,036,262
All Other	\$16,484,722	\$16,484,722
GENERAL FUND TOTAL	<u>\$44,141,707</u>	<u>\$44,520,984</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$5,000	\$5,000

FEDERAL EXPENDITURES \$5,000 \$5,000
 FUND TOTAL

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$11,463,348	\$11,463,348

OTHER SPECIAL REVENUE \$11,463,348 \$11,463,348
 FUNDS TOTAL

REVENUE SERVICES, BUREAU OF 0002

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	281.500	281.500
Personal Services	\$27,656,985	\$28,036,262
All Other	\$16,484,722	\$16,484,722

GENERAL FUND TOTAL	\$44,141,707	\$44,520,984
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$5,000	\$5,000

FEDERAL EXPENDITURES FUND TOTAL	\$5,000	\$5,000
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$11,463,348	\$11,463,348

OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,463,348	\$11,463,348
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Risk Management - Claims 0008

Initiative: BASELINE BUDGET

RISK MANAGEMENT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$511,131	\$519,472
All Other	\$3,501,895	\$3,501,895

RISK MANAGEMENT FUND TOTAL	\$4,013,026	\$4,021,367
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STATE-ADMINISTERED FUND	2021-22	2022-23
All Other	\$2,042,515	\$2,042,515

STATE-ADMINISTERED FUND TOTAL	\$2,042,515	\$2,042,515
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RISK MANAGEMENT - CLAIMS 0008

PROGRAM SUMMARY

RISK MANAGEMENT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$511,131	\$519,472
All Other	\$3,501,895	\$3,501,895

RISK MANAGEMENT FUND TOTAL	\$4,013,026	\$4,021,367
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STATE-ADMINISTERED FUND	2021-22	2022-23
All Other	\$2,042,515	\$2,042,515

STATE-ADMINISTERED FUND TOTAL	\$2,042,515	\$2,042,515
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**Snow Grooming Property Tax Exemption
Reimbursement Z024**

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$30,000	\$30,000

GENERAL FUND TOTAL	\$30,000	\$30,000
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**SNOW GROOMING PROPERTY TAX
EXEMPTION REIMBURSEMENT Z024**

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$30,000	\$30,000

GENERAL FUND TOTAL	\$30,000	\$30,000
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Solid Waste Management Fund 0659

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$816,851	\$816,851

GENERAL FUND TOTAL	\$816,851	\$816,851
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$172,500	\$172,500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$172,500	\$172,500
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SOLID WASTE MANAGEMENT FUND 0659

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$816,851	\$816,851

GENERAL FUND TOTAL	\$816,851	\$816,851
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$172,500	\$172,500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$172,500	\$172,500
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State Controller - Office of the 0056

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	27.000	27.000
Personal Services	\$3,112,977	\$3,157,643
All Other	\$164,581	\$164,581

GENERAL FUND TOTAL	\$3,277,558	\$3,322,224
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$11,000	\$11,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,000	\$11,000
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STATE CONTROLLER - OFFICE OF THE 0056

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	27.000	27.000
Personal Services	\$3,112,977	\$3,157,643
All Other	\$164,581	\$164,581

GENERAL FUND TOTAL	\$3,277,558	\$3,322,224
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$11,000	\$11,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,000	\$11,000

Statewide Radio Network System 0112

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$4,199,151	\$4,199,151
GENERAL FUND TOTAL	\$4,199,151	\$4,199,151

STATEWIDE RADIO AND NETWORK SYSTEM RESERVE FUND	2021-22	2022-23
All Other	\$500	\$500
STATEWIDE RADIO AND NETWORK SYSTEM RESERVE FUND TOTAL	\$500	\$500

STATEWIDE RADIO NETWORK SYSTEM 0112

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$4,199,151	\$4,199,151
GENERAL FUND TOTAL	\$4,199,151	\$4,199,151

STATEWIDE RADIO AND NETWORK SYSTEM RESERVE FUND	2021-22	2022-23
All Other	\$500	\$500
STATEWIDE RADIO AND NETWORK SYSTEM RESERVE FUND TOTAL	\$500	\$500

Trade Adjustment Assistance Health Insurance Z001

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$8,385	\$8,385
FEDERAL EXPENDITURES FUND TOTAL	\$8,385	\$8,385

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$75,000	\$75,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$75,000	\$75,000

TRADE ADJUSTMENT ASSISTANCE HEALTH INSURANCE Z001

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$8,385	\$8,385
FEDERAL EXPENDITURES FUND TOTAL	\$8,385	\$8,385

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$75,000	\$75,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$75,000	\$75,000

Tree Growth Tax Reimbursement 0261

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$7,600,000	\$7,600,000
GENERAL FUND TOTAL	\$7,600,000	\$7,600,000

TREE GROWTH TAX REIMBURSEMENT 0261

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$7,600,000	\$7,600,000
GENERAL FUND TOTAL	\$7,600,000	\$7,600,000

Unorganized Territory Education and Services Fund - Finance 0573

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$20,591,788	\$20,591,788
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,591,788	\$20,591,788

UNORGANIZED TERRITORY EDUCATION AND SERVICES FUND - FINANCE 0573

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$20,591,788	\$20,591,788
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,591,788	\$20,591,788

Veterans' Organizations Tax Reimbursement Z062

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$50,000	\$50,000
GENERAL FUND TOTAL	\$50,000	\$50,000

VETERANS' ORGANIZATIONS TAX REIMBURSEMENT Z062

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$50,000	\$50,000
GENERAL FUND TOTAL	<u>\$50,000</u>	<u>\$50,000</u>

Veterans Tax Reimbursement 0407

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$1,228,330	\$1,228,330
GENERAL FUND TOTAL	<u>\$1,228,330</u>	<u>\$1,228,330</u>

VETERANS TAX REIMBURSEMENT 0407

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$1,228,330	\$1,228,330
GENERAL FUND TOTAL	<u>\$1,228,330</u>	<u>\$1,228,330</u>

Waste Facility Tax Reimbursement 0907

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$12,188	\$12,188
GENERAL FUND TOTAL	<u>\$12,188</u>	<u>\$12,188</u>

WASTE FACILITY TAX REIMBURSEMENT 0907

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$12,188	\$12,188
GENERAL FUND TOTAL	<u>\$12,188</u>	<u>\$12,188</u>

Workers' Compensation Management Fund Program 0802

Initiative: BASELINE BUDGET

WORKERS' COMPENSATION MANAGEMENT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,716,619	\$1,740,123
All Other	\$18,154,362	\$18,154,362

WORKERS' COMPENSATION MANAGEMENT FUND TOTAL	<u>\$19,870,981</u>	<u>\$19,894,485</u>
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WORKERS' COMPENSATION MANAGEMENT FUND PROGRAM 0802

PROGRAM SUMMARY

WORKERS' COMPENSATION MANAGEMENT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,716,619	\$1,740,123
All Other	\$18,154,362	\$18,154,362

WORKERS' COMPENSATION MANAGEMENT FUND TOTAL	<u>\$19,870,981</u>	<u>\$19,894,485</u>
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ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$221,603,922	\$222,376,271
FEDERAL EXPENDITURES FUND	\$494,350	\$494,350
OTHER SPECIAL REVENUE FUNDS	\$38,709,531	\$38,729,791
FINANCIAL AND PERSONNEL SERVICES FUND	\$26,900,349	\$27,486,563
POSTAL, PRINTING AND SUPPLY FUND	\$54,138,529	\$54,193,644
OFFICE OF INFORMATION SERVICES FUND	\$92,859,844	\$93,844,393
RISK MANAGEMENT FUND	\$4,013,026	\$4,021,367
WORKERS' COMPENSATION MANAGEMENT FUND	\$19,870,981	\$19,894,485
CENTRAL MOTOR POOL	\$9,227,418	\$9,260,899
REAL PROPERTY LEASE	\$25,904,582	\$25,911,923
INTERNAL SERVICE FUND BUREAU OF REVENUE	\$151,720	\$151,720
SERVICES FUND		
RETIREE HEALTH INSURANCE FUND	\$116,951,295	\$116,951,295
ACCIDENT, SICKNESS AND HEALTH INSURANCE	\$170,514,295	\$170,542,615
INTERNAL SERVICE FUND STATEWIDE RADIO AND NETWORK SYSTEM	\$500	\$500
RESERVE FUND		
STATE ALCOHOLIC BEVERAGE FUND	\$147,955,335	\$147,963,097
STATE-ADMINISTERED FUND	\$2,042,515	\$2,042,515
STATE LOTTERY FUND	\$4,481,093	\$4,502,530
FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	\$1,806,287	\$1,810,629
DEPARTMENT TOTAL - ALL FUNDS	<u>\$937,625,572</u>	<u>\$940,178,587</u>

Sec. A-2. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Animal Welfare Fund 0946

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$939,129	\$952,188
All Other	\$872,327	\$872,327

OTHER SPECIAL REVENUE FUNDS TOTAL

	\$1,811,456	\$1,824,515
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ANIMAL WELFARE FUND 0946

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$939,129	\$952,188
All Other	\$872,327	\$872,327

OTHER SPECIAL REVENUE FUNDS TOTAL

	\$1,811,456	\$1,824,515
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Bureau of Agriculture 0393

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	48.000	48.000
Personal Services	\$4,744,388	\$4,823,584
All Other	\$1,407,468	\$1,407,468

GENERAL FUND TOTAL

	\$6,151,856	\$6,231,052
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	11.500	11.500
Personal Services	\$982,064	\$1,007,419
All Other	\$2,955,538	\$2,955,538

FEDERAL EXPENDITURES FUND TOTAL

	\$3,937,602	\$3,962,957
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	19.000	19.000
POSITIONS - FTE COUNT	9.322	9.322
Personal Services	\$2,280,750	\$2,354,549
All Other	\$1,625,368	\$1,625,368

OTHER SPECIAL REVENUE FUNDS TOTAL

	\$3,906,118	\$3,979,917
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FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$600,000	\$600,000

FEDERAL BLOCK GRANT FUND TOTAL

	\$600,000	\$600,000
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BUREAU OF AGRICULTURE 0393

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	48.000	48.000
Personal Services	\$4,744,388	\$4,823,584
All Other	\$1,407,468	\$1,407,468

GENERAL FUND TOTAL

	\$6,151,856	\$6,231,052
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FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	11.500	11.500
Personal Services	\$982,064	\$1,007,419
All Other	\$2,955,538	\$2,955,538

FEDERAL EXPENDITURES FUND TOTAL

	\$3,937,602	\$3,962,957
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OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	19.000	19.000
POSITIONS - FTE COUNT	9.322	9.322
Personal Services	\$2,280,750	\$2,354,549
All Other	\$1,625,368	\$1,625,368

OTHER SPECIAL REVENUE FUNDS TOTAL

	\$3,906,118	\$3,979,917
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FEDERAL BLOCK GRANT FUND

All Other	\$600,000	\$600,000
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FEDERAL BLOCK GRANT FUND TOTAL

	\$600,000	\$600,000
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Certified Seed Fund 0787

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	7.000	7.000
POSITIONS - FTE COUNT	0.740	0.740
Personal Services	\$578,100	\$588,439
All Other	\$335,277	\$335,277

OTHER SPECIAL REVENUE FUNDS TOTAL

	\$913,377	\$923,716
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CERTIFIED SEED FUND 0787

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	7.000	7.000
POSITIONS - FTE COUNT	0.740	0.740
Personal Services	\$578,100	\$588,439
All Other	\$335,277	\$335,277

OTHER SPECIAL REVENUE FUNDS TOTAL

	\$913,377	\$923,716
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Division of Forest Protection Z232

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	77.000	77.000

FIRST REGULAR SESSION - 2021

PUBLIC LAW, C. 29

POSITIONS - FTE COUNT	2.307	2.307
Personal Services	\$6,050,837	\$6,155,607
All Other	\$1,399,873	\$1,399,873

GENERAL FUND TOTAL	\$7,450,710	\$7,555,480
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FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	3.135	3.135
Personal Services	\$318,988	\$324,012
All Other	\$720,599	\$720,599

FEDERAL EXPENDITURES FUND TOTAL	\$1,039,587	\$1,044,611
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OTHER SPECIAL REVENUE FUNDS

All Other	\$226,154	\$226,154
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$226,154	\$226,154
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DIVISION OF FOREST PROTECTION Z232

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	77.000	77.000

POSITIONS - FTE COUNT	2.307	2.307
Personal Services	\$6,050,837	\$6,155,607
All Other	\$1,399,873	\$1,399,873

GENERAL FUND TOTAL	\$7,450,710	\$7,555,480
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FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	3.135	3.135
Personal Services	\$318,988	\$324,012
All Other	\$720,599	\$720,599

FEDERAL EXPENDITURES FUND TOTAL	\$1,039,587	\$1,044,611
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OTHER SPECIAL REVENUE FUNDS

All Other	\$226,154	\$226,154
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$226,154	\$226,154
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Forest Resource Management Z233

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	33.000	33.000

POSITIONS - FTE COUNT	2.923	2.923
Personal Services	\$5,653,494	\$5,784,572
All Other	\$1,203,251	\$1,203,251

GENERAL FUND TOTAL	\$6,856,745	\$6,987,823
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FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	3.000	3.000
POSITIONS - FTE COUNT	8.597	8.597
Personal Services	\$1,118,984	\$1,140,990
All Other	\$881,491	\$881,491

FEDERAL EXPENDITURES FUND TOTAL	\$2,000,475	\$2,022,481
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OTHER SPECIAL REVENUE FUNDS

All Other	\$210,829	\$210,829
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$210,829	\$210,829
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FOREST RESOURCE MANAGEMENT Z233

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	33.000	33.000

POSITIONS - FTE COUNT	2.923	2.923
Personal Services	\$5,653,494	\$5,784,572
All Other	\$1,203,251	\$1,203,251

GENERAL FUND TOTAL	\$6,856,745	\$6,987,823
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FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	3.000	3.000
POSITIONS - FTE COUNT	8.597	8.597
Personal Services	\$1,118,984	\$1,140,990
All Other	\$881,491	\$881,491

FEDERAL EXPENDITURES FUND TOTAL	\$2,000,475	\$2,022,481
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OTHER SPECIAL REVENUE FUNDS

All Other	\$210,829	\$210,829
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$210,829	\$210,829
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Geology and Resource Information Z237

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9.000	9.000

Personal Services	\$982,835	\$994,635
All Other	\$196,128	\$196,128

GENERAL FUND TOTAL	\$1,178,963	\$1,190,763
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FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$405,787	\$409,780
All Other	\$647,620	\$647,620

FEDERAL EXPENDITURES FUND TOTAL	\$1,053,407	\$1,057,400
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$121,128	\$122,229
All Other	\$89,220	\$89,220
OTHER SPECIAL REVENUE FUNDS TOTAL	\$210,348	\$211,449

**GEOLOGY AND RESOURCE INFORMATION
Z237**

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$982,835	\$994,635
All Other	\$196,128	\$196,128
GENERAL FUND TOTAL	\$1,178,963	\$1,190,763

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$405,787	\$409,780
All Other	\$647,620	\$647,620
FEDERAL EXPENDITURES FUND TOTAL	\$1,053,407	\$1,057,400

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$121,128	\$122,229
All Other	\$89,220	\$89,220
OTHER SPECIAL REVENUE FUNDS TOTAL	\$210,348	\$211,449

Harness Racing Commission 0320

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
POSITIONS - FTE COUNT	2.596	2.596
Personal Services	\$744,303	\$752,248
All Other	\$10,689,542	\$10,689,542
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,433,845	\$11,441,790

HARNES RACING COMMISSION 0320

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	5.000	5.000
POSITIONS - FTE COUNT	2.596	2.596
Personal Services	\$744,303	\$752,248
All Other	\$10,689,542	\$10,689,542
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,433,845	\$11,441,790

Land for Maine's Future Z162

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$168,760	\$173,591
All Other	\$13,630	\$13,630
GENERAL FUND TOTAL	\$182,390	\$187,221

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$85,704	\$89,433
All Other	\$9,549	\$9,549
FEDERAL EXPENDITURES FUND TOTAL	\$95,253	\$98,982

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$47,560	\$47,560
OTHER SPECIAL REVENUE FUNDS TOTAL	\$47,560	\$47,560

LAND FOR MAINE'S FUTURE Z162

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$168,760	\$173,591
All Other	\$13,630	\$13,630
GENERAL FUND TOTAL	\$182,390	\$187,221

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$85,704	\$89,433
All Other	\$9,549	\$9,549
FEDERAL EXPENDITURES FUND TOTAL	\$95,253	\$98,982

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$47,560	\$47,560
OTHER SPECIAL REVENUE FUNDS TOTAL	\$47,560	\$47,560

Land Management and Planning Z239

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$37,557	\$37,557
FEDERAL EXPENDITURES FUND TOTAL	\$37,557	\$37,557

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	40.000	40.000
POSITIONS - FTE COUNT	2.808	2.808
Personal Services	\$3,837,500	\$3,925,247
All Other	\$3,054,824	\$3,054,824

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,892,324	\$6,980,071
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LAND MANAGEMENT AND PLANNING Z239

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$37,557	\$37,557
FEDERAL EXPENDITURES FUND TOTAL	\$37,557	\$37,557

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	40.000	40.000
POSITIONS - FTE COUNT	2.808	2.808
Personal Services	\$3,837,500	\$3,925,247
All Other	\$3,054,824	\$3,054,824

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,892,324	\$6,980,071
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Maine Conservation Corps Z149

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$95,070	\$96,708
All Other	\$3,096	\$3,096
GENERAL FUND TOTAL	\$98,166	\$99,804

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$12,655	\$12,813
All Other	\$731,209	\$731,209
FEDERAL EXPENDITURES FUND TOTAL	\$743,864	\$744,022

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$232,808	\$240,011
All Other	\$675,221	\$675,221

OTHER SPECIAL REVENUE FUNDS TOTAL	\$908,029	\$915,232
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MAINE CONSERVATION CORPS Z149

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$95,070	\$96,708
All Other	\$3,096	\$3,096
GENERAL FUND TOTAL	\$98,166	\$99,804

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$12,655	\$12,813
All Other	\$731,209	\$731,209

FEDERAL EXPENDITURES FUND TOTAL	\$743,864	\$744,022
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$232,808	\$240,011
All Other	\$675,221	\$675,221

OTHER SPECIAL REVENUE FUNDS TOTAL	\$908,029	\$915,232
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Maine Farms for the Future Program 0925

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$142,589	\$142,589
GENERAL FUND TOTAL	\$142,589	\$142,589

MAINE FARMS FOR THE FUTURE PROGRAM 0925

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$142,589	\$142,589
GENERAL FUND TOTAL	\$142,589	\$142,589

Maine Land Use Planning Commission Z236

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	21.000	21.000
Personal Services	\$1,982,574	\$2,033,572
All Other	\$132,994	\$132,994
GENERAL FUND TOTAL	\$2,115,568	\$2,166,566

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$3,300	\$3,300
All Other	\$108,178	\$108,178
OTHER SPECIAL REVENUE FUNDS TOTAL	\$111,478	\$111,478

MAINE LAND USE PLANNING COMMISSION Z236

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	21.000	21.000
Personal Services	\$1,982,574	\$2,033,572
All Other	\$132,994	\$132,994
GENERAL FUND TOTAL	\$2,115,568	\$2,166,566

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$3,300	\$3,300
All Other	\$108,178	\$108,178
OTHER SPECIAL REVENUE FUNDS TOTAL	\$111,478	\$111,478

Milk Commission 0188

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$220,685	\$222,607
All Other	\$12,447,519	\$12,447,519
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,668,204	\$12,670,126

MILK COMMISSION 0188

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$220,685	\$222,607
All Other	\$12,447,519	\$12,447,519
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,668,204	\$12,670,126

Natural Areas Program Z821

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$222,521	\$225,895
All Other	\$16,242	\$16,242
GENERAL FUND TOTAL	\$238,763	\$242,137

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$208,309	\$211,246
All Other	\$138,893	\$138,893
FEDERAL EXPENDITURES FUND TOTAL	\$347,202	\$350,139

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$307,858	\$313,983
All Other	\$206,977	\$206,977
OTHER SPECIAL REVENUE FUNDS TOTAL	\$514,835	\$520,960

NATURAL AREAS PROGRAM Z821

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$222,521	\$225,895
All Other	\$16,242	\$16,242
GENERAL FUND TOTAL	\$238,763	\$242,137

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$208,309	\$211,246
All Other	\$138,893	\$138,893
FEDERAL EXPENDITURES FUND TOTAL	\$347,202	\$350,139

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$307,858	\$313,983
All Other	\$206,977	\$206,977
OTHER SPECIAL REVENUE FUNDS TOTAL	\$514,835	\$520,960

Office of the Commissioner 0401

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$703,348	\$708,608
All Other	\$2,838,437	\$2,838,437
GENERAL FUND TOTAL	\$3,541,785	\$3,547,045

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$1,074,863	\$1,091,974
All Other	\$1,780,174	\$1,780,174

FIRST REGULAR SESSION - 2021

PUBLIC LAW, C. 29

OTHER SPECIAL REVENUE \$2,855,037 \$2,872,148
 FUNDS TOTAL

OFFICE OF THE COMMISSIONER 0401

PROGRAM SUMMARY

GENERAL FUND 2021-22 2022-23
 POSITIONS - LEGISLATIVE 5.000 5.000
 COUNT
 Personal Services \$703,348 \$708,608
 All Other \$2,838,437 \$2,838,437

GENERAL FUND TOTAL \$3,541,785 \$3,547,045

OTHER SPECIAL REVENUE FUNDS 2021-22 2022-23
 POSITIONS - LEGISLATIVE 9.000 9.000
 COUNT
 Personal Services \$1,074,863 \$1,091,974
 All Other \$1,780,174 \$1,780,174

OTHER SPECIAL REVENUE FUNDS TOTAL \$2,855,037 \$2,872,148

Off-Road Recreational Vehicles Program Z224

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS 2021-22 2022-23
 POSITIONS - LEGISLATIVE 16.500 16.500
 COUNT
 POSITIONS - FTE COUNT 5.731 5.731
 Personal Services \$1,813,387 \$1,845,525
 All Other \$7,177,320 \$7,177,320

OTHER SPECIAL REVENUE FUNDS TOTAL \$8,990,707 \$9,022,845

OFF-ROAD RECREATIONAL VEHICLES PROGRAM Z224

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS 2021-22 2022-23
 POSITIONS - LEGISLATIVE 16.500 16.500
 COUNT
 POSITIONS - FTE COUNT 5.731 5.731
 Personal Services \$1,813,387 \$1,845,525
 All Other \$7,177,320 \$7,177,320

OTHER SPECIAL REVENUE FUNDS TOTAL \$8,990,707 \$9,022,845

Parks - General Operations Z221

Initiative: BASELINE BUDGET

GENERAL FUND 2021-22 2022-23
 POSITIONS - LEGISLATIVE 43.000 43.000
 COUNT
 POSITIONS - FTE COUNT 72.851 72.851
 Personal Services \$8,009,865 \$8,166,353
 All Other \$995,042 \$995,042

GENERAL FUND TOTAL \$9,004,907 \$9,161,395

FEDERAL EXPENDITURES FUND 2021-22 2022-23
 Personal Services \$90,892 \$91,575
 All Other \$1,772,989 \$1,772,989

FEDERAL EXPENDITURES FUND TOTAL \$1,863,881 \$1,864,564

OTHER SPECIAL REVENUE FUNDS 2021-22 2022-23
 POSITIONS - LEGISLATIVE 2.000 2.000
 COUNT

POSITIONS - FTE COUNT 6.000 6.000
 Personal Services \$546,987 \$559,860
 All Other \$2,173,571 \$2,173,571

OTHER SPECIAL REVENUE FUNDS TOTAL \$2,720,558 \$2,733,431

PARKS - GENERAL OPERATIONS Z221

PROGRAM SUMMARY

GENERAL FUND 2021-22 2022-23
 POSITIONS - LEGISLATIVE 43.000 43.000
 COUNT
 POSITIONS - FTE COUNT 72.851 72.851
 Personal Services \$8,009,865 \$8,166,353
 All Other \$995,042 \$995,042

GENERAL FUND TOTAL \$9,004,907 \$9,161,395

FEDERAL EXPENDITURES FUND 2021-22 2022-23
 Personal Services \$90,892 \$91,575
 All Other \$1,772,989 \$1,772,989

FEDERAL EXPENDITURES FUND TOTAL \$1,863,881 \$1,864,564

OTHER SPECIAL REVENUE FUNDS 2021-22 2022-23
 POSITIONS - LEGISLATIVE 2.000 2.000
 COUNT

POSITIONS - FTE COUNT 6.000 6.000
 Personal Services \$546,987 \$559,860
 All Other \$2,173,571 \$2,173,571

OTHER SPECIAL REVENUE FUNDS TOTAL \$2,720,558 \$2,733,431

Pesticides Control - Board of 0287

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND 2021-22 2022-23
 POSITIONS - LEGISLATIVE 2.000 2.000
 COUNT
 POSITIONS - FTE COUNT 2.018 2.018
 Personal Services \$248,762 \$256,125
 All Other \$211,630 \$211,630

FEDERAL EXPENDITURES FUND TOTAL \$460,392 \$467,755

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	14.500	14.500
POSITIONS - FTE COUNT	1.893	1.893
Personal Services	\$1,505,794	\$1,540,719
All Other	\$441,201	\$441,201
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,946,995	\$1,981,920

PESTICIDES CONTROL - BOARD OF 0287

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	2.018	2.018
Personal Services	\$248,762	\$256,125
All Other	\$211,630	\$211,630
FEDERAL EXPENDITURES FUND TOTAL	\$460,392	\$467,755

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	14.500	14.500
POSITIONS - FTE COUNT	1.893	1.893
Personal Services	\$1,505,794	\$1,540,719
All Other	\$441,201	\$441,201
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,946,995	\$1,981,920

Statewide Hunger Relief Program Z288

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$1,000,000	\$1,000,000
GENERAL FUND TOTAL	\$1,000,000	\$1,000,000

STATEWIDE HUNGER RELIEF PROGRAM Z288

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$1,000,000	\$1,000,000
GENERAL FUND TOTAL	\$1,000,000	\$1,000,000

Submerged Lands and Island Registry Z241

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$284,673	\$293,262
All Other	\$713,753	\$713,753
OTHER SPECIAL REVENUE FUNDS TOTAL	\$998,426	\$1,007,015

SUBMERGED LANDS AND ISLAND REGISTRY Z241

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$284,673	\$293,262
All Other	\$713,753	\$713,753
OTHER SPECIAL REVENUE FUNDS TOTAL	\$998,426	\$1,007,015

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$37,962,442	\$38,511,875
FEDERAL EXPENDITURES FUND	\$11,579,220	\$11,650,468
OTHER SPECIAL REVENUE FUNDS	\$57,366,280	\$57,681,156
FEDERAL BLOCK GRANT FUND	\$600,000	\$600,000
DEPARTMENT TOTAL - ALL FUNDS	\$107,507,942	\$108,443,499

Sec. A-3. Appropriations and allocations. The following appropriations and allocations are made.

ARTS COMMISSION, MAINE

Arts - Administration 0178

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$720,341	\$730,271
All Other	\$319,241	\$319,241
GENERAL FUND TOTAL	\$1,039,582	\$1,049,512

ARTS - ADMINISTRATION 0178

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$720,341	\$730,271
All Other	\$319,241	\$319,241
GENERAL FUND TOTAL	\$1,039,582	\$1,049,512

Arts - General Grants Program 0177

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$357,051	\$357,051

FEDERAL EXPENDITURES	\$357,051	\$357,051
FUND TOTAL		

ARTS - GENERAL GRANTS PROGRAM 0177

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$357,051	\$357,051

FEDERAL EXPENDITURES	\$357,051	\$357,051
FUND TOTAL		

Arts - Sponsored Program 0176

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$333,818	\$344,764
All Other	\$759,000	\$759,000

FEDERAL EXPENDITURES	\$1,092,818	\$1,103,764
FUND TOTAL		

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$102,168	\$102,168

OTHER SPECIAL REVENUE FUNDS TOTAL	\$102,168	\$102,168
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ARTS - SPONSORED PROGRAM 0176

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$333,818	\$344,764
All Other	\$759,000	\$759,000

FEDERAL EXPENDITURES	\$1,092,818	\$1,103,764
FUND TOTAL		

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$102,168	\$102,168

OTHER SPECIAL REVENUE FUNDS TOTAL	\$102,168	\$102,168
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ARTS COMMISSION, MAINE DEPARTMENT TOTALS

GENERAL FUND	\$1,039,582	\$1,049,512
FEDERAL EXPENDITURES FUND	\$1,449,869	\$1,460,815
OTHER SPECIAL REVENUE FUNDS	\$102,168	\$102,168

DEPARTMENT TOTAL - ALL FUNDS	\$2,591,619	\$2,612,495
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Sec. A-4. Appropriations and allocations. The following appropriations and allocations are made.

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General 0310

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	62.500	62.500
Personal Services	\$7,849,172	\$8,157,383
All Other	\$814,300	\$814,300

GENERAL FUND TOTAL	\$8,663,472	\$8,971,683
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$1,175,594	\$1,219,492
All Other	\$257,242	\$257,242

FEDERAL EXPENDITURES	\$1,432,836	\$1,476,734
FUND TOTAL		

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	51.500	51.500
Personal Services	\$7,453,349	\$7,782,709
All Other	\$735,522	\$735,522

OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,188,871	\$8,518,231
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ADMINISTRATION - ATTORNEY GENERAL 0310

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	62.500	62.500
Personal Services	\$7,849,172	\$8,157,383
All Other	\$814,300	\$814,300

GENERAL FUND TOTAL	\$8,663,472	\$8,971,683
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$1,175,594	\$1,219,492
All Other	\$257,242	\$257,242

FEDERAL EXPENDITURES	\$1,432,836	\$1,476,734
FUND TOTAL		

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	51.500	51.500
Personal Services	\$7,453,349	\$7,782,709

All Other	\$735,522	\$735,522
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,188,871	\$8,518,231

Chief Medical Examiner - Office of 0412

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,769,892	\$1,826,762
All Other	\$814,096	\$814,096
GENERAL FUND TOTAL	\$2,583,988	\$2,640,858

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$70,591	\$73,963
All Other	\$277,796	\$277,796
FEDERAL EXPENDITURES FUND TOTAL	\$348,387	\$351,759

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$185,003	\$185,003
OTHER SPECIAL REVENUE FUNDS TOTAL	\$185,003	\$185,003

CHIEF MEDICAL EXAMINER - OFFICE OF 0412

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,769,892	\$1,826,762
All Other	\$814,096	\$814,096
GENERAL FUND TOTAL	\$2,583,988	\$2,640,858

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$70,591	\$73,963
All Other	\$277,796	\$277,796
FEDERAL EXPENDITURES FUND TOTAL	\$348,387	\$351,759

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$185,003	\$185,003
OTHER SPECIAL REVENUE FUNDS TOTAL	\$185,003	\$185,003

Civil Rights 0039

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$186,111	\$195,199
All Other	\$96,671	\$96,671
GENERAL FUND TOTAL	\$282,782	\$291,870

CIVIL RIGHTS 0039 PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$186,111	\$195,199
All Other	\$96,671	\$96,671
GENERAL FUND TOTAL	\$282,782	\$291,870

District Attorneys Salaries 0409

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	97.500	97.500
Personal Services	\$12,844,650	\$13,428,326
GENERAL FUND TOTAL	\$12,844,650	\$13,428,326

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$641,723	\$672,731
All Other	\$41,483	\$41,483
FEDERAL EXPENDITURES FUND TOTAL	\$683,206	\$714,214

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.500	1.500
Personal Services	\$157,751	\$165,417
All Other	\$11,157	\$11,157
OTHER SPECIAL REVENUE FUNDS TOTAL	\$168,908	\$176,574

DISTRICT ATTORNEYS SALARIES 0409

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	97.500	97.500
Personal Services	\$12,844,650	\$13,428,326
GENERAL FUND TOTAL	\$12,844,650	\$13,428,326

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$641,723	\$672,731
All Other	\$41,483	\$41,483

FEDERAL EXPENDITURES	\$683,206	\$714,214
FUND TOTAL		

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.500	1.500
Personal Services	\$157,751	\$165,417
All Other	\$11,157	\$11,157

OTHER SPECIAL REVENUE FUNDS TOTAL	\$168,908	\$176,574
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FHM - Attorney General 0947

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$109,765	\$115,063
All Other	\$20,860	\$20,860

FUND FOR A HEALTHY MAINE TOTAL	\$130,625	\$135,923
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FHM - ATTORNEY GENERAL 0947

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$109,765	\$115,063
All Other	\$20,860	\$20,860

FUND FOR A HEALTHY MAINE TOTAL	\$130,625	\$135,923
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Human Services Division 0696

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	80.000	80.000
Personal Services	\$9,217,581	\$9,647,307
All Other	\$1,359,415	\$1,359,415

OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,576,996	\$11,006,722
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HUMAN SERVICES DIVISION 0696

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	80.000	80.000
Personal Services	\$9,217,581	\$9,647,307
All Other	\$1,359,415	\$1,359,415

OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,576,996	\$11,006,722
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Victims' Compensation Board 0711

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$225,549	\$225,549

FEDERAL EXPENDITURES FUND TOTAL	\$225,549	\$225,549
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$244,039	\$253,742
All Other	\$599,418	\$599,418

OTHER SPECIAL REVENUE FUNDS TOTAL	\$843,457	\$853,160
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VICTIMS' COMPENSATION BOARD 0711

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$225,549	\$225,549

FEDERAL EXPENDITURES FUND TOTAL	\$225,549	\$225,549
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$244,039	\$253,742
All Other	\$599,418	\$599,418

OTHER SPECIAL REVENUE FUNDS TOTAL	\$843,457	\$853,160
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ATTORNEY GENERAL, DEPARTMENT OF THE DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$24,374,892	\$25,332,737
FEDERAL EXPENDITURES FUND	\$2,689,978	\$2,768,256
FUND FOR A HEALTHY MAINE	\$130,625	\$135,923
OTHER SPECIAL REVENUE FUNDS	\$19,963,235	\$20,739,690

DEPARTMENT TOTAL - ALL FUNDS	\$47,158,730	\$48,976,606
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Sec. A-5. Appropriations and allocations. The following appropriations and allocations are made.

AUDITOR, OFFICE OF THE STATE

Audit Bureau 0067

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$1,580,821	\$1,613,701
All Other	\$69,995	\$69,995
GENERAL FUND TOTAL	<u>\$1,650,816</u>	<u>\$1,683,696</u>
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$2,349,126	\$2,420,351
All Other	\$302,179	\$302,179
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,651,305</u>	<u>\$2,722,530</u>

**AUDIT BUREAU 0067
PROGRAM SUMMARY**

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$1,580,821	\$1,613,701
All Other	\$69,995	\$69,995
GENERAL FUND TOTAL	<u>\$1,650,816</u>	<u>\$1,683,696</u>
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$2,349,126	\$2,420,351
All Other	\$302,179	\$302,179
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,651,305</u>	<u>\$2,722,530</u>

Unorganized Territory 0075

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$176,876	\$178,368
All Other	\$87,089	\$87,089
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$263,965</u>	<u>\$265,457</u>

**UNORGANIZED TERRITORY 0075
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$176,876	\$178,368
All Other	\$87,089	\$87,089
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$263,965</u>	<u>\$265,457</u>

AUDITOR, OFFICE OF THE STATE		
DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$1,650,816	\$1,683,696
OTHER SPECIAL REVENUE FUNDS	\$2,915,270	\$2,987,987
DEPARTMENT TOTAL - ALL FUNDS	<u>\$4,566,086</u>	<u>\$4,671,683</u>

Sec. A-6. Appropriations and allocations. The following appropriations and allocations are made.

BAXTER STATE PARK AUTHORITY

Baxter State Park Authority 0253

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	24.500	24.500
POSITIONS - FTE COUNT	17.582	17.582
Personal Services	\$3,141,031	\$3,221,299
All Other	\$1,322,800	\$1,322,800
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$4,463,831</u>	<u>\$4,544,099</u>

BAXTER STATE PARK AUTHORITY 0253

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	24.500	24.500
POSITIONS - FTE COUNT	17.582	17.582
Personal Services	\$3,141,031	\$3,221,299
All Other	\$1,322,800	\$1,322,800
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$4,463,831</u>	<u>\$4,544,099</u>

Sec. A-7. Appropriations and allocations. The following appropriations and allocations are made.

BLUEBERRY COMMISSION OF MAINE, WILD

Blueberry Commission 0375

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,875,000	\$1,875,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$1,875,000</u>	<u>\$1,875,000</u>

BLUEBERRY COMMISSION 0375

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,875,000	\$1,875,000

OTHER SPECIAL REVENUE	\$1,875,000	\$1,875,000
FUNDS TOTAL		

Sec. A-8. Appropriations and allocations. The following appropriations and allocations are made.

CENTERS FOR INNOVATION

Centers for Innovation 0911

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$118,009	\$118,009
GENERAL FUND TOTAL	\$118,009	\$118,009

CENTERS FOR INNOVATION 0911

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$118,009	\$118,009
GENERAL FUND TOTAL	\$118,009	\$118,009

Sec. A-9. Appropriations and allocations. The following appropriations and allocations are made.

CHARTER SCHOOL COMMISSION, STATE

Maine Charter School Commission Z137

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$15,400	\$15,400
All Other	\$679,409	\$679,409

OTHER SPECIAL REVENUE FUNDS TOTAL	\$694,809	\$694,809
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MAINE CHARTER SCHOOL COMMISSION Z137

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$15,400	\$15,400
All Other	\$679,409	\$679,409

OTHER SPECIAL REVENUE FUNDS TOTAL	\$694,809	\$694,809
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Sec. A-10. Appropriations and allocations. The following appropriations and allocations are made.

CHILDREN'S TRUST INCORPORATED, BOARD OF THE MAINE

Maine Children's Trust Incorporated 0798

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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All Other	\$48,300	\$48,300
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$48,300	\$48,300
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MAINE CHILDREN'S TRUST INCORPORATED 0798

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$48,300	\$48,300

OTHER SPECIAL REVENUE FUNDS TOTAL	\$48,300	\$48,300
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Sec. A-11. Appropriations and allocations. The following appropriations and allocations are made.

COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE

Maine Community College System - Board of Trustees 0556

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$71,584,958	\$71,584,958

GENERAL FUND TOTAL	\$71,584,958	\$71,584,958
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$3,887,641	\$3,887,641

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,887,641	\$3,887,641
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MAINE COMMUNITY COLLEGE SYSTEM - BOARD OF TRUSTEES 0556

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$71,584,958	\$71,584,958

GENERAL FUND TOTAL	\$71,584,958	\$71,584,958
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$3,887,641	\$3,887,641

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,887,641	\$3,887,641
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Sec. A-12. Appropriations and allocations. The following appropriations and allocations are made.

CORRECTIONS, DEPARTMENT OF

Administration - Corrections 0141

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
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PUBLIC LAW, C. 29

FIRST REGULAR SESSION - 2021

POSITIONS - LEGISLATIVE COUNT	49.500	49.500
Personal Services	\$5,984,896	\$6,070,556
All Other	\$8,644,307	\$8,644,307
GENERAL FUND TOTAL	\$14,629,203	\$14,714,863

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$159,426	\$166,617
All Other	\$879,205	\$879,205
FEDERAL EXPENDITURES FUND TOTAL	\$1,038,631	\$1,045,822

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$359,205	\$369,361
All Other	\$494,379	\$494,379
OTHER SPECIAL REVENUE FUNDS TOTAL	\$853,584	\$863,740

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$500,000	\$500,000
FEDERAL BLOCK GRANT FUND TOTAL	\$500,000	\$500,000

ADMINISTRATION - CORRECTIONS 0141

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	49.500	49.500
Personal Services	\$5,984,896	\$6,070,556
All Other	\$8,644,307	\$8,644,307
GENERAL FUND TOTAL	\$14,629,203	\$14,714,863

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$159,426	\$166,617
All Other	\$879,205	\$879,205
FEDERAL EXPENDITURES FUND TOTAL	\$1,038,631	\$1,045,822

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$359,205	\$369,361
All Other	\$494,379	\$494,379
OTHER SPECIAL REVENUE FUNDS TOTAL	\$853,584	\$863,740

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$500,000	\$500,000
FEDERAL BLOCK GRANT FUND TOTAL	\$500,000	\$500,000

Adult Community Corrections 0124

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	114.500	114.500
Personal Services	\$11,886,662	\$12,028,822
All Other	\$1,446,123	\$1,446,123
GENERAL FUND TOTAL	\$13,332,785	\$13,474,945

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$51,203	\$53,232
All Other	\$156,101	\$156,101
FEDERAL EXPENDITURES FUND TOTAL	\$207,304	\$209,333

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$305,959	\$305,959
OTHER SPECIAL REVENUE FUNDS TOTAL	\$305,959	\$305,959

ADULT COMMUNITY CORRECTIONS 0124

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	114.500	114.500
Personal Services	\$11,886,662	\$12,028,822
All Other	\$1,446,123	\$1,446,123
GENERAL FUND TOTAL	\$13,332,785	\$13,474,945

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$51,203	\$53,232
All Other	\$156,101	\$156,101
FEDERAL EXPENDITURES FUND TOTAL	\$207,304	\$209,333

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$305,959	\$305,959
OTHER SPECIAL REVENUE FUNDS TOTAL	\$305,959	\$305,959

Bolduc Correctional Facility Z155

FIRST REGULAR SESSION - 2021

PUBLIC LAW, C. 29

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	54,000	54,000
Personal Services	\$5,463,439	\$5,533,206
All Other	\$556,500	\$556,500
GENERAL FUND TOTAL	\$6,019,939	\$6,089,706

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$85,971	\$85,971

OTHER SPECIAL REVENUE FUNDS TOTAL	\$85,971	\$85,971
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BOLDUC CORRECTIONAL FACILITY Z155

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	54,000	54,000
Personal Services	\$5,463,439	\$5,533,206
All Other	\$556,500	\$556,500
GENERAL FUND TOTAL	\$6,019,939	\$6,089,706

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$85,971	\$85,971

OTHER SPECIAL REVENUE FUNDS TOTAL	\$85,971	\$85,971
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Capital Construction/Repairs/Improvements - Corrections 0432

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500

FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500
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CAPITAL CONSTRUCTION/REPAIRS/IMPROVEMENTS - CORRECTIONS 0432

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500

FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500
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Correctional Center 0162

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	288,000	288,000
Personal Services	\$28,457,203	\$29,024,251

All Other	\$2,868,422	\$2,868,422
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GENERAL FUND TOTAL	\$31,325,625	\$31,892,673
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - FTE COUNT	0.488	0.488
Personal Services	\$50,079	\$51,801
All Other	\$60,971	\$60,971

FEDERAL EXPENDITURES FUND TOTAL	\$111,050	\$112,772
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OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$208,045	\$216,838
All Other	\$151,393	\$151,393

OTHER SPECIAL REVENUE FUNDS TOTAL	\$359,438	\$368,231
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CORRECTIONAL CENTER 0162

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	288,000	288,000
Personal Services	\$28,457,203	\$29,024,251
All Other	\$2,868,422	\$2,868,422

GENERAL FUND TOTAL	\$31,325,625	\$31,892,673
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FEDERAL EXPENDITURES FUND

POSITIONS - FTE COUNT	0.488	0.488
Personal Services	\$50,079	\$51,801
All Other	\$60,971	\$60,971

FEDERAL EXPENDITURES FUND TOTAL	\$111,050	\$112,772
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OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$208,045	\$216,838
All Other	\$151,393	\$151,393

OTHER SPECIAL REVENUE FUNDS TOTAL	\$359,438	\$368,231
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Correctional Medical Services Fund 0286

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$25,074,687	\$25,074,687

GENERAL FUND TOTAL	\$25,074,687	\$25,074,687
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500

FEDERAL EXPENDITURES	\$500	\$500
FUND TOTAL		
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$11,914	\$11,914
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,914	\$11,914

CORRECTIONAL MEDICAL SERVICES FUND 0286

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$25,074,687	\$25,074,687
GENERAL FUND TOTAL	\$25,074,687	\$25,074,687

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$11,914	\$11,914
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,914	\$11,914

Corrections Food Z177

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$4,160,981	\$4,160,981
GENERAL FUND TOTAL	\$4,160,981	\$4,160,981

CORRECTIONS FOOD Z177

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$4,160,981	\$4,160,981
GENERAL FUND TOTAL	\$4,160,981	\$4,160,981

Corrections Industries Z166

Initiative: BASELINE BUDGET

PRISON INDUSTRIES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$575,609	\$591,465
All Other	\$1,973,828	\$1,973,828
PRISON INDUSTRIES FUND TOTAL	\$2,549,437	\$2,565,293

CORRECTIONS INDUSTRIES Z166

PROGRAM SUMMARY

PRISON INDUSTRIES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$575,609	\$591,465
All Other	\$1,973,828	\$1,973,828
PRISON INDUSTRIES FUND TOTAL	\$2,549,437	\$2,565,293

County Jails Operation Fund Z227

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$18,442,104	\$18,442,104
GENERAL FUND TOTAL	\$18,442,104	\$18,442,104

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$565,503	\$565,503
OTHER SPECIAL REVENUE FUNDS TOTAL	\$565,503	\$565,503

COUNTY JAILS OPERATION FUND Z227

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$18,442,104	\$18,442,104
GENERAL FUND TOTAL	\$18,442,104	\$18,442,104

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$565,503	\$565,503
OTHER SPECIAL REVENUE FUNDS TOTAL	\$565,503	\$565,503

Departmentwide - Overtime 0032

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
Personal Services	\$1,222,317	\$1,268,175
GENERAL FUND TOTAL	\$1,222,317	\$1,268,175

DEPARTMENTWIDE - OVERTIME 0032

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
Personal Services	\$1,222,317	\$1,268,175
GENERAL FUND TOTAL	\$1,222,317	\$1,268,175

Downeast Correctional Facility 0542

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,665,700	\$1,686,319
All Other	\$20,753	\$20,753
GENERAL FUND TOTAL	\$1,686,453	\$1,707,072

DOWNEAST CORRECTIONAL FACILITY 0542

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,665,700	\$1,686,319
All Other	\$20,753	\$20,753
GENERAL FUND TOTAL	\$1,686,453	\$1,707,072

Justice - Planning, Projects and Statistics 0502

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
Personal Services	\$48,575	\$48,932
All Other	\$1,968	\$1,968
GENERAL FUND TOTAL	\$50,543	\$50,900

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$130,087	\$131,034
All Other	\$688,760	\$688,760
FEDERAL EXPENDITURES FUND TOTAL	\$818,847	\$819,794

JUSTICE - PLANNING, PROJECTS AND STATISTICS 0502

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
Personal Services	\$48,575	\$48,932
All Other	\$1,968	\$1,968
GENERAL FUND TOTAL	\$50,543	\$50,900

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$130,087	\$131,034
All Other	\$688,760	\$688,760
FEDERAL EXPENDITURES FUND TOTAL	\$818,847	\$819,794

Juvenile Community Corrections 0892

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	68.500	68.500
Personal Services	\$7,484,169	\$7,569,537
All Other	\$4,436,339	\$4,436,339
GENERAL FUND TOTAL	\$11,920,508	\$12,005,876

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$90,032	\$90,032

FEDERAL EXPENDITURES FUND TOTAL	\$90,032	\$90,032
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$223,622	\$223,622

OTHER SPECIAL REVENUE FUNDS TOTAL	\$223,622	\$223,622
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JUVENILE COMMUNITY CORRECTIONS 0892

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	68.500	68.500
Personal Services	\$7,484,169	\$7,569,537
All Other	\$4,436,339	\$4,436,339
GENERAL FUND TOTAL	\$11,920,508	\$12,005,876

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$90,032	\$90,032
FEDERAL EXPENDITURES FUND TOTAL	\$90,032	\$90,032

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$223,622	\$223,622

OTHER SPECIAL REVENUE FUNDS TOTAL	\$223,622	\$223,622
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Long Creek Youth Development Center 0163

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	174.500	174.500
POSITIONS - FTE COUNT	0.475	0.475
Personal Services	\$16,956,057	\$17,353,671
All Other	\$1,454,549	\$1,454,549
GENERAL FUND TOTAL	\$18,410,606	\$18,808,220

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$100,484	\$104,100
All Other	\$114,789	\$114,789
FEDERAL EXPENDITURES FUND TOTAL	\$215,273	\$218,889

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$38,694	\$38,694

OTHER SPECIAL REVENUE FUNDS TOTAL	\$38,694	\$38,694
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LONG CREEK YOUTH DEVELOPMENT CENTER 0163

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	174.500	174.500
POSITIONS - FTE COUNT	0.475	0.475
Personal Services	\$16,956,057	\$17,353,671
All Other	\$1,454,549	\$1,454,549
GENERAL FUND TOTAL	\$18,410,606	\$18,808,220

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$100,484	\$104,100
All Other	\$114,789	\$114,789
FEDERAL EXPENDITURES FUND TOTAL	\$215,273	\$218,889

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$38,694	\$38,694
OTHER SPECIAL REVENUE FUNDS TOTAL	\$38,694	\$38,694

Mountain View Correctional Facility 0857

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	163.000	163.000
POSITIONS - FTE COUNT	0.686	0.686
Personal Services	\$16,700,777	\$16,967,848
All Other	\$1,870,108	\$1,870,108
GENERAL FUND TOTAL	\$18,570,885	\$18,837,956

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$96,482	\$100,126
All Other	\$73,408	\$73,408
FEDERAL EXPENDITURES FUND TOTAL	\$169,890	\$173,534

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$136,897	\$136,897
OTHER SPECIAL REVENUE FUNDS TOTAL	\$136,897	\$136,897

MOUNTAIN VIEW CORRECTIONAL FACILITY 0857

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	163.000	163.000
POSITIONS - FTE COUNT	0.686	0.686
Personal Services	\$16,700,777	\$16,967,848
All Other	\$1,870,108	\$1,870,108
GENERAL FUND TOTAL	\$18,570,885	\$18,837,956

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$96,482	\$100,126
All Other	\$73,408	\$73,408
FEDERAL EXPENDITURES FUND TOTAL	\$169,890	\$173,534

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$136,897	\$136,897
OTHER SPECIAL REVENUE FUNDS TOTAL	\$136,897	\$136,897

Office of Victim Services 0046

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$346,982	\$355,573
All Other	\$161,702	\$161,702
GENERAL FUND TOTAL	\$508,684	\$517,275

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$14,974	\$14,974
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,974	\$14,974

OFFICE OF VICTIM SERVICES 0046

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$346,982	\$355,573
All Other	\$161,702	\$161,702
GENERAL FUND TOTAL	\$508,684	\$517,275

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$14,974	\$14,974
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,974	\$14,974

Parole Board 0123

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
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Personal Services	\$1,650	\$1,650
All Other	\$2,828	\$2,828
GENERAL FUND TOTAL	<u>\$4,478</u>	<u>\$4,478</u>

**PAROLE BOARD 0123
PROGRAM SUMMARY**

GENERAL FUND	2021-22	2022-23
Personal Services	\$1,650	\$1,650
All Other	\$2,828	\$2,828
GENERAL FUND TOTAL	<u>\$4,478</u>	<u>\$4,478</u>

State Prison 0144

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	308.000	308.000
Personal Services	\$29,920,668	\$30,582,158
All Other	\$4,789,930	\$4,789,930

GENERAL FUND TOTAL	<u>\$34,710,598</u>	<u>\$35,372,088</u>
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500

FEDERAL EXPENDITURES FUND TOTAL	<u>\$500</u>	<u>\$500</u>
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$34,034	\$34,034

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$34,034</u>	<u>\$34,034</u>
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**STATE PRISON 0144
PROGRAM SUMMARY**

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	308.000	308.000
Personal Services	\$29,920,668	\$30,582,158
All Other	\$4,789,930	\$4,789,930

GENERAL FUND TOTAL	<u>\$34,710,598</u>	<u>\$35,372,088</u>
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500

FEDERAL EXPENDITURES FUND TOTAL	<u>\$500</u>	<u>\$500</u>
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$34,034	\$34,034

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$34,034</u>	<u>\$34,034</u>
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**CORRECTIONS,
DEPARTMENT OF
DEPARTMENT TOTALS**

	2021-22	2022-23
GENERAL FUND	\$200,070,396	\$202,421,999
FEDERAL EXPENDITURES FUND	\$2,652,527	\$2,671,676
OTHER SPECIAL REVENUE FUNDS	\$2,630,590	\$2,649,539
FEDERAL BLOCK GRANT FUND	\$500,000	\$500,000
PRISON INDUSTRIES FUND	\$2,549,437	\$2,565,293

DEPARTMENT TOTAL - ALL FUNDS	<u>\$208,402,950</u>	<u>\$210,808,507</u>
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Sec. A-13. Appropriations and allocations. The following appropriations and allocations are made.

**CULTURAL AFFAIRS COUNCIL, MAINE
STATE**

New Century Program Fund 0904

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$39,445	\$39,445

GENERAL FUND TOTAL	<u>\$39,445</u>	<u>\$39,445</u>
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$65,424	\$65,424

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$65,424</u>	<u>\$65,424</u>
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**NEW CENTURY PROGRAM FUND 0904
PROGRAM SUMMARY**

GENERAL FUND	2021-22	2022-23
All Other	\$39,445	\$39,445

GENERAL FUND TOTAL	<u>\$39,445</u>	<u>\$39,445</u>
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$65,424	\$65,424

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$65,424</u>	<u>\$65,424</u>
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State of Maine Bicentennial Celebration Z260

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>
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**STATE OF MAINE BICENTENNIAL
CELEBRATION Z260**

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
CULTURAL AFFAIRS COUNCIL, MAINE STATE DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$39,445	\$39,445
OTHER SPECIAL REVENUE FUNDS	\$65,924	\$65,924
DEPARTMENT TOTAL - ALL FUNDS	\$105,369	\$105,369

Sec. A-14. Appropriations and allocations. The following appropriations and allocations are made.

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Administration - Defense, Veterans and Emergency Management 0109

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$427,922	\$428,825
All Other	\$62,120	\$62,120
GENERAL FUND TOTAL	\$490,042	\$490,945
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$100	\$100
FEDERAL EXPENDITURES FUND TOTAL	\$100	\$100
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

ADMINISTRATION - DEFENSE, VETERANS AND EMERGENCY MANAGEMENT 0109

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$427,922	\$428,825
All Other	\$62,120	\$62,120
GENERAL FUND TOTAL	\$490,042	\$490,945

FEDERAL EXPENDITURES FUND

All Other	\$100	\$100
FEDERAL EXPENDITURES FUND TOTAL	\$100	\$100

OTHER SPECIAL REVENUE FUNDS

All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Administration - Maine Emergency Management Agency 0214

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$700,759	\$720,529
All Other	\$322,019	\$322,019
GENERAL FUND TOTAL	\$1,022,778	\$1,042,548

FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,847,762	\$1,893,853
All Other	\$31,506,537	\$31,506,537

FEDERAL EXPENDITURES FUND TOTAL

	\$33,354,299	\$33,400,390
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OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$271,370	\$273,440
All Other	\$464,640	\$464,640

OTHER SPECIAL REVENUE FUNDS TOTAL

	\$736,010	\$738,080
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ADMINISTRATION - MAINE EMERGENCY MANAGEMENT AGENCY 0214

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$700,759	\$720,529
All Other	\$322,019	\$322,019
GENERAL FUND TOTAL	\$1,022,778	\$1,042,548

FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,847,762	\$1,893,853
All Other	\$31,506,537	\$31,506,537

FEDERAL EXPENDITURES	\$33,354,299	\$33,400,390
FUND TOTAL		

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$271,370	\$273,440
All Other	\$464,640	\$464,640

OTHER SPECIAL REVENUE FUNDS TOTAL	\$736,010	\$738,080
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Emergency Response Operations 0918

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$59,097	\$61,939
All Other	\$13,473	\$13,473

OTHER SPECIAL REVENUE FUNDS TOTAL	\$72,570	\$75,412
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EMERGENCY RESPONSE OPERATIONS 0918

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$59,097	\$61,939
All Other	\$13,473	\$13,473

OTHER SPECIAL REVENUE FUNDS TOTAL	\$72,570	\$75,412
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Maine National Guard Postsecondary Fund Z190

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$150,000	\$150,000

GENERAL FUND TOTAL	\$150,000	\$150,000
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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MAINE NATIONAL GUARD POSTSECONDARY FUND Z190

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$150,000	\$150,000

GENERAL FUND TOTAL	\$150,000	\$150,000
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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Military Training and Operations 0108

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$1,270,517	\$1,293,935
All Other	\$2,416,101	\$2,416,101

GENERAL FUND TOTAL	\$3,686,618	\$3,710,036
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	113.000	113.000
Personal Services	\$9,648,805	\$9,870,346
All Other	\$12,626,092	\$12,626,092

FEDERAL EXPENDITURES FUND TOTAL	\$22,274,897	\$22,496,438
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$96,671	\$97,817
All Other	\$487,218	\$487,218

OTHER SPECIAL REVENUE FUNDS TOTAL	\$583,889	\$585,035
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MAINE MILITARY AUTHORITY ENTERPRISE FUND

	2021-22	2022-23
Personal Services	\$49,763,309	\$51,845,367
All Other	\$395,042	\$395,042

MAINE MILITARY AUTHORITY ENTERPRISE FUND TOTAL	\$50,158,351	\$52,240,409
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MILITARY TRAINING AND OPERATIONS 0108

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$1,270,517	\$1,293,935
All Other	\$2,416,101	\$2,416,101

GENERAL FUND TOTAL	\$3,686,618	\$3,710,036
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	113.000	113.000
Personal Services	\$9,648,805	\$9,870,346
All Other	\$12,626,092	\$12,626,092

FEDERAL EXPENDITURES	\$22,274,897	\$22,496,438
FUND TOTAL		

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$96,671	\$97,817
All Other	\$487,218	\$487,218

OTHER SPECIAL REVENUE FUNDS TOTAL	\$583,889	\$585,035
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MAINE MILITARY AUTHORITY ENTERPRISE FUND	2021-22	2022-23
Personal Services	\$49,763,309	\$51,845,367
All Other	\$395,042	\$395,042

MAINE MILITARY AUTHORITY ENTERPRISE FUND TOTAL	\$50,158,351	\$52,240,409
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Stream Gaging Cooperative Program 0858

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$175,005	\$175,005

GENERAL FUND TOTAL	\$175,005	\$175,005
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STREAM GAGING COOPERATIVE PROGRAM 0858

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$175,005	\$175,005

GENERAL FUND TOTAL	\$175,005	\$175,005
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Veterans Services 0110

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	42.500	42.500
Personal Services	\$3,341,634	\$3,430,091
All Other	\$1,077,647	\$1,077,647

GENERAL FUND TOTAL	\$4,419,281	\$4,507,738
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$193,927	\$195,851
All Other	\$142,092	\$142,092

FEDERAL EXPENDITURES FUND TOTAL	\$336,019	\$337,943
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$377,343	\$377,343

OTHER SPECIAL REVENUE FUNDS TOTAL	\$377,343	\$377,343
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VETERANS SERVICES 0110

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	42.500	42.500
Personal Services	\$3,341,634	\$3,430,091
All Other	\$1,077,647	\$1,077,647

GENERAL FUND TOTAL	\$4,419,281	\$4,507,738
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$193,927	\$195,851
All Other	\$142,092	\$142,092

FEDERAL EXPENDITURES FUND TOTAL	\$336,019	\$337,943
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$377,343	\$377,343

OTHER SPECIAL REVENUE FUNDS TOTAL	\$377,343	\$377,343
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Veterans Temporary Assistance Fund Z268

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$250,000	\$250,000

GENERAL FUND TOTAL	\$250,000	\$250,000
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VETERANS TEMPORARY ASSISTANCE FUND Z268

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$250,000	\$250,000

GENERAL FUND TOTAL	\$250,000	\$250,000
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DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$10,193,724	\$10,326,272
FEDERAL EXPENDITURES FUND	\$55,965,315	\$56,234,871
OTHER SPECIAL REVENUE FUNDS	\$1,770,812	\$1,776,870
MAINE MILITARY AUTHORITY ENTERPRISE FUND	\$50,158,351	\$52,240,409

DEPARTMENT TOTAL - ALL FUNDS	\$118,088,202	\$120,578,422
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Sec. A-15. Appropriations and allocations. The following appropriations and allocations are made.

DEVELOPMENT FOUNDATION, MAINE

Development Foundation 0198

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$58,444	\$58,444
GENERAL FUND TOTAL	\$58,444	\$58,444

DEVELOPMENT FOUNDATION 0198

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$58,444	\$58,444
GENERAL FUND TOTAL	\$58,444	\$58,444

Sec. A-16. Appropriations and allocations. The following appropriations and allocations are made.

DIRIGO HEALTH

Dirigo Health Fund 0988

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$369,781	\$381,014
All Other	\$852,590	\$852,590
GENERAL FUND TOTAL	\$1,222,371	\$1,233,604

DIRIGO HEALTH FUND 0988

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$369,781	\$381,014
All Other	\$852,590	\$852,590
GENERAL FUND TOTAL	\$1,222,371	\$1,233,604

Sec. A-17. Appropriations and allocations. The following appropriations and allocations are made.

DISABILITY RIGHTS CENTER

Disability Rights Center 0523

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$126,045	\$126,045
GENERAL FUND TOTAL	\$126,045	\$126,045

DISABILITY RIGHTS CENTER 0523

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$126,045	\$126,045
GENERAL FUND TOTAL	\$126,045	\$126,045

Sec. A-18. Appropriations and allocations. The following appropriations and allocations are made.

DOWNEAST INSTITUTE FOR APPLIED MARINE RESEARCH AND EDUCATION

Downeast Institute for Applied Marine Research and Education 0993

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$12,554	\$12,554
GENERAL FUND TOTAL	\$12,554	\$12,554

DOWNEAST INSTITUTE FOR APPLIED MARINE RESEARCH AND EDUCATION 0993

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$12,554	\$12,554
GENERAL FUND TOTAL	\$12,554	\$12,554

Sec. A-19. Appropriations and allocations. The following appropriations and allocations are made.

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Administration - Economic and Community Development 0069

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$725,577	\$734,753
All Other	\$1,006,048	\$1,006,048
GENERAL FUND TOTAL	\$1,731,625	\$1,740,801

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$30,000	\$30,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$30,000	\$30,000
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ADMINISTRATION - ECONOMIC AND COMMUNITY DEVELOPMENT 0069

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$725,577	\$734,753
All Other	\$1,006,048	\$1,006,048

GENERAL FUND TOTAL	\$1,731,625	\$1,740,801
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$30,000	\$30,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$30,000	\$30,000

Applied Technology Development Center System 0929

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$178,838	\$178,838
GENERAL FUND TOTAL	\$178,838	\$178,838

APPLIED TECHNOLOGY DEVELOPMENT CENTER SYSTEM 0929

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$178,838	\$178,838
GENERAL FUND TOTAL	\$178,838	\$178,838

Business Development 0585

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$905,434	\$929,161
All Other	\$669,604	\$669,604
GENERAL FUND TOTAL	\$1,575,038	\$1,598,765

BUSINESS DEVELOPMENT 0585

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$905,434	\$929,161
All Other	\$669,604	\$669,604
GENERAL FUND TOTAL	\$1,575,038	\$1,598,765

Communities for Maine's Future Fund Z108

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

COMMUNITIES FOR MAINE'S FUTURE FUND Z108

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Community Development Block Grant Program 0587

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$224,755	\$226,918
All Other	\$88,262	\$88,262
GENERAL FUND TOTAL	\$313,017	\$315,180

FEDERAL EXPENDITURES FUND

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,500,000	\$1,500,000
FEDERAL EXPENDITURES FUND TOTAL	\$1,500,000	\$1,500,000

OTHER SPECIAL REVENUE FUNDS

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$109,044	\$114,544
All Other	\$700,550	\$700,550

OTHER SPECIAL REVENUE FUNDS TOTAL	\$809,594	\$815,094
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FEDERAL BLOCK GRANT FUND

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$445,726	\$450,910
All Other	\$21,260,658	\$21,260,658

FEDERAL BLOCK GRANT FUND TOTAL	\$21,706,384	\$21,711,568
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COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM 0587

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$224,755	\$226,918
All Other	\$88,262	\$88,262

GENERAL FUND TOTAL	\$313,017	\$315,180
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FEDERAL EXPENDITURES FUND

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,500,000	\$1,500,000
FEDERAL EXPENDITURES FUND TOTAL	\$1,500,000	\$1,500,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$109,044	\$114,544
All Other	\$700,550	\$700,550
OTHER SPECIAL REVENUE FUNDS TOTAL	\$809,594	\$815,094

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$445,726	\$450,910
All Other	\$21,260,658	\$21,260,658
FEDERAL BLOCK GRANT FUND TOTAL	\$21,706,384	\$21,711,568

International Commerce 0674

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$296,464	\$297,237
All Other	\$898,409	\$898,409
GENERAL FUND TOTAL	\$1,194,873	\$1,195,646

INTERNATIONAL COMMERCE 0674

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$296,464	\$297,237
All Other	\$898,409	\$898,409
GENERAL FUND TOTAL	\$1,194,873	\$1,195,646

Leadership and Entrepreneurial Development Program Z071

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

LEADERSHIP AND ENTREPRENEURIAL DEVELOPMENT PROGRAM Z071

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Maine Coworking Development Fund Z195

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$100,000	\$100,000
GENERAL FUND TOTAL	\$100,000	\$100,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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MAINE COWORKING DEVELOPMENT FUND Z195

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$100,000	\$100,000
GENERAL FUND TOTAL	\$100,000	\$100,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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Maine Economic Development Evaluation Fund Z057

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$200,000	\$200,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$200,000
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MAINE ECONOMIC DEVELOPMENT EVALUATION FUND Z057

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$200,000	\$200,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$200,000
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Maine Economic Growth Council 0727

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$55,395	\$55,395

GENERAL FUND TOTAL	\$55,395	\$55,395
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MAINE ECONOMIC GROWTH COUNCIL 0727

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$55,395	\$55,395

GENERAL FUND TOTAL	\$55,395	\$55,395
Maine Small Business and Entrepreneurship Commission 0675		
Initiative: BASELINE BUDGET		
GENERAL FUND	2021-22	2022-23
All Other	\$683,684	\$683,684
GENERAL FUND TOTAL	\$683,684	\$683,684

MAINE SMALL BUSINESS AND ENTREPRENEURSHIP COMMISSION 0675 PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$683,684	\$683,684
GENERAL FUND TOTAL	\$683,684	\$683,684

Maine State Film Office 0590

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$103,779	\$104,935
All Other	\$170,605	\$170,605
OTHER SPECIAL REVENUE FUNDS TOTAL	\$274,384	\$275,540

MAINE STATE FILM OFFICE 0590 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$103,779	\$104,935
All Other	\$170,605	\$170,605
OTHER SPECIAL REVENUE FUNDS TOTAL	\$274,384	\$275,540

Maine Workforce Opportunities Marketing Fund Z178

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$50,000	\$50,000
GENERAL FUND TOTAL	\$50,000	\$50,000

MAINE WORKFORCE OPPORTUNITIES MARKETING FUND Z178 PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$50,000	\$50,000
GENERAL FUND TOTAL	\$50,000	\$50,000

Office of Broadband Development Z245

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$263,563	\$269,624
All Other	\$1,068,000	\$1,068,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,331,563	\$1,337,624

OFFICE OF BROADBAND DEVELOPMENT Z245 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$263,563	\$269,624
All Other	\$1,068,000	\$1,068,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,331,563	\$1,337,624

Office of Innovation 0995

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$304,137	\$305,512
All Other	\$6,794,260	\$6,794,260
GENERAL FUND TOTAL	\$7,098,397	\$7,099,772

OFFICE OF INNOVATION 0995 PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$304,137	\$305,512
All Other	\$6,794,260	\$6,794,260
GENERAL FUND TOTAL	\$7,098,397	\$7,099,772

Office of Tourism 0577

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$1,078,684	\$1,096,167
All Other	\$17,374,840	\$17,374,840
OTHER SPECIAL REVENUE FUNDS TOTAL	\$18,453,524	\$18,471,007

OFFICE OF TOURISM 0577 PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$1,078,684	\$1,096,167
All Other	\$17,374,840	\$17,374,840

OTHER SPECIAL REVENUE FUNDS TOTAL	\$18,453,524	\$18,471,007
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Renewable Energy Resources Fund Z072

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$88,000	\$88,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$88,000	\$88,000
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**RENEWABLE ENERGY RESOURCES FUND
Z072**

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$88,000	\$88,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$88,000	\$88,000
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**ECONOMIC AND COMMUNITY
DEVELOPMENT,
DEPARTMENT OF
DEPARTMENT TOTALS**

GENERAL FUND	\$12,980,867	\$13,018,081
FEDERAL EXPENDITURES FUND	\$1,500,000	\$1,500,000
OTHER SPECIAL REVENUE FUNDS	\$21,188,565	\$21,218,765
FEDERAL BLOCK GRANT FUND	\$21,706,384	\$21,711,568

DEPARTMENT TOTAL - ALL FUNDS	\$57,375,816	\$57,448,414
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Sec. A-20. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Adult Education 0364

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$313,486	\$316,810
All Other	\$6,562,512	\$6,562,512

GENERAL FUND TOTAL	\$6,875,998	\$6,879,322
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000

Personal Services	\$241,393	\$242,323
All Other	\$1,874,267	\$1,874,267
FEDERAL EXPENDITURES FUND TOTAL	\$2,115,660	\$2,116,590

**ADULT EDUCATION 0364
PROGRAM SUMMARY**

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$313,486	\$316,810
All Other	\$6,562,512	\$6,562,512

GENERAL FUND TOTAL	\$6,875,998	\$6,879,322
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$241,393	\$242,323
All Other	\$1,874,267	\$1,874,267

FEDERAL EXPENDITURES FUND TOTAL	\$2,115,660	\$2,116,590
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Charter School Program Z129

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500

FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500
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CHARTER SCHOOL PROGRAM Z129

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500

FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500
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Child Development Services 0449

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$84,617	\$88,690
All Other	\$39,628,604	\$39,628,604

GENERAL FUND TOTAL	\$39,713,221	\$39,717,294
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$65,025	\$67,759
All Other	\$2,239,633	\$2,239,633

FEDERAL EXPENDITURES \$2,304,658 \$2,307,392
 FUND TOTAL

CHILD DEVELOPMENT SERVICES 0449

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$84,617	\$88,690
All Other	\$39,628,604	\$39,628,604

GENERAL FUND TOTAL \$39,713,221 \$39,717,294

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$65,025	\$67,759
All Other	\$2,239,633	\$2,239,633

FEDERAL EXPENDITURES FUND TOTAL \$2,304,658 \$2,307,392

Commission To End Student Hunger Z192

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL \$500 \$500

COMMISSION TO END STUDENT HUNGER Z192

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL \$500 \$500

Community Schools Program Z284

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500

FEDERAL EXPENDITURES FUND TOTAL \$500 \$500

COMMUNITY SCHOOLS PROGRAM Z284

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500

FEDERAL EXPENDITURES FUND TOTAL \$500 \$500

Criminal History Record Check Fund Z014

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$7,329	\$7,389
All Other	\$25,700	\$25,700

OTHER SPECIAL REVENUE FUNDS TOTAL \$33,029 \$33,089

CRIMINAL HISTORY RECORD CHECK FUND Z014

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$7,329	\$7,389
All Other	\$25,700	\$25,700

OTHER SPECIAL REVENUE FUNDS TOTAL \$33,029 \$33,089

Digital Literacy Fund Z130

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$456,115	\$456,115

OTHER SPECIAL REVENUE FUNDS TOTAL \$456,115 \$456,115

DIGITAL LITERACY FUND Z130

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$456,115	\$456,115

OTHER SPECIAL REVENUE FUNDS TOTAL \$456,115 \$456,115

Education in Unorganized Territory 0220

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	23.500	23.500
POSITIONS - FTE COUNT	30.523	30.523
Personal Services	\$3,784,856	\$3,857,200
All Other	\$9,212,381	\$9,212,381

GENERAL FUND TOTAL \$12,997,237 \$13,069,581

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	0.707	0.707
Personal Services	\$151,399	\$156,003
All Other	\$211,445	\$211,445

FEDERAL EXPENDITURES FUND TOTAL \$362,844 \$367,448

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$8,135	\$8,135

OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,135	\$8,135
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EDUCATION IN UNORGANIZED TERRITORY 0220

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	23.500	23.500
POSITIONS - FTE COUNT	30.523	30.523
Personal Services	\$3,784,856	\$3,857,200
All Other	\$9,212,381	\$9,212,381

GENERAL FUND TOTAL	\$12,997,237	\$13,069,581
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	0.707	0.707
Personal Services	\$151,399	\$156,003
All Other	\$211,445	\$211,445

FEDERAL EXPENDITURES FUND TOTAL	\$362,844	\$367,448
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$8,135	\$8,135

OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,135	\$8,135
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Facilities, Safety and Transportation Z271

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$553,032	\$553,032

FEDERAL EXPENDITURES FUND TOTAL	\$553,032	\$553,032
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$637,475	\$644,177
All Other	\$391,389	\$391,389

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,028,864	\$1,035,566
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FACILITIES, SAFETY AND TRANSPORTATION Z271

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$553,032	\$553,032

FEDERAL EXPENDITURES FUND TOTAL	\$553,032	\$553,032
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$637,475	\$644,177
All Other	\$391,389	\$391,389

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,028,864	\$1,035,566
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FHM - School Breakfast Program Z068

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	\$213,720	\$213,720

FUND FOR A HEALTHY MAINE TOTAL	\$213,720	\$213,720
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FHM - SCHOOL BREAKFAST PROGRAM Z068

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	\$213,720	\$213,720

FUND FOR A HEALTHY MAINE TOTAL	\$213,720	\$213,720
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Fund for the Efficient Delivery of Educational Services Z005

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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FUND FOR THE EFFICIENT DELIVERY OF EDUCATIONAL SERVICES Z005

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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General Purpose Aid for Local Schools 0308

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	18.000	18.000
Personal Services	\$2,126,863	\$2,160,408
All Other	\$1,199,233,563	\$1,199,233,563

GENERAL FUND TOTAL	\$1,201,360,426	\$1,201,393,971
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$21,508,243	\$21,508,243
OTHER SPECIAL REVENUE FUNDS TOTAL	\$21,508,243	\$21,508,243

GENERAL PURPOSE AID FOR LOCAL SCHOOLS 0308

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	18.000	18.000
Personal Services	\$2,126,863	\$2,160,408
All Other	\$1,199,233,563	\$1,199,233,563
GENERAL FUND TOTAL	\$1,201,360,426	\$1,201,393,971

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$21,508,243	\$21,508,243
OTHER SPECIAL REVENUE FUNDS TOTAL	\$21,508,243	\$21,508,243

Higher Education and Educator Support Services Z082

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	13.500	13.500
Personal Services	\$1,365,672	\$1,391,770
All Other	\$358,883	\$358,883
GENERAL FUND TOTAL	\$1,724,555	\$1,750,653

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$5,480,535	\$5,480,535
FEDERAL EXPENDITURES FUND TOTAL	\$5,480,535	\$5,480,535

HIGHER EDUCATION AND EDUCATOR SUPPORT SERVICES Z082

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	13.500	13.500
Personal Services	\$1,365,672	\$1,391,770
All Other	\$358,883	\$358,883
GENERAL FUND TOTAL	\$1,724,555	\$1,750,653

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$5,480,535	\$5,480,535

FEDERAL EXPENDITURES FUND TOTAL	\$5,480,535	\$5,480,535
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Leadership Team Z077

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$2,159,424	\$2,172,205
All Other	\$423,889	\$423,889
GENERAL FUND TOTAL	\$2,583,313	\$2,596,094

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$149,108	\$149,669
All Other	\$2,233,712	\$2,233,712

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,382,820	\$2,383,381
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LEADERSHIP TEAM Z077

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$2,159,424	\$2,172,205
All Other	\$423,889	\$423,889
GENERAL FUND TOTAL	\$2,583,313	\$2,596,094

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$149,108	\$149,669
All Other	\$2,233,712	\$2,233,712

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,382,820	\$2,383,381
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Learning Systems Team Z081

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	26.000	26.000
Personal Services	\$3,190,622	\$3,234,532
All Other	\$3,268,687	\$3,268,687
GENERAL FUND TOTAL	\$6,459,309	\$6,503,219

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	21.000	21.000
POSITIONS - FTE COUNT	0.577	0.577
Personal Services	\$2,414,174	\$2,453,089
All Other	\$102,598,901	\$102,598,901

FEDERAL EXPENDITURES FUND TOTAL	\$105,013,075	\$105,051,990
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$73,825	\$74,558
All Other	\$71,897	\$71,897
OTHER SPECIAL REVENUE FUNDS TOTAL	\$145,722	\$146,455
FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$215,242	\$216,947
All Other	\$46,001	\$46,001
FEDERAL BLOCK GRANT FUND TOTAL	\$261,243	\$262,948
LEARNING SYSTEMS TEAM Z081		
PROGRAM SUMMARY		
GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	26.000	26.000
Personal Services	\$3,190,622	\$3,234,532
All Other	\$3,268,687	\$3,268,687
GENERAL FUND TOTAL	\$6,459,309	\$6,503,219
FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	21.000	21.000
POSITIONS - FTE COUNT	0.577	0.577
Personal Services	\$2,414,174	\$2,453,089
All Other	\$102,598,901	\$102,598,901
FEDERAL EXPENDITURES FUND TOTAL	\$105,013,075	\$105,051,990
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$73,825	\$74,558
All Other	\$71,897	\$71,897
OTHER SPECIAL REVENUE FUNDS TOTAL	\$145,722	\$146,455
FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$215,242	\$216,947
All Other	\$46,001	\$46,001

FEDERAL BLOCK GRANT FUND TOTAL	\$261,243	\$262,948
Learning Through Technology Z029		
Initiative: BASELINE BUDGET		
GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$127,730	\$130,711
GENERAL FUND TOTAL	\$127,730	\$130,711
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$12,141,815	\$12,141,815
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,141,815	\$12,141,815
LEARNING THROUGH TECHNOLOGY Z029		
PROGRAM SUMMARY		
GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$127,730	\$130,711
GENERAL FUND TOTAL	\$127,730	\$130,711
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$12,141,815	\$12,141,815
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,141,815	\$12,141,815
Maine Commission for Community Service Z134		
Initiative: BASELINE BUDGET		
GENERAL FUND	2021-22	2022-23
Personal Services	\$30,970	\$32,409
All Other	\$60,276	\$60,276
GENERAL FUND TOTAL	\$91,246	\$92,685
FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$385,970	\$396,353
All Other	\$2,358,339	\$2,358,339
FEDERAL EXPENDITURES FUND TOTAL	\$2,744,309	\$2,754,692
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$19,363	\$20,336
All Other	\$194,282	\$194,282
OTHER SPECIAL REVENUE FUNDS TOTAL	\$213,645	\$214,618

MAINE COMMISSION FOR COMMUNITY SERVICE Z134

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
Personal Services	\$30,970	\$32,409
All Other	\$60,276	\$60,276
GENERAL FUND TOTAL	\$91,246	\$92,685

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$385,970	\$396,353
All Other	\$2,358,339	\$2,358,339
FEDERAL EXPENDITURES FUND TOTAL	\$2,744,309	\$2,754,692

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$19,363	\$20,336
All Other	\$194,282	\$194,282
OTHER SPECIAL REVENUE FUNDS TOTAL	\$213,645	\$214,618

Maine HIV Prevention Education Program Z182

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$150,000	\$150,000
GENERAL FUND TOTAL	\$150,000	\$150,000

MAINE HIV PREVENTION EDUCATION PROGRAM Z182

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$150,000	\$150,000
GENERAL FUND TOTAL	\$150,000	\$150,000

National Board Certification Salary Supplement Fund Z147

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$335,000	\$335,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$335,000	\$335,000

NATIONAL BOARD CERTIFICATION SALARY SUPPLEMENT FUND Z147

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$335,000	\$335,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$335,000	\$335,000
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National Board Certification Scholarship Fund Z148

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$75,000	\$75,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$75,000	\$75,000
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NATIONAL BOARD CERTIFICATION SCHOLARSHIP FUND Z148

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$75,000	\$75,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$75,000	\$75,000
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Obesity and Chronic Disease Fund Z111

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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OBESITY AND CHRONIC DISEASE FUND Z111

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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Retired Teachers Group Life Insurance Z033

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$4,601,233	\$4,601,233

GENERAL FUND TOTAL	\$4,601,233	\$4,601,233
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RETIRED TEACHERS GROUP LIFE INSURANCE Z033

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$4,601,233	\$4,601,233

GENERAL FUND TOTAL	\$4,601,233	\$4,601,233
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Retired Teachers' Health Insurance 0854

Initiative: BASELINE BUDGET

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GENERAL FUND	2021-22	2022-23
All Other	\$45,000,000	\$45,000,000
GENERAL FUND TOTAL	<u>\$45,000,000</u>	<u>\$45,000,000</u>

RETIRED TEACHERS' HEALTH INSURANCE 0854

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$45,000,000	\$45,000,000
GENERAL FUND TOTAL	<u>\$45,000,000</u>	<u>\$45,000,000</u>

School Finance and Operations Z078

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$632,440	\$644,724
All Other	\$3,132,621	\$3,132,621
GENERAL FUND TOTAL	<u>\$3,765,061</u>	<u>\$3,777,345</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,150,797	\$1,168,982
All Other	\$59,588,782	\$59,588,782
FEDERAL EXPENDITURES FUND TOTAL	<u>\$60,739,579</u>	<u>\$60,757,764</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$15,545	\$15,545

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$15,545</u>	<u>\$15,545</u>
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SCHOOL FINANCE AND OPERATIONS Z078

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$632,440	\$644,724
All Other	\$3,132,621	\$3,132,621
GENERAL FUND TOTAL	<u>\$3,765,061</u>	<u>\$3,777,345</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,150,797	\$1,168,982
All Other	\$59,588,782	\$59,588,782
FEDERAL EXPENDITURES FUND TOTAL	<u>\$60,739,579</u>	<u>\$60,757,764</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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All Other	\$15,545	\$15,545
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$15,545</u>	<u>\$15,545</u>

Special Services Team Z080

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
Personal Services	\$99,555	\$100,104
All Other	\$151,943	\$151,943
GENERAL FUND TOTAL	<u>\$251,498</u>	<u>\$252,047</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	21.500	21.500
Personal Services	\$2,304,156	\$2,355,257
All Other	\$59,698,586	\$59,698,586
FEDERAL EXPENDITURES FUND TOTAL	<u>\$62,002,742</u>	<u>\$62,053,843</u>

SPECIAL SERVICES TEAM Z080

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
Personal Services	\$99,555	\$100,104
All Other	\$151,943	\$151,943
GENERAL FUND TOTAL	<u>\$251,498</u>	<u>\$252,047</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	21.500	21.500
Personal Services	\$2,304,156	\$2,355,257
All Other	\$59,698,586	\$59,698,586
FEDERAL EXPENDITURES FUND TOTAL	<u>\$62,002,742</u>	<u>\$62,053,843</u>

Teacher Retirement 0170

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$179,329,950	\$179,329,950
GENERAL FUND TOTAL	<u>\$179,329,950</u>	<u>\$179,329,950</u>

TEACHER RETIREMENT 0170

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$179,329,950	\$179,329,950
GENERAL FUND TOTAL	<u>\$179,329,950</u>	<u>\$179,329,950</u>

EDUCATION, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$1,505,030,777	\$1,505,244,105

FEDERAL EXPENDITURES FUND	\$241,317,434	\$241,444,286
FUND FOR A HEALTHY MAINE	\$213,720	\$213,720
OTHER SPECIAL REVENUE FUNDS	\$38,345,433	\$38,354,462
FEDERAL BLOCK GRANT FUND	\$261,243	\$262,948
DEPARTMENT TOTAL - ALL FUNDS	\$1,785,168,607	\$1,785,519,521

Sec. A-21. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, STATE BOARD OF

State Board of Education 0614

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$80,162	\$80,837
All Other	\$81,844	\$81,844
GENERAL FUND TOTAL	\$162,006	\$162,681

STATE BOARD OF EDUCATION 0614

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$80,162	\$80,837
All Other	\$81,844	\$81,844
GENERAL FUND TOTAL	\$162,006	\$162,681

Sec. A-22. Appropriations and allocations. The following appropriations and allocations are made.

EFFICIENCY MAINE TRUST

Efficiency Maine Trust Z100

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$138,698	\$139,868
All Other	\$2,473,375	\$2,473,375
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,612,073	\$2,613,243

EFFICIENCY MAINE TRUST Z100

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$138,698	\$139,868

All Other	\$2,473,375	\$2,473,375
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,612,073	\$2,613,243

Sec. A-23. Appropriations and allocations. The following appropriations and allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Administration - Environmental Protection 0251

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$723,567	\$738,148
All Other	\$893,579	\$893,579

GENERAL FUND TOTAL	\$1,617,146	\$1,631,727
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	23.000	23.000
Personal Services	\$2,464,478	\$2,501,706
All Other	\$3,835,601	\$3,835,601

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,300,079	\$6,337,307
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ADMINISTRATION - ENVIRONMENTAL PROTECTION 0251

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$723,567	\$738,148
All Other	\$893,579	\$893,579

GENERAL FUND TOTAL	\$1,617,146	\$1,631,727
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	23.000	23.000
Personal Services	\$2,464,478	\$2,501,706
All Other	\$3,835,601	\$3,835,601

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,300,079	\$6,337,307
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Air Quality 0250

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$1,175,632	\$1,205,908
All Other	\$57,159	\$57,159

GENERAL FUND TOTAL	\$1,232,791	\$1,263,067
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FIRST REGULAR SESSION - 2021

PUBLIC LAW, C. 29

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$276,200	\$285,400
All Other	\$685,774	\$685,774
FEDERAL EXPENDITURES FUND TOTAL	\$961,974	\$971,174

AIR QUALITY 0250

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$1,175,632	\$1,205,908
All Other	\$57,159	\$57,159
GENERAL FUND TOTAL	\$1,232,791	\$1,263,067

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$276,200	\$285,400
All Other	\$685,774	\$685,774
FEDERAL EXPENDITURES FUND TOTAL	\$961,974	\$971,174

Board of Environmental Protection Fund 0025

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$234,143	\$240,150
All Other	\$100,587	\$100,587
OTHER SPECIAL REVENUE FUNDS TOTAL	\$334,730	\$340,737

BOARD OF ENVIRONMENTAL PROTECTION FUND 0025

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$234,143	\$240,150
All Other	\$100,587	\$100,587
OTHER SPECIAL REVENUE FUNDS TOTAL	\$334,730	\$340,737

Land Resources Z188

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	23.000	23.000
Personal Services	\$2,080,534	\$2,128,932

All Other	\$100,000	\$100,000
GENERAL FUND TOTAL	\$2,180,534	\$2,228,932

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$290,444	\$300,195
All Other	\$18,471	\$18,471
FEDERAL EXPENDITURES FUND TOTAL	\$308,915	\$318,666

LAND RESOURCES Z188

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	23.000	23.000
Personal Services	\$2,080,534	\$2,128,932
All Other	\$100,000	\$100,000
GENERAL FUND TOTAL	\$2,180,534	\$2,228,932

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$290,444	\$300,195
All Other	\$18,471	\$18,471
FEDERAL EXPENDITURES FUND TOTAL	\$308,915	\$318,666

Maine Environmental Protection Fund 0421

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$389,811	\$406,635
GENERAL FUND TOTAL	\$389,811	\$406,635

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	63.500	63.500
POSITIONS - FTE COUNT	0.654	0.654
Personal Services	\$6,068,551	\$6,199,712
All Other	\$5,062,951	\$5,062,951
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,131,502	\$11,262,663

MAINE ENVIRONMENTAL PROTECTION FUND 0421

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$389,811	\$406,635

GENERAL FUND TOTAL	\$389,811	\$406,635
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	63.500	63.500
POSITIONS - FTE COUNT	0.654	0.654
Personal Services	\$6,068,551	\$6,199,712
All Other	\$5,062,951	\$5,062,951
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,131,502	\$11,262,663

Performance Partnership Grant 0851

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	59.000	59.000
POSITIONS - FTE COUNT	0.596	0.596
Personal Services	\$5,703,713	\$5,797,204
All Other	\$3,531,442	\$3,531,442
FEDERAL EXPENDITURES FUND TOTAL	\$9,235,155	\$9,328,646

PERFORMANCE PARTNERSHIP GRANT 0851

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	59.000	59.000
POSITIONS - FTE COUNT	0.596	0.596
Personal Services	\$5,703,713	\$5,797,204
All Other	\$3,531,442	\$3,531,442
FEDERAL EXPENDITURES FUND TOTAL	\$9,235,155	\$9,328,646

Remediation and Waste Management 0247

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$727,175	\$739,996
All Other	\$151,524	\$151,524
GENERAL FUND TOTAL	\$878,699	\$891,520

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	23.000	23.000
Personal Services	\$2,309,900	\$2,340,527
All Other	\$1,350,428	\$1,350,428
FEDERAL EXPENDITURES FUND TOTAL	\$3,660,328	\$3,690,955

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	100.500	100.500
POSITIONS - FTE COUNT	0.308	0.308
Personal Services	\$10,340,204	\$10,529,405
All Other	\$17,784,064	\$17,784,064
OTHER SPECIAL REVENUE FUNDS TOTAL	\$28,124,268	\$28,313,469

REMEDIATION AND WASTE MANAGEMENT 0247

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$727,175	\$739,996
All Other	\$151,524	\$151,524

GENERAL FUND TOTAL	\$878,699	\$891,520
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	23.000	23.000
Personal Services	\$2,309,900	\$2,340,527
All Other	\$1,350,428	\$1,350,428
FEDERAL EXPENDITURES FUND TOTAL	\$3,660,328	\$3,690,955

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	100.500	100.500
POSITIONS - FTE COUNT	0.308	0.308
Personal Services	\$10,340,204	\$10,529,405
All Other	\$17,784,064	\$17,784,064

OTHER SPECIAL REVENUE FUNDS TOTAL	\$28,124,268	\$28,313,469
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Water Quality 0248

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$2,370,005	\$2,410,635
All Other	\$710,690	\$710,690

GENERAL FUND TOTAL	\$3,080,695	\$3,121,325
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$214,714	\$216,068
All Other	\$356,685	\$356,685

FEDERAL EXPENDITURES FUND TOTAL	\$571,399	\$572,753
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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FIRST REGULAR SESSION - 2021

PUBLIC LAW, C. 29

POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,392,487	\$1,422,090
All Other	\$2,901,524	\$2,901,524

OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,294,011	\$4,323,614
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WATER QUALITY 0248 PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$2,370,005	\$2,410,635
All Other	\$710,690	\$710,690

GENERAL FUND TOTAL	\$3,080,695	\$3,121,325
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$214,714	\$216,068
All Other	\$356,685	\$356,685

FEDERAL EXPENDITURES FUND TOTAL	\$571,399	\$572,753
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,392,487	\$1,422,090
All Other	\$2,901,524	\$2,901,524

OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,294,011	\$4,323,614
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ENVIRONMENTAL PROTECTION, DEPARTMENT OF DEPARTMENT TOTALS

GENERAL FUND	2021-22	2022-23
FEDERAL EXPENDITURES FUND	\$9,379,676	\$9,543,206
OTHER SPECIAL REVENUE FUNDS	\$14,737,771	\$14,882,194
	\$50,184,590	\$50,577,790

DEPARTMENT TOTAL - ALL FUNDS	\$74,302,037	\$75,003,190
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Sec. A-24. Appropriations and allocations. The following appropriations and allocations are made.

ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL Governmental Ethics and Election Practices - Commission on 0414

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$171,807	\$173,143
All Other	\$8,897	\$8,897

GENERAL FUND TOTAL	\$180,704	\$182,040
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OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$540,862	\$544,361
All Other	\$2,954,649	\$2,954,649

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,495,511	\$3,499,010
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GOVERNMENTAL ETHICS AND ELECTION PRACTICES - COMMISSION ON 0414 PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$171,807	\$173,143
All Other	\$8,897	\$8,897

GENERAL FUND TOTAL	\$180,704	\$182,040
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$540,862	\$544,361
All Other	\$2,954,649	\$2,954,649

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,495,511	\$3,499,010
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Sec. A-25. Appropriations and allocations. The following appropriations and allocations are made.

EXECUTIVE DEPARTMENT

Administration - Executive - Governor's Office 0165

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	21.500	21.500
Personal Services	\$3,021,994	\$3,144,402
All Other	\$337,211	\$337,211

GENERAL FUND TOTAL	\$3,359,205	\$3,481,613
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$115,014	\$115,014

FEDERAL EXPENDITURES FUND TOTAL	\$115,014	\$115,014
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

ADMINISTRATION - EXECUTIVE - GOVERNOR'S OFFICE 0165

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	21.500	21.500
Personal Services	\$3,021,994	\$3,144,402
All Other	\$337,211	\$337,211
GENERAL FUND TOTAL	\$3,359,205	\$3,481,613

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$115,014	\$115,014
FEDERAL EXPENDITURES FUND TOTAL	\$115,014	\$115,014

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Blaine House 0072

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
POSITIONS - FTE COUNT	0.540	0.540
Personal Services	\$698,743	\$728,888
All Other	\$72,055	\$72,055
GENERAL FUND TOTAL	\$770,798	\$800,943

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$5,240	\$5,240
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,240	\$5,240

BLAINE HOUSE 0072

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
POSITIONS - FTE COUNT	0.540	0.540
Personal Services	\$698,743	\$728,888
All Other	\$72,055	\$72,055
GENERAL FUND TOTAL	\$770,798	\$800,943

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$5,240	\$5,240
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,240	\$5,240

Governor's Energy Office Z122

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$300,000	\$300,000
GENERAL FUND TOTAL	\$300,000	\$300,000

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$447,096	\$467,595
All Other	\$1,870,564	\$1,870,564
FEDERAL EXPENDITURES FUND TOTAL	\$2,317,660	\$2,338,159

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$16,110	\$16,831
All Other	\$242,233	\$242,233
OTHER SPECIAL REVENUE FUNDS TOTAL	\$258,343	\$259,064

GOVERNOR'S ENERGY OFFICE Z122

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$300,000	\$300,000
GENERAL FUND TOTAL	\$300,000	\$300,000

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$447,096	\$467,595
All Other	\$1,870,564	\$1,870,564
FEDERAL EXPENDITURES FUND TOTAL	\$2,317,660	\$2,338,159

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$16,110	\$16,831
All Other	\$242,233	\$242,233
OTHER SPECIAL REVENUE FUNDS TOTAL	\$258,343	\$259,064

Office of Policy Innovation and the Future Z135

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$1,092,408	\$1,106,324
All Other	\$332,910	\$332,910
GENERAL FUND TOTAL	\$1,425,318	\$1,439,234
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

OFFICE OF POLICY INNOVATION AND THE FUTURE Z135

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$1,092,408	\$1,106,324
All Other	\$332,910	\$332,910
GENERAL FUND TOTAL	\$1,425,318	\$1,439,234
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Ombudsman Program 0103

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$201,539	\$201,539
GENERAL FUND TOTAL	\$201,539	\$201,539
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$57,150	\$57,150
FEDERAL EXPENDITURES FUND TOTAL	\$57,150	\$57,150

OMBUDSMAN PROGRAM 0103

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$201,539	\$201,539
GENERAL FUND TOTAL	\$201,539	\$201,539
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$57,150	\$57,150
FEDERAL EXPENDITURES FUND TOTAL	\$57,150	\$57,150

Public Advocate 0410

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$1,374,869	\$1,387,742
All Other	\$2,016,071	\$2,016,071
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,390,940	\$3,403,813

PUBLIC ADVOCATE 0410

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$1,374,869	\$1,387,742
All Other	\$2,016,071	\$2,016,071
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,390,940	\$3,403,813

EXECUTIVE DEPARTMENT DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$6,056,860	\$6,223,329
FEDERAL EXPENDITURES FUND	\$2,490,324	\$2,510,823
OTHER SPECIAL REVENUE FUNDS	\$3,655,523	\$3,669,117
DEPARTMENT TOTAL - ALL FUNDS	\$12,202,707	\$12,403,269

Sec. A-26. Appropriations and allocations. The following appropriations and allocations are made.

FINANCE AUTHORITY OF MAINE

Dairy Improvement Fund Z143

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$392,856	\$392,856

OTHER SPECIAL REVENUE	\$392,856	\$392,856
FUNDS TOTAL		

DAIRY IMPROVEMENT FUND Z143

PROGRAM SUMMARY

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
All Other	\$392,856	\$392,856

OTHER SPECIAL REVENUE	\$392,856	\$392,856
FUNDS TOTAL		

Educational Opportunity Tax Credit Marketing Fund Z174

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$48,500	\$48,500

GENERAL FUND TOTAL	\$48,500	\$48,500
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EDUCATIONAL OPPORTUNITY TAX CREDIT MARKETING FUND Z174

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$48,500	\$48,500

GENERAL FUND TOTAL	\$48,500	\$48,500
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FHM - Dental Education 0951

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	\$237,740	\$237,740

FUND FOR A HEALTHY MAINE	\$237,740	\$237,740
TOTAL		

FHM - DENTAL EDUCATION 0951

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	\$237,740	\$237,740

FUND FOR A HEALTHY MAINE	\$237,740	\$237,740
TOTAL		

FHM - Health Education Centers 0950

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	\$110,000	\$110,000

FUND FOR A HEALTHY MAINE	\$110,000	\$110,000
TOTAL		

FHM - HEALTH EDUCATION CENTERS 0950

PROGRAM SUMMARY

FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	\$110,000	\$110,000

FUND FOR A HEALTHY MAINE	\$110,000	\$110,000
TOTAL		

Foreign Credentialing and Skills Recognition Revolving Loan Program Fund Z286

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$75,000	\$75,000

GENERAL FUND TOTAL	\$75,000	\$75,000
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FOREIGN CREDENTIALING AND SKILLS RECOGNITION REVOLVING LOAN PROGRAM FUND Z286

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$75,000	\$75,000

GENERAL FUND TOTAL	\$75,000	\$75,000
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Small Enterprise Growth Fund Z235

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$500,000	\$500,000

GENERAL FUND TOTAL	\$500,000	\$500,000
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SMALL ENTERPRISE GROWTH FUND Z235

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$500,000	\$500,000

GENERAL FUND TOTAL	\$500,000	\$500,000
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Student Financial Assistance Programs 0653

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$17,670,394	\$17,670,394

GENERAL FUND TOTAL	\$17,670,394	\$17,670,394
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STUDENT FINANCIAL ASSISTANCE PROGRAMS 0653

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$17,670,394	\$17,670,394

GENERAL FUND TOTAL	\$17,670,394	\$17,670,394
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Waste Motor Oil Disposal Site Remediation Program Z060

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
All Other	\$5,000,000	\$5,000,000

OTHER SPECIAL REVENUE	\$5,000,000	\$5,000,000
FUNDS TOTAL		

**WASTE MOTOR OIL DISPOSAL SITE
REMEDIATION PROGRAM Z060**

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$5,000,000	\$5,000,000

OTHER SPECIAL REVENUE	\$5,000,000	\$5,000,000
FUNDS TOTAL		

**FINANCE AUTHORITY OF
MAINE**

DEPARTMENT TOTALS

2021-22	2022-23
GENERAL FUND	\$18,293,894
FUND FOR A HEALTHY MAINE	\$347,740
OTHER SPECIAL REVENUE FUNDS	\$5,392,856

DEPARTMENT TOTAL - ALL FUNDS	\$24,034,490	\$24,034,490
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Sec. A-27. Appropriations and allocations. The following appropriations and allocations are made.

**FIRE PROTECTION SERVICES COMMISSION,
MAINE**

Maine Fire Protection Services Commission 0936

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$2,000	\$2,000

GENERAL FUND TOTAL	\$2,000	\$2,000
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**MAINE FIRE PROTECTION SERVICES
COMMISSION 0936**

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$2,000	\$2,000

GENERAL FUND TOTAL	\$2,000	\$2,000
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Sec. A-28. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH DATA ORGANIZATION, MAINE

Maine Health Data Organization 0848

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$575,137	\$599,341

All Other	\$1,462,940	\$1,462,940
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OTHER SPECIAL REVENUE	\$2,038,077	\$2,062,281
FUNDS TOTAL		

MAINE HEALTH DATA ORGANIZATION 0848

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000

Personal Services	\$575,137	\$599,341
All Other	\$1,462,940	\$1,462,940

OTHER SPECIAL REVENUE	\$2,038,077	\$2,062,281
FUNDS TOTAL		

Sec. A-29. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

**Additional Support for People in Retraining and
Employment 0146**

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$7,090,651	\$7,090,651

GENERAL FUND TOTAL	\$7,090,651	\$7,090,651
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FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	19.000	19.000

Personal Services	\$1,652,806	\$1,692,524
All Other	\$30,864,247	\$30,864,247

FEDERAL BLOCK GRANT FUND TOTAL	\$32,517,053	\$32,556,771
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**ADDITIONAL SUPPORT FOR PEOPLE IN
RETRAINING AND EMPLOYMENT 0146**

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$7,090,651	\$7,090,651

GENERAL FUND TOTAL	\$7,090,651	\$7,090,651
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FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	19.000	19.000

Personal Services	\$1,652,806	\$1,692,524
All Other	\$30,864,247	\$30,864,247

FEDERAL BLOCK GRANT FUND TOTAL	\$32,517,053	\$32,556,771
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Aids Lodging House 0518

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$37,496	\$37,496
GENERAL FUND TOTAL	<u>\$37,496</u>	<u>\$37,496</u>

AIDS LODGING HOUSE 0518

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$37,496	\$37,496
GENERAL FUND TOTAL	<u>\$37,496</u>	<u>\$37,496</u>

Brain Injury Z213

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	7.500	7.500
Personal Services	\$740,392	\$762,169
All Other	\$596,350	\$596,350
GENERAL FUND TOTAL	<u>\$1,336,742</u>	<u>\$1,358,519</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$250,000	\$250,000
FEDERAL EXPENDITURES FUND TOTAL	<u>\$250,000</u>	<u>\$250,000</u>

BRAIN INJURY Z213

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	7.500	7.500
Personal Services	\$740,392	\$762,169
All Other	\$596,350	\$596,350
GENERAL FUND TOTAL	<u>\$1,336,742</u>	<u>\$1,358,519</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$250,000	\$250,000
FEDERAL EXPENDITURES FUND TOTAL	<u>\$250,000</u>	<u>\$250,000</u>

Breast Cancer Services Special Program Fund Z069

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$212,328	\$212,328

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$212,328</u>	<u>\$212,328</u>
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BREAST CANCER SERVICES SPECIAL PROGRAM FUND Z069
PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$212,328	\$212,328

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$212,328</u>	<u>\$212,328</u>
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Bridging Rental Assistance Program Z205

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$6,606,361	\$6,606,361
GENERAL FUND TOTAL	<u>\$6,606,361</u>	<u>\$6,606,361</u>

BRIDGING RENTAL ASSISTANCE PROGRAM Z205

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$6,606,361	\$6,606,361
GENERAL FUND TOTAL	<u>\$6,606,361</u>	<u>\$6,606,361</u>

Child Care Services 0563

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$297,048	\$297,048
GENERAL FUND TOTAL	<u>\$297,048</u>	<u>\$297,048</u>

FEDERAL BLOCK GRANT FUND

POSITIONS - LEGISLATIVE COUNT	9.500	9.500
Personal Services	\$733,695	\$754,873
All Other	\$28,839,772	\$28,839,772

FEDERAL BLOCK GRANT FUND TOTAL	<u>\$29,573,467</u>	<u>\$29,594,645</u>
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CHILD CARE SERVICES 0563

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$297,048	\$297,048
GENERAL FUND TOTAL	<u>\$297,048</u>	<u>\$297,048</u>

FEDERAL BLOCK GRANT FUND

POSITIONS - LEGISLATIVE COUNT	9.500	9.500
Personal Services	\$733,695	\$754,873
All Other	\$28,839,772	\$28,839,772

FEDERAL BLOCK GRANT FUND TOTAL	<u>\$29,573,467</u>	<u>\$29,594,645</u>
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Child Support 0100

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
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FIRST REGULAR SESSION - 2021

PUBLIC LAW, C. 29

POSITIONS - LEGISLATIVE COUNT	131.500	131.500
Personal Services	\$3,820,196	\$3,906,053
All Other	\$891,290	\$891,290

GENERAL FUND TOTAL \$4,711,486 \$4,797,343

FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$12,165,456	\$12,443,134
All Other	\$5,351,473	\$5,351,473

FEDERAL EXPENDITURES FUND TOTAL \$17,516,929 \$17,794,607

OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	93.000	93.000
Personal Services	\$2,446,928	\$2,504,147
All Other	\$103,159,359	\$103,159,359

OTHER SPECIAL REVENUE FUNDS TOTAL \$105,606,287 \$105,663,506

CHILD SUPPORT 0100 PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	131.500	131.500
Personal Services	\$3,820,196	\$3,906,053
All Other	\$891,290	\$891,290

GENERAL FUND TOTAL \$4,711,486 \$4,797,343

FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$12,165,456	\$12,443,134
All Other	\$5,351,473	\$5,351,473

FEDERAL EXPENDITURES FUND TOTAL \$17,516,929 \$17,794,607

OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	93.000	93.000
Personal Services	\$2,446,928	\$2,504,147
All Other	\$103,159,359	\$103,159,359

OTHER SPECIAL REVENUE FUNDS TOTAL \$105,606,287 \$105,663,506

Community Services Block Grant 0716

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000

Personal Services	\$82,819	\$86,661
All Other	\$3,923,150	\$3,923,150

FEDERAL BLOCK GRANT FUND TOTAL \$4,005,969 \$4,009,811

COMMUNITY SERVICES BLOCK GRANT 0716

PROGRAM SUMMARY

FEDERAL BLOCK GRANT FUND

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$82,819	\$86,661
All Other	\$3,923,150	\$3,923,150

FEDERAL BLOCK GRANT FUND TOTAL \$4,005,969 \$4,009,811

Consent Decree Z204

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$5,797,300	\$5,797,300

GENERAL FUND TOTAL \$5,797,300 \$5,797,300

CONSENT DECREE Z204

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$5,797,300	\$5,797,300

GENERAL FUND TOTAL \$5,797,300 \$5,797,300

Crisis Outreach Program Z216

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	54.000	54.000

Personal Services	\$2,494,748	\$2,546,973
All Other	\$148,509	\$148,509

GENERAL FUND TOTAL \$2,643,257 \$2,695,482

OTHER SPECIAL REVENUE FUNDS

Personal Services	\$2,266,918	\$2,314,377
All Other	\$209,676	\$209,676

OTHER SPECIAL REVENUE FUNDS TOTAL \$2,476,594 \$2,524,053

CRISIS OUTREACH PROGRAM Z216

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	54.000	54.000

Personal Services	\$2,494,748	\$2,546,973
All Other	\$148,509	\$148,509

GENERAL FUND TOTAL \$2,643,257 \$2,695,482

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$2,266,918	\$2,314,377
All Other	\$209,676	\$209,676

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,476,594	\$2,524,053
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Data, Research and Vital Statistics Z037

Initiative: BASELINE BUDGET

GENERAL FUND POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
	5.500	5.500
Personal Services	\$518,330	\$529,542
All Other	\$973,744	\$973,744

GENERAL FUND TOTAL	\$1,492,074	\$1,503,286
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FEDERAL EXPENDITURES FUND POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
	2.000	2.000
Personal Services	\$200,042	\$204,102
All Other	\$441,735	\$441,735

FEDERAL EXPENDITURES FUND TOTAL	\$641,777	\$645,837
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OTHER SPECIAL REVENUE FUNDS POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
	10.000	10.000
Personal Services	\$720,132	\$735,562
All Other	\$772,926	\$772,926

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,493,058	\$1,508,488
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DATA, RESEARCH AND VITAL STATISTICS Z037

PROGRAM SUMMARY

GENERAL FUND POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
	5.500	5.500
Personal Services	\$518,330	\$529,542
All Other	\$973,744	\$973,744

GENERAL FUND TOTAL	\$1,492,074	\$1,503,286
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FEDERAL EXPENDITURES FUND POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
	2.000	2.000
Personal Services	\$200,042	\$204,102
All Other	\$441,735	\$441,735

FEDERAL EXPENDITURES FUND TOTAL	\$641,777	\$645,837
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OTHER SPECIAL REVENUE FUNDS POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
	10.000	10.000

Personal Services	\$720,132	\$735,562
All Other	\$772,926	\$772,926

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,493,058	\$1,508,488
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Department of Health and Human Services Central Operations 0142

Initiative: BASELINE BUDGET

GENERAL FUND POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
	156.000	156.000
Personal Services	\$9,688,326	\$9,906,226
All Other	\$16,708,588	\$16,708,588

GENERAL FUND TOTAL	\$26,396,914	\$26,614,814
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FEDERAL EXPENDITURES FUND All Other	2021-22	2022-23
	\$152,100	\$152,100

FEDERAL EXPENDITURES FUND TOTAL	\$152,100	\$152,100
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OTHER SPECIAL REVENUE FUNDS POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
	11.000	11.000
Personal Services	\$6,827,187	\$6,984,892
All Other	\$13,954,058	\$13,954,058

OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,781,245	\$20,938,950
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DEPARTMENT OF HEALTH AND HUMAN SERVICES CENTRAL OPERATIONS 0142

PROGRAM SUMMARY

GENERAL FUND POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
	156.000	156.000
Personal Services	\$9,688,326	\$9,906,226
All Other	\$16,708,588	\$16,708,588

GENERAL FUND TOTAL	\$26,396,914	\$26,614,814
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FEDERAL EXPENDITURES FUND All Other	2021-22	2022-23
	\$152,100	\$152,100

FEDERAL EXPENDITURES FUND TOTAL	\$152,100	\$152,100
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OTHER SPECIAL REVENUE FUNDS POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
	11.000	11.000
Personal Services	\$6,827,187	\$6,984,892
All Other	\$13,954,058	\$13,954,058

OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,781,245	\$20,938,950
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Developmental Services - Community Z208

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	151.000	151.000
COUNT		
Personal Services	\$14,382,459	\$14,606,258
All Other	\$8,259,504	\$8,259,504

GENERAL FUND TOTAL	\$22,641,963	\$22,865,762
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$400,747	\$400,747

OTHER SPECIAL REVENUE FUNDS TOTAL	\$400,747	\$400,747
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DEVELOPMENTAL SERVICES - COMMUNITY Z208

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	151.000	151.000
COUNT		
Personal Services	\$14,382,459	\$14,606,258
All Other	\$8,259,504	\$8,259,504

GENERAL FUND TOTAL	\$22,641,963	\$22,865,762
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$400,747	\$400,747

OTHER SPECIAL REVENUE FUNDS TOTAL	\$400,747	\$400,747
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Developmental Services Waiver - MaineCare Z211

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$132,400,807	\$132,400,807

GENERAL FUND TOTAL	\$132,400,807	\$132,400,807
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DEVELOPMENTAL SERVICES WAIVER - MAINECARE Z211

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$132,400,807	\$132,400,807

GENERAL FUND TOTAL	\$132,400,807	\$132,400,807
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Developmental Services Waiver - Supports Z212

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$32,143,655	\$32,143,655

GENERAL FUND TOTAL	\$32,143,655	\$32,143,655
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$105,000	\$105,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$105,000	\$105,000
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DEVELOPMENTAL SERVICES WAIVER - SUPPORTS Z212

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$32,143,655	\$32,143,655

GENERAL FUND TOTAL	\$32,143,655	\$32,143,655
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$105,000	\$105,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$105,000	\$105,000
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Disability Determination - Division of 0208

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	54.000	54.000
COUNT		
Personal Services	\$4,473,117	\$4,585,262
All Other	\$5,147,417	\$5,147,417

FEDERAL EXPENDITURES FUND TOTAL	\$9,620,534	\$9,732,679
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DISABILITY DETERMINATION - DIVISION OF 0208

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	54.000	54.000
COUNT		
Personal Services	\$4,473,117	\$4,585,262
All Other	\$5,147,417	\$5,147,417

FEDERAL EXPENDITURES FUND TOTAL	\$9,620,534	\$9,732,679
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Disproportionate Share - Dorothea Dix Psychiatric Center Z225

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	6.000	6.000
COUNT		
Personal Services	\$9,192,979	\$9,381,033
All Other	\$1,363,287	\$1,363,287

GENERAL FUND TOTAL	\$10,556,266	\$10,744,320
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DISPROPORTIONATE SHARE - DOROTHEA DIX PSYCHIATRIC CENTER Z225

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$9,192,979	\$9,381,033
All Other	\$1,363,287	\$1,363,287
GENERAL FUND TOTAL	\$10,556,266	\$10,744,320

Disproportionate Share - Riverview Psychiatric Center Z220

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
Personal Services	\$12,613,476	\$12,862,088
All Other	\$3,292,140	\$3,292,140
GENERAL FUND TOTAL	\$15,905,616	\$16,154,228

DISPROPORTIONATE SHARE - RIVERVIEW PSYCHIATRIC CENTER Z220

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
Personal Services	\$12,613,476	\$12,862,088
All Other	\$3,292,140	\$3,292,140
GENERAL FUND TOTAL	\$15,905,616	\$16,154,228

Division of Licensing and Certification Z036

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	33.000	33.000
Personal Services	\$3,182,825	\$3,234,259
All Other	\$1,232,705	\$1,232,705
GENERAL FUND TOTAL	\$4,415,530	\$4,466,964

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,406,743	\$1,406,743
FEDERAL EXPENDITURES FUND TOTAL	\$1,406,743	\$1,406,743

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	85.000	85.000
Personal Services	\$7,534,609	\$7,647,762
All Other	\$2,304,485	\$2,304,485
OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,839,094	\$9,952,247

DIVISION OF LICENSING AND CERTIFICATION Z036

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	33.000	33.000
Personal Services	\$3,182,825	\$3,234,259
All Other	\$1,232,705	\$1,232,705

GENERAL FUND TOTAL	\$4,415,530	\$4,466,964
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,406,743	\$1,406,743

FEDERAL EXPENDITURES FUND TOTAL	\$1,406,743	\$1,406,743
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	85.000	85.000
Personal Services	\$7,534,609	\$7,647,762
All Other	\$2,304,485	\$2,304,485

OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,839,094	\$9,952,247
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Dorothea Dix Psychiatric Center Z222

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$2,396,205	\$2,396,205

GENERAL FUND TOTAL	\$2,396,205	\$2,396,205
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	242.500	242.500
Personal Services	\$15,576,199	\$15,896,988
All Other	\$3,643,450	\$3,643,450

OTHER SPECIAL REVENUE FUNDS TOTAL	\$19,219,649	\$19,540,438
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DOROTHEA DIX PSYCHIATRIC CENTER Z222

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$2,396,205	\$2,396,205

GENERAL FUND TOTAL	\$2,396,205	\$2,396,205
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	242.500	242.500
Personal Services	\$15,576,199	\$15,896,988
All Other	\$3,643,450	\$3,643,450

OTHER SPECIAL REVENUE FUNDS TOTAL	\$19,219,649	\$19,540,438
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Drinking Water Enforcement 0728

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$630,823	\$640,209
All Other	\$2,112,868	\$2,112,868

OTHER SPECIAL REVENUE	\$2,743,691	\$2,753,077
FUNDS TOTAL		

DRINKING WATER ENFORCEMENT 0728

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$630,823	\$640,209
All Other	\$2,112,868	\$2,112,868

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,743,691	\$2,753,077
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Driver Education & Evaluation Program - Off Sub Abuse & MH S Z200

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$546,488	\$565,196
All Other	\$1,028,931	\$1,028,931

GENERAL FUND TOTAL	\$1,575,419	\$1,594,127
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DRIVER EDUCATION & EVALUATION PROGRAM - OFF SUB ABUSE & MH S Z200

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$546,488	\$565,196
All Other	\$1,028,931	\$1,028,931

GENERAL FUND TOTAL	\$1,575,419	\$1,594,127
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Early Childhood Consultation Program Z280

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$171,300	\$179,674
All Other	\$257,465	\$257,465

GENERAL FUND TOTAL	\$428,765	\$437,139
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FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$440,341	\$440,341

FEDERAL BLOCK GRANT FUND TOTAL	\$440,341	\$440,341
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EARLY CHILDHOOD CONSULTATION PROGRAM Z280

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$171,300	\$179,674
All Other	\$257,465	\$257,465

GENERAL FUND TOTAL	\$428,765	\$437,139
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FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$440,341	\$440,341

FEDERAL BLOCK GRANT FUND TOTAL	\$440,341	\$440,341
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Food Supplement Administration Z019

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$2,970,882	\$2,970,882

GENERAL FUND TOTAL	\$2,970,882	\$2,970,882
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$7,916,303	\$7,916,303

FEDERAL EXPENDITURES FUND TOTAL	\$7,916,303	\$7,916,303
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$725,500	\$725,500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$725,500	\$725,500
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FOOD SUPPLEMENT ADMINISTRATION Z019

GENERAL FUND	2021-22	2022-23
All Other	\$2,970,882	\$2,970,882

GENERAL FUND TOTAL	\$2,970,882	\$2,970,882
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$7,916,303	\$7,916,303

FEDERAL EXPENDITURES FUND TOTAL	\$7,916,303	\$7,916,303
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$725,500	\$725,500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$725,500	\$725,500
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Forensic Services Z203

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$664,531	\$679,657

All Other	\$98,192	\$98,192
GENERAL FUND TOTAL	\$762,723	\$777,849

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

FORENSIC SERVICES Z203

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$664,531	\$679,657
All Other	\$98,192	\$98,192
GENERAL FUND TOTAL	\$762,723	\$777,849

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

General Assistance - Reimbursement to Cities and Towns 0130

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$10,398,875	\$10,398,875
GENERAL FUND TOTAL	\$10,398,875	\$10,398,875

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$337,650	\$344,183
All Other	\$2,053,687	\$2,053,687

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,391,337	\$2,397,870
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GENERAL ASSISTANCE - REIMBURSEMENT TO CITIES AND TOWNS 0130

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$10,398,875	\$10,398,875
GENERAL FUND TOTAL	\$10,398,875	\$10,398,875

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$337,650	\$344,183
All Other	\$2,053,687	\$2,053,687

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,391,337	\$2,397,870
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Head Start 0545

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$1,194,458	\$1,194,458
GENERAL FUND TOTAL	\$1,194,458	\$1,194,458

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$107,637	\$107,637
FEDERAL EXPENDITURES FUND TOTAL	\$107,637	\$107,637

FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	\$1,354,580	\$1,354,580
FUND FOR A HEALTHY MAINE TOTAL	\$1,354,580	\$1,354,580

HEAD START 0545

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$1,194,458	\$1,194,458
GENERAL FUND TOTAL	\$1,194,458	\$1,194,458

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$107,637	\$107,637
FEDERAL EXPENDITURES FUND TOTAL	\$107,637	\$107,637

FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	\$1,354,580	\$1,354,580
FUND FOR A HEALTHY MAINE TOTAL	\$1,354,580	\$1,354,580

Homeless Youth Program 0923

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$397,807	\$397,807
GENERAL FUND TOTAL	\$397,807	\$397,807

HOMELESS YOUTH PROGRAM 0923

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$397,807	\$397,807
GENERAL FUND TOTAL	\$397,807	\$397,807

IV-E Foster Care/Adoption Assistance 0137

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$13,922,863	\$13,922,863
GENERAL FUND TOTAL	\$13,922,863	\$13,922,863
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$23,631,306	\$23,631,306
FEDERAL EXPENDITURES FUND TOTAL	\$23,631,306	\$23,631,306
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$476,737	\$476,737
OTHER SPECIAL REVENUE FUNDS TOTAL	\$476,737	\$476,737

IV-E FOSTER CARE/ADOPTION ASSISTANCE 0137

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$13,922,863	\$13,922,863
GENERAL FUND TOTAL	\$13,922,863	\$13,922,863
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$23,631,306	\$23,631,306
FEDERAL EXPENDITURES FUND TOTAL	\$23,631,306	\$23,631,306
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$476,737	\$476,737
OTHER SPECIAL REVENUE FUNDS TOTAL	\$476,737	\$476,737

Long Term Care - Office of Aging and Disability Services 0420

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$172,987	\$177,896
All Other	\$27,553,660	\$27,553,660
GENERAL FUND TOTAL	\$27,726,647	\$27,731,556

LONG TERM CARE - OFFICE OF AGING AND DISABILITY SERVICES 0420

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$172,987	\$177,896
All Other	\$27,553,660	\$27,553,660

GENERAL FUND TOTAL	\$27,726,647	\$27,731,556
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Low-cost Drugs To Maine's Elderly 0202

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$4,376,637	\$4,376,637
GENERAL FUND TOTAL	\$4,376,637	\$4,376,637
FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	\$6,082,095	\$6,082,095
FUND FOR A HEALTHY MAINE TOTAL	\$6,082,095	\$6,082,095

LOW-COST DRUGS TO MAINE'S ELDERLY 0202

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$4,376,637	\$4,376,637
GENERAL FUND TOTAL	\$4,376,637	\$4,376,637
FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	\$6,082,095	\$6,082,095
FUND FOR A HEALTHY MAINE TOTAL	\$6,082,095	\$6,082,095

Maine Center for Disease Control and Prevention 0143

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	78.000	78.000
Personal Services	\$6,590,797	\$6,711,773
All Other	\$7,597,159	\$7,597,159
GENERAL FUND TOTAL	\$14,187,956	\$14,308,932

FEDERAL EXPENDITURES FUND

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	105.500	105.500
Personal Services	\$10,010,517	\$10,232,859
All Other	\$42,793,425	\$42,793,425
FEDERAL EXPENDITURES FUND TOTAL	\$52,803,942	\$53,026,284

FUND FOR A HEALTHY MAINE

FUND FOR A HEALTHY MAINE	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,363,607	\$1,393,484
All Other	\$9,688,302	\$9,688,302
FUND FOR A HEALTHY MAINE TOTAL	\$11,051,909	\$11,081,786

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	67.500	67.500
POSITIONS - FTE COUNT	0.500	0.500
Personal Services	\$7,781,588	\$7,939,122
All Other	\$7,919,267	\$7,919,267
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,700,855	\$15,858,389

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$239,378	\$241,952
All Other	\$1,479,136	\$1,479,136
FEDERAL BLOCK GRANT FUND TOTAL	\$1,718,514	\$1,721,088

MAINE CENTER FOR DISEASE CONTROL AND PREVENTION 0143

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	78.000	78.000
Personal Services	\$6,590,797	\$6,711,773
All Other	\$7,597,159	\$7,597,159
GENERAL FUND TOTAL	\$14,187,956	\$14,308,932

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	105.500	105.500
Personal Services	\$10,010,517	\$10,232,859
All Other	\$42,793,425	\$42,793,425
FEDERAL EXPENDITURES FUND TOTAL	\$52,803,942	\$53,026,284

FUND FOR A HEALTHY MAINE	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,363,607	\$1,393,484
All Other	\$9,688,302	\$9,688,302
FUND FOR A HEALTHY MAINE TOTAL	\$11,051,909	\$11,081,786

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	67.500	67.500
POSITIONS - FTE COUNT	0.500	0.500
Personal Services	\$7,781,588	\$7,939,122
All Other	\$7,919,267	\$7,919,267
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,700,855	\$15,858,389

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$239,378	\$241,952
All Other	\$1,479,136	\$1,479,136
FEDERAL BLOCK GRANT FUND TOTAL	\$1,718,514	\$1,721,088

Maine Children's Cancer Research Fund Z279

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

MAINE CHILDREN'S CANCER RESEARCH FUND Z279

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Maine Children's Growth Council Z074

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$25,000	\$25,000
GENERAL FUND TOTAL	\$25,000	\$25,000

MAINE CHILDREN'S GROWTH COUNCIL Z074

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$25,000	\$25,000
GENERAL FUND TOTAL	\$25,000	\$25,000

Maine Health Insurance Marketplace Trust Fund Z292

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$764,684	\$802,305
All Other	\$268,064	\$268,064
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,032,748	\$1,070,369

MAINE HEALTH INSURANCE MARKETPLACE TRUST FUND Z292

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$764,684	\$802,305
All Other	\$268,064	\$268,064
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,032,748	\$1,070,369

Maine Rx Plus Program 0927

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$135,786	\$135,786
OTHER SPECIAL REVENUE FUNDS TOTAL	\$135,786	\$135,786

MAINE RX PLUS PROGRAM 0927

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$135,786	\$135,786
OTHER SPECIAL REVENUE FUNDS TOTAL	\$135,786	\$135,786

Maine School Oral Health Fund Z025

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$23,405	\$23,405
OTHER SPECIAL REVENUE FUNDS TOTAL	\$23,405	\$23,405

MAINE SCHOOL ORAL HEALTH FUND Z025

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$23,405	\$23,405
OTHER SPECIAL REVENUE FUNDS TOTAL	\$23,405	\$23,405

Maine Water Well Drilling Program 0697

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$24,864	\$26,094
All Other	\$44,389	\$44,389
OTHER SPECIAL REVENUE FUNDS TOTAL	\$69,253	\$70,483

MAINE WATER WELL DRILLING PROGRAM 0697

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$24,864	\$26,094
All Other	\$44,389	\$44,389
OTHER SPECIAL REVENUE FUNDS TOTAL	\$69,253	\$70,483

Maternal and Child Health 0191

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$7,454,746	\$7,454,746
FEDERAL EXPENDITURES FUND TOTAL	\$7,454,746	\$7,454,746

FEDERAL BLOCK GRANT FUND

POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
Personal Services	17.000	17.000
All Other	\$1,850,346	\$1,877,166
	\$600,314	\$600,314
FEDERAL BLOCK GRANT FUND TOTAL	\$2,450,660	\$2,477,480

MATERNAL AND CHILD HEALTH 0191

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$7,454,746	\$7,454,746
FEDERAL EXPENDITURES FUND TOTAL	\$7,454,746	\$7,454,746

FEDERAL BLOCK GRANT FUND

POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
Personal Services	17.000	17.000
All Other	\$1,850,346	\$1,877,166
	\$600,314	\$600,314
FEDERAL BLOCK GRANT FUND TOTAL	\$2,450,660	\$2,477,480

Maternal and Child Health Block Grant Match Z008

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$464,486	\$469,692
All Other	\$4,892,116	\$4,892,116
GENERAL FUND TOTAL	\$5,356,602	\$5,361,808

MATERNAL AND CHILD HEALTH BLOCK GRANT MATCH Z008

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$464,486	\$469,692
All Other	\$4,892,116	\$4,892,116
GENERAL FUND TOTAL	\$5,356,602	\$5,361,808

Medicaid Services - Developmental Services Z210

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$25,851,170	\$25,851,170
GENERAL FUND TOTAL	\$25,851,170	\$25,851,170

OTHER SPECIAL REVENUE FUNDS

	2021-22	2022-23
All Other	\$31,543,471	\$31,543,471
OTHER SPECIAL REVENUE FUNDS TOTAL	\$31,543,471	\$31,543,471

MEDICAID SERVICES - DEVELOPMENTAL SERVICES Z210

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$25,851,170	\$25,851,170
GENERAL FUND TOTAL	\$25,851,170	\$25,851,170

OTHER SPECIAL REVENUE FUNDS

	2021-22	2022-23
All Other	\$31,543,471	\$31,543,471
OTHER SPECIAL REVENUE FUNDS TOTAL	\$31,543,471	\$31,543,471

Medicaid Waiver for Brain Injury Residential /Community Serv Z218

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$7,393,448	\$7,393,448
GENERAL FUND TOTAL	\$7,393,448	\$7,393,448

MEDICAID WAIVER FOR BRAIN INJURY RESIDENTIAL /COMMUNITY SERV Z218

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$7,393,448	\$7,393,448
GENERAL FUND TOTAL	\$7,393,448	\$7,393,448

Medicaid Waiver for Other Related Conditions Z217

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$3,474,273	\$3,474,273
GENERAL FUND TOTAL	\$3,474,273	\$3,474,273

MEDICAID WAIVER FOR OTHER RELATED CONDITIONS Z217

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$3,474,273	\$3,474,273
GENERAL FUND TOTAL	\$3,474,273	\$3,474,273

Medical Care - Payments to Providers 0147

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$525,297,540	\$525,297,540
GENERAL FUND TOTAL	\$525,297,540	\$525,297,540

FEDERAL EXPENDITURES FUND

	2021-22	2022-23
All Other	\$2,177,622,524	\$2,177,622,524
FEDERAL EXPENDITURES FUND TOTAL	\$2,177,622,524	\$2,177,622,524

FUND FOR A HEALTHY MAINE

	2021-22	2022-23
All Other	\$31,036,930	\$31,036,930
FUND FOR A HEALTHY MAINE TOTAL	\$31,036,930	\$31,036,930

OTHER SPECIAL REVENUE FUNDS

	2021-22	2022-23
All Other	\$215,524,694	\$215,524,694
OTHER SPECIAL REVENUE FUNDS TOTAL	\$215,524,694	\$215,524,694

FEDERAL BLOCK GRANT FUND

	2021-22	2022-23
All Other	\$32,274,058	\$32,274,058
FEDERAL BLOCK GRANT FUND TOTAL	\$32,274,058	\$32,274,058

MEDICAL CARE - PAYMENTS TO PROVIDERS 0147

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$525,297,540	\$525,297,540
GENERAL FUND TOTAL	\$525,297,540	\$525,297,540

FEDERAL EXPENDITURES FUND

	2021-22	2022-23
All Other	\$2,177,622,524	\$2,177,622,524
FEDERAL EXPENDITURES FUND TOTAL	\$2,177,622,524	\$2,177,622,524

FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	\$31,036,930	\$31,036,930
FUND FOR A HEALTHY MAINE TOTAL	<u>\$31,036,930</u>	<u>\$31,036,930</u>
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$215,524,694	\$215,524,694
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$215,524,694</u>	<u>\$215,524,694</u>
FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$32,274,058	\$32,274,058
FEDERAL BLOCK GRANT FUND TOTAL	<u>\$32,274,058</u>	<u>\$32,274,058</u>

Mental Health Services - Child Medicaid Z207

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$34,933,811	\$34,933,811
GENERAL FUND TOTAL	<u>\$34,933,811</u>	<u>\$34,933,811</u>

MENTAL HEALTH SERVICES - CHILD MEDICAID Z207

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$34,933,811	\$34,933,811
GENERAL FUND TOTAL	<u>\$34,933,811</u>	<u>\$34,933,811</u>

Mental Health Services - Children Z206

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	28.000	28.000
Personal Services	\$2,681,401	\$2,722,540
All Other	\$11,893,703	\$11,893,703
GENERAL FUND TOTAL	<u>\$14,575,104</u>	<u>\$14,616,243</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$96,286	\$100,841
All Other	\$980,578	\$980,578
FEDERAL EXPENDITURES FUND TOTAL	<u>\$1,076,864</u>	<u>\$1,081,419</u>

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$1,251,156	\$1,251,156
FEDERAL BLOCK GRANT FUND TOTAL	<u>\$1,251,156</u>	<u>\$1,251,156</u>

MENTAL HEALTH SERVICES - CHILDREN Z206

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	28.000	28.000
Personal Services	\$2,681,401	\$2,722,540
All Other	\$11,893,703	\$11,893,703
GENERAL FUND TOTAL	<u>\$14,575,104</u>	<u>\$14,616,243</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$96,286	\$100,841
All Other	\$980,578	\$980,578
FEDERAL EXPENDITURES FUND TOTAL	<u>\$1,076,864</u>	<u>\$1,081,419</u>

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$1,251,156	\$1,251,156
FEDERAL BLOCK GRANT FUND TOTAL	<u>\$1,251,156</u>	<u>\$1,251,156</u>

Mental Health Services - Community Z198

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	44.000	44.000
Personal Services	\$4,269,837	\$4,354,533
All Other	\$21,488,653	\$21,488,653
GENERAL FUND TOTAL	<u>\$25,758,490</u>	<u>\$25,843,186</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$10,977,731	\$10,977,731
FEDERAL EXPENDITURES FUND TOTAL	<u>\$10,977,731</u>	<u>\$10,977,731</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$94,825	\$99,369
All Other	\$970,498	\$970,498
FEDERAL BLOCK GRANT FUND TOTAL	<u>\$1,065,323</u>	<u>\$1,069,867</u>

MENTAL HEALTH SERVICES - COMMUNITY Z198

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	44.000	44.000
Personal Services	\$4,269,837	\$4,354,533
All Other	\$21,488,653	\$21,488,653
GENERAL FUND TOTAL	<u>\$25,758,490</u>	<u>\$25,843,186</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$10,977,731	\$10,977,731
FEDERAL EXPENDITURES FUND TOTAL	<u>\$10,977,731</u>	<u>\$10,977,731</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$94,825	\$99,369
All Other	\$970,498	\$970,498
FEDERAL BLOCK GRANT FUND TOTAL	<u>\$1,065,323</u>	<u>\$1,069,867</u>

Mental Health Services - Community Medicaid Z201

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$40,660,075	\$40,660,075
GENERAL FUND TOTAL	<u>\$40,660,075</u>	<u>\$40,660,075</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$6,971,883	\$6,971,883
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$6,971,883</u>	<u>\$6,971,883</u>

MENTAL HEALTH SERVICES - COMMUNITY MEDICAID Z201

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$40,660,075	\$40,660,075
GENERAL FUND TOTAL	<u>\$40,660,075</u>	<u>\$40,660,075</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$6,971,883	\$6,971,883
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$6,971,883</u>	<u>\$6,971,883</u>

Multicultural Services Z034

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$116,262	\$116,237
All Other	\$18,707	\$18,707
GENERAL FUND TOTAL	<u>\$134,969</u>	<u>\$134,944</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,469,748	\$1,469,748
FEDERAL EXPENDITURES FUND TOTAL	<u>\$1,469,748</u>	<u>\$1,469,748</u>

MULTICULTURAL SERVICES Z034

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$116,262	\$116,237
All Other	\$18,707	\$18,707
GENERAL FUND TOTAL	<u>\$134,969</u>	<u>\$134,944</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,469,748	\$1,469,748
FEDERAL EXPENDITURES FUND TOTAL	<u>\$1,469,748</u>	<u>\$1,469,748</u>

Nursing Facilities 0148

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$123,348,883	\$123,348,883
GENERAL FUND TOTAL	<u>\$123,348,883</u>	<u>\$123,348,883</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$281,542,993	\$281,542,993
FEDERAL EXPENDITURES FUND TOTAL	<u>\$281,542,993</u>	<u>\$281,542,993</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$40,797,852	\$40,797,852

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$40,797,852</u>	<u>\$40,797,852</u>
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NURSING FACILITIES 0148

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$123,348,883	\$123,348,883
GENERAL FUND TOTAL	<u>\$123,348,883</u>	<u>\$123,348,883</u>

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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$281,542,993	\$281,542,993
FEDERAL EXPENDITURES FUND TOTAL	\$281,542,993	\$281,542,993
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$40,797,852	\$40,797,852
OTHER SPECIAL REVENUE FUNDS TOTAL	\$40,797,852	\$40,797,852

Office for Family Independence Z020

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	24.000	24.000
Personal Services	\$2,231,881	\$2,279,134
All Other	\$4,913,774	\$4,913,774
GENERAL FUND TOTAL	\$7,145,655	\$7,192,908

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	25.500	25.500
Personal Services	\$2,471,027	\$2,523,585
All Other	\$9,901,754	\$9,901,754
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,372,781	\$12,425,339

OFFICE FOR FAMILY INDEPENDENCE Z020

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	24.000	24.000
Personal Services	\$2,231,881	\$2,279,134
All Other	\$4,913,774	\$4,913,774
GENERAL FUND TOTAL	\$7,145,655	\$7,192,908

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	25.500	25.500
Personal Services	\$2,471,027	\$2,523,585
All Other	\$9,901,754	\$9,901,754
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,372,781	\$12,425,339

Office for Family Independence - District 0453

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	21.000	21.000
Personal Services	\$13,815,514	\$14,138,413
All Other	\$1,944,651	\$1,944,651

GENERAL FUND TOTAL	\$15,760,165	\$16,083,064
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	444.500	444.500
Personal Services	\$22,039,440	\$22,562,650
All Other	\$5,405,172	\$5,405,172
OTHER SPECIAL REVENUE FUNDS TOTAL	\$27,444,612	\$27,967,822

OFFICE FOR FAMILY INDEPENDENCE - DISTRICT 0453

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	21.000	21.000
Personal Services	\$13,815,514	\$14,138,413
All Other	\$1,944,651	\$1,944,651
GENERAL FUND TOTAL	\$15,760,165	\$16,083,064

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	444.500	444.500
Personal Services	\$22,039,440	\$22,562,650
All Other	\$5,405,172	\$5,405,172
OTHER SPECIAL REVENUE FUNDS TOTAL	\$27,444,612	\$27,967,822

Office of Advocacy - BDS Z209

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$326,815	\$326,815
GENERAL FUND TOTAL	\$326,815	\$326,815

OFFICE OF ADVOCACY - BDS Z209

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$326,815	\$326,815
GENERAL FUND TOTAL	\$326,815	\$326,815

Office of Aging and Disability Services Adult Protective Services Z040

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	75.000	75.000
Personal Services	\$7,478,279	\$7,602,670
All Other	\$1,167,092	\$1,167,092
GENERAL FUND TOTAL	\$8,645,371	\$8,769,762

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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All Other	\$126,528	\$126,528
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$126,528</u>	<u>\$126,528</u>

OFFICE OF AGING AND DISABILITY SERVICES ADULT PROTECTIVE SERVICES Z040

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	75.000	75.000
Personal Services	\$7,478,279	\$7,602,670
All Other	\$1,167,092	\$1,167,092
GENERAL FUND TOTAL	<u>\$8,645,371</u>	<u>\$8,769,762</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$126,528	\$126,528
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$126,528</u>	<u>\$126,528</u>

Office of Aging and Disability Services Central Office 0140

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,519,882	\$1,543,479
All Other	\$3,829,334	\$3,829,334
GENERAL FUND TOTAL	<u>\$5,349,216</u>	<u>\$5,372,813</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$422,665	\$433,251
All Other	\$10,329,890	\$10,329,890
FEDERAL EXPENDITURES FUND TOTAL	<u>\$10,752,555</u>	<u>\$10,763,141</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$415,000	\$415,000
FEDERAL BLOCK GRANT FUND TOTAL	<u>\$415,000</u>	<u>\$415,000</u>

OFFICE OF AGING AND DISABILITY SERVICES CENTRAL OFFICE 0140 PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,519,882	\$1,543,479
All Other	\$3,829,334	\$3,829,334
GENERAL FUND TOTAL	<u>\$5,349,216</u>	<u>\$5,372,813</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$422,665	\$433,251
All Other	\$10,329,890	\$10,329,890
FEDERAL EXPENDITURES FUND TOTAL	<u>\$10,752,555</u>	<u>\$10,763,141</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$415,000	\$415,000
FEDERAL BLOCK GRANT FUND TOTAL	<u>\$415,000</u>	<u>\$415,000</u>

Office of Child and Family Services - Central 0307

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	72.000	72.000
Personal Services	\$5,073,405	\$5,148,593
All Other	\$1,777,166	\$1,777,166
GENERAL FUND TOTAL	<u>\$6,850,571</u>	<u>\$6,925,759</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$896,668	\$896,668
FEDERAL EXPENDITURES FUND TOTAL	<u>\$896,668</u>	<u>\$896,668</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$1,972,921	\$2,002,227
All Other	\$965,658	\$965,658
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,938,579</u>	<u>\$2,967,885</u>

OFFICE OF CHILD AND FAMILY SERVICES - CENTRAL 0307

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
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FIRST REGULAR SESSION - 2021

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POSITIONS - LEGISLATIVE COUNT	72.000	72.000
Personal Services	\$5,073,405	\$5,148,593
All Other	\$1,777,166	\$1,777,166

GENERAL FUND TOTAL	\$6,850,571	\$6,925,759
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$896,668	\$896,668

FEDERAL EXPENDITURES FUND TOTAL	\$896,668	\$896,668
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$1,972,921	\$2,002,227
All Other	\$965,658	\$965,658

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,938,579	\$2,967,885
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Office of Child and Family Services - District 0452

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	635.500	635.500
Personal Services	\$48,074,908	\$49,317,721
All Other	\$4,599,500	\$4,599,500

GENERAL FUND TOTAL	\$52,674,408	\$53,917,221
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$12,753,090	\$13,083,544
All Other	\$1,634,118	\$1,634,118

OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,387,208	\$14,717,662
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**OFFICE OF CHILD AND FAMILY SERVICES -
DISTRICT 0452**

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	635.500	635.500
Personal Services	\$48,074,908	\$49,317,721
All Other	\$4,599,500	\$4,599,500

GENERAL FUND TOTAL	\$52,674,408	\$53,917,221
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$12,753,090	\$13,083,544
All Other	\$1,634,118	\$1,634,118

OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,387,208	\$14,717,662
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Office of MaineCare Services 0129

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	50.000	50.000
Personal Services	\$6,335,758	\$6,470,523
All Other	\$23,197,659	\$23,197,659

GENERAL FUND TOTAL	\$29,533,417	\$29,668,182
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	86.000	86.000

Personal Services	\$6,641,755	\$6,782,856
All Other	\$82,354,703	\$82,354,703

FEDERAL EXPENDITURES FUND TOTAL	\$88,996,458	\$89,137,559
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,245,917	\$1,245,917

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,245,917	\$1,245,917
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FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$5,370,561	\$5,370,561

FEDERAL BLOCK GRANT FUND TOTAL	\$5,370,561	\$5,370,561
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FEDERAL EXPENDITURES FUND ARRA	2021-22	2022-23
All Other	\$1,505,768	\$1,505,768

FEDERAL EXPENDITURES FUND ARRA TOTAL	\$1,505,768	\$1,505,768
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OFFICE OF MAINECARE SERVICES 0129

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	50.000	50.000
Personal Services	\$6,335,758	\$6,470,523
All Other	\$23,197,659	\$23,197,659

GENERAL FUND TOTAL	\$29,533,417	\$29,668,182
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	86.000	86.000

Personal Services	\$6,641,755	\$6,782,856
All Other	\$82,354,703	\$82,354,703

FEDERAL EXPENDITURES FUND TOTAL	\$88,996,458	\$89,137,559
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,245,917	\$1,245,917

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,245,917	\$1,245,917
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FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$5,370,561	\$5,370,561
FEDERAL BLOCK GRANT FUND TOTAL	<u>\$5,370,561</u>	<u>\$5,370,561</u>

FEDERAL EXPENDITURES FUND ARRA	2021-22	2022-23
All Other	\$1,505,768	\$1,505,768
FEDERAL EXPENDITURES FUND ARRA TOTAL	<u>\$1,505,768</u>	<u>\$1,505,768</u>

Office of Substance Abuse & Mental Health Srvc- Medicaid Seed Z202

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$5,681,926	\$5,681,926
GENERAL FUND TOTAL	<u>\$5,681,926</u>	<u>\$5,681,926</u>

FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	\$1,306,059	\$1,306,059
FUND FOR A HEALTHY MAINE TOTAL	<u>\$1,306,059</u>	<u>\$1,306,059</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$800,000	\$800,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$800,000</u>	<u>\$800,000</u>

OFFICE OF SUBSTANCE ABUSE & MENTAL HEALTH SRV-MEDICAID SEED Z202

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$5,681,926	\$5,681,926
GENERAL FUND TOTAL	<u>\$5,681,926</u>	<u>\$5,681,926</u>

FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	\$1,306,059	\$1,306,059
FUND FOR A HEALTHY MAINE TOTAL	<u>\$1,306,059</u>	<u>\$1,306,059</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$800,000	\$800,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$800,000</u>	<u>\$800,000</u>

Office of Substance Abuse and Mental Health Services Z199

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,247,239	\$1,275,854
All Other	\$18,950,540	\$18,950,540

GENERAL FUND TOTAL	<u>\$20,197,779</u>	<u>\$20,226,394</u>
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$169,242	\$174,422
All Other	\$4,948,245	\$4,948,245

FEDERAL EXPENDITURES FUND TOTAL	<u>\$5,117,487</u>	<u>\$5,122,667</u>
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FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	\$1,070,802	\$1,070,802

FUND FOR A HEALTHY MAINE TOTAL	<u>\$1,070,802</u>	<u>\$1,070,802</u>
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$99,127	\$99,127

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$99,127</u>	<u>\$99,127</u>
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FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$424,063	\$435,100
All Other	\$6,778,394	\$6,778,394

FEDERAL BLOCK GRANT FUND TOTAL	<u>\$7,202,457</u>	<u>\$7,213,494</u>
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OFFICE OF SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES Z199

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,247,239	\$1,275,854
All Other	\$18,950,540	\$18,950,540

GENERAL FUND TOTAL	<u>\$20,197,779</u>	<u>\$20,226,394</u>
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$169,242	\$174,422
All Other	\$4,948,245	\$4,948,245

FEDERAL EXPENDITURES	\$5,117,487	\$5,122,667
FUND TOTAL		
FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	\$1,070,802	\$1,070,802
FUND FOR A HEALTHY MAINE TOTAL	\$1,070,802	\$1,070,802

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$99,127	\$99,127
OTHER SPECIAL REVENUE FUNDS TOTAL	\$99,127	\$99,127

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$424,063	\$435,100
All Other	\$6,778,394	\$6,778,394
FEDERAL BLOCK GRANT FUND TOTAL	\$7,202,457	\$7,213,494

Opioid Use Disorder Prevention and Treatment Fund Z289

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

OPIOID USE DISORDER PREVENTION AND TREATMENT FUND Z289

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Plumbing - Control Over 0205

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$399,705	\$409,605
All Other	\$332,020	\$332,020
OTHER SPECIAL REVENUE FUNDS TOTAL	\$731,725	\$741,625

PLUMBING - CONTROL OVER 0205

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$399,705	\$409,605
All Other	\$332,020	\$332,020
OTHER SPECIAL REVENUE FUNDS TOTAL	\$731,725	\$741,625

PNMI Room and Board Z009

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$17,383,689	\$17,383,689
GENERAL FUND TOTAL	\$17,383,689	\$17,383,689

PNMI ROOM AND BOARD Z009

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$17,383,689	\$17,383,689
GENERAL FUND TOTAL	\$17,383,689	\$17,383,689

Prescription Drug Academic Detailing Z055

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$206,253	\$206,253
OTHER SPECIAL REVENUE FUNDS TOTAL	\$206,253	\$206,253

PRESCRIPTION DRUG ACADEMIC DETAILING Z055

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$206,253	\$206,253
OTHER SPECIAL REVENUE FUNDS TOTAL	\$206,253	\$206,253

Private Well Safe Drinking Water Fund Z255

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$52,840	\$52,840
OTHER SPECIAL REVENUE FUNDS TOTAL	\$52,840	\$52,840

PRIVATE WELL SAFE DRINKING WATER FUND Z255

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$52,840	\$52,840

OTHER SPECIAL REVENUE \$52,840 \$52,840
FUNDS TOTAL

Purchased Social Services 0228

Initiative: BASELINE BUDGET

GENERAL FUND 2021-22 2022-23
POSITIONS - LEGISLATIVE 1.000 1.000
COUNT
Personal Services \$49,296 \$51,379
All Other \$6,625,590 \$6,625,590

GENERAL FUND TOTAL \$6,674,886 \$6,676,969

FEDERAL EXPENDITURES FUND 2021-22 2022-23
Personal Services \$82,633 \$86,759
All Other \$8,070,112 \$8,070,112

FEDERAL EXPENDITURES FUND TOTAL \$8,152,745 \$8,156,871

FUND FOR A HEALTHY MAINE 2021-22 2022-23
All Other \$1,971,118 \$1,971,118

FUND FOR A HEALTHY MAINE TOTAL \$1,971,118 \$1,971,118

OTHER SPECIAL REVENUE FUNDS 2021-22 2022-23
Personal Services \$49,292 \$51,373
All Other \$71,266 \$71,266

OTHER SPECIAL REVENUE FUNDS TOTAL \$120,558 \$122,639

FEDERAL BLOCK GRANT FUND 2021-22 2022-23
POSITIONS - LEGISLATIVE 1.000 1.000
COUNT
Personal Services \$85,947 \$86,553
All Other \$13,497,213 \$13,497,213

FEDERAL BLOCK GRANT FUND TOTAL \$13,583,160 \$13,583,766

PURCHASED SOCIAL SERVICES 0228

PROGRAM SUMMARY

GENERAL FUND 2021-22 2022-23
POSITIONS - LEGISLATIVE 1.000 1.000
COUNT
Personal Services \$49,296 \$51,379
All Other \$6,625,590 \$6,625,590

GENERAL FUND TOTAL \$6,674,886 \$6,676,969

FEDERAL EXPENDITURES FUND 2021-22 2022-23
Personal Services \$82,633 \$86,759
All Other \$8,070,112 \$8,070,112

FEDERAL EXPENDITURES FUND TOTAL \$8,152,745 \$8,156,871

FUND FOR A HEALTHY MAINE 2021-22 2022-23
All Other \$1,971,118 \$1,971,118

FUND FOR A HEALTHY MAINE TOTAL \$1,971,118 \$1,971,118

OTHER SPECIAL REVENUE FUNDS 2021-22 2022-23
Personal Services \$49,292 \$51,373
All Other \$71,266 \$71,266

OTHER SPECIAL REVENUE FUNDS TOTAL \$120,558 \$122,639

FEDERAL BLOCK GRANT FUND 2021-22 2022-23
POSITIONS - LEGISLATIVE 1.000 1.000
COUNT
Personal Services \$85,947 \$86,553
All Other \$13,497,213 \$13,497,213

FEDERAL BLOCK GRANT FUND TOTAL \$13,583,160 \$13,583,766

Rape Crisis Control 0488

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND 2021-22 2022-23
All Other \$32,720 \$32,720

FEDERAL BLOCK GRANT FUND TOTAL \$32,720 \$32,720

RAPE CRISIS CONTROL 0488

PROGRAM SUMMARY

FEDERAL BLOCK GRANT FUND 2021-22 2022-23
All Other \$32,720 \$32,720

FEDERAL BLOCK GRANT FUND TOTAL \$32,720 \$32,720

Residential Treatment Facilities Assessment Z197

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS 2021-22 2022-23
All Other \$1,865,000 \$1,865,000

OTHER SPECIAL REVENUE FUNDS TOTAL \$1,865,000 \$1,865,000

RESIDENTIAL TREATMENT FACILITIES ASSESSMENT Z197

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS 2021-22 2022-23
All Other \$1,865,000 \$1,865,000

OTHER SPECIAL REVENUE FUNDS TOTAL \$1,865,000 \$1,865,000

Riverview Psychiatric Center Z219

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$888,209	\$907,805
All Other	\$7,533,541	\$7,533,541
GENERAL FUND TOTAL	\$8,421,750	\$8,441,346

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	353.500	353.500
POSITIONS - FTE COUNT	0.363	0.363
Personal Services	\$21,174,378	\$21,592,109
All Other	\$1,152,509	\$1,152,509

OTHER SPECIAL REVENUE FUNDS TOTAL	\$22,326,887	\$22,744,618
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RIVERVIEW PSYCHIATRIC CENTER Z219

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$888,209	\$907,805
All Other	\$7,533,541	\$7,533,541
GENERAL FUND TOTAL	\$8,421,750	\$8,441,346

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	353.500	353.500
POSITIONS - FTE COUNT	0.363	0.363
Personal Services	\$21,174,378	\$21,592,109
All Other	\$1,152,509	\$1,152,509

OTHER SPECIAL REVENUE FUNDS TOTAL	\$22,326,887	\$22,744,618
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Special Children's Services 0204

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$976,601	\$992,964
All Other	\$124,516	\$124,516

FEDERAL BLOCK GRANT FUND TOTAL	\$1,101,117	\$1,117,480
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SPECIAL CHILDREN'S SERVICES 0204

PROGRAM SUMMARY

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$976,601	\$992,964

All Other	\$124,516	\$124,516
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FEDERAL BLOCK GRANT FUND TOTAL	\$1,101,117	\$1,117,480
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State Supplement to Federal Supplemental Security Income 0131

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$6,632,011	\$6,632,011

GENERAL FUND TOTAL	\$6,632,011	\$6,632,011
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STATE SUPPLEMENT TO FEDERAL SUPPLEMENTAL SECURITY INCOME 0131

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$6,632,011	\$6,632,011

GENERAL FUND TOTAL	\$6,632,011	\$6,632,011
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State-funded Foster Care/Adoption Assistance 0139

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$560,053	\$566,809
All Other	\$43,835,162	\$43,835,162

GENERAL FUND TOTAL	\$44,395,215	\$44,401,971
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$2,160,316	\$2,160,316

FEDERAL EXPENDITURES FUND TOTAL	\$2,160,316	\$2,160,316
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$240,012	\$242,906
All Other	\$519,416	\$519,416

OTHER SPECIAL REVENUE FUNDS TOTAL	\$759,428	\$762,322
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STATE-FUNDED FOSTER CARE/ADOPTION ASSISTANCE 0139

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$560,053	\$566,809
All Other	\$43,835,162	\$43,835,162

GENERAL FUND TOTAL	\$44,395,215	\$44,401,971
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$2,160,316	\$2,160,316

FEDERAL EXPENDITURES FUND TOTAL	\$2,160,316	\$2,160,316
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$240,012	\$242,906
All Other	\$519,416	\$519,416
OTHER SPECIAL REVENUE FUNDS TOTAL	\$759,428	\$762,322

Temporary Assistance for Needy Families 0138

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$22,163,821	\$22,163,821
GENERAL FUND TOTAL	\$22,163,821	\$22,163,821
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$4,300	\$4,300
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,300	\$4,300

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$280,556	\$292,949
All Other	\$82,201,712	\$82,201,712
FEDERAL BLOCK GRANT FUND TOTAL	\$82,482,268	\$82,494,661

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES 0138

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$22,163,821	\$22,163,821
GENERAL FUND TOTAL	\$22,163,821	\$22,163,821
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$4,300	\$4,300
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,300	\$4,300
FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$280,556	\$292,949
All Other	\$82,201,712	\$82,201,712
FEDERAL BLOCK GRANT FUND TOTAL	\$82,482,268	\$82,494,661

Traumatic Brain Injury Seed Z214

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$123,262	\$123,262
GENERAL FUND TOTAL	\$123,262	\$123,262

TRAUMATIC BRAIN INJURY SEED Z214

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$123,262	\$123,262
GENERAL FUND TOTAL	\$123,262	\$123,262

Universal Childhood Immunization Program Z121

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$12,427,340	\$12,427,340
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,427,340	\$12,427,340

UNIVERSAL CHILDHOOD IMMUNIZATION PROGRAM Z121

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$12,427,340	\$12,427,340
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,427,340	\$12,427,340

HEALTH AND HUMAN SERVICES, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$1,419,581,725	\$1,423,009,660
FEDERAL EXPENDITURES FUND	\$2,710,268,106	\$2,711,049,879
FUND FOR A HEALTHY MAINE	\$53,873,493	\$53,903,370
OTHER SPECIAL REVENUE FUNDS	\$576,182,797	\$578,474,990
FEDERAL BLOCK GRANT FUND	\$215,483,824	\$215,622,899
FEDERAL EXPENDITURES FUND	\$1,505,768	\$1,505,768
ARRA		

DEPARTMENT TOTAL - ALL FUNDS \$4,976,895,713 \$4,983,566,566

Sec. A-30. Appropriations and allocations. The following appropriations and allocations are made.

HISTORIC PRESERVATION COMMISSION, MAINE

Historic Commercial Rehabilitation Fund Z067

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>

HISTORIC COMMERCIAL REHABILITATION FUND Z067

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>

Historic Preservation Commission 0036

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$364,009	\$366,200
All Other	\$29,513	\$29,513
GENERAL FUND TOTAL	<u>\$393,522</u>	<u>\$395,713</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$512,317	\$522,548
All Other	\$317,206	\$317,206
FEDERAL EXPENDITURES FUND TOTAL	<u>\$829,523</u>	<u>\$839,754</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
POSITIONS - FTE COUNT	4.231	4.231
Personal Services	\$544,654	\$554,279
All Other	\$117,120	\$117,120
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$661,774</u>	<u>\$671,399</u>

HISTORIC PRESERVATION COMMISSION 0036

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$364,009	\$366,200
All Other	\$29,513	\$29,513
GENERAL FUND TOTAL	<u>\$393,522</u>	<u>\$395,713</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$512,317	\$522,548
All Other	\$317,206	\$317,206

FEDERAL EXPENDITURES FUND TOTAL	<u>\$829,523</u>	<u>\$839,754</u>
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
POSITIONS - FTE COUNT	4.231	4.231
Personal Services	\$544,654	\$554,279
All Other	\$117,120	\$117,120

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$661,774</u>	<u>\$671,399</u>
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Historic Preservation Revolving Fund Z109

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>
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HISTORIC PRESERVATION REVOLVING FUND Z109

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>
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HISTORIC PRESERVATION COMMISSION, MAINE DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$393,522	\$395,713
FEDERAL EXPENDITURES FUND	\$829,523	\$839,754
OTHER SPECIAL REVENUE FUNDS	\$662,774	\$672,399

DEPARTMENT TOTAL - ALL FUNDS	<u>\$1,885,819</u>	<u>\$1,907,866</u>
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Sec. A-31. Appropriations and allocations. The following appropriations and allocations are made.

HISTORICAL SOCIETY, MAINE

Historical Society 0037

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$44,864	\$44,864

GENERAL FUND TOTAL	<u>\$44,864</u>	<u>\$44,864</u>
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HISTORICAL SOCIETY 0037

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$44,864	\$44,864
GENERAL FUND TOTAL	<u>\$44,864</u>	<u>\$44,864</u>

Sec. A-32. Appropriations and allocations. The following appropriations and allocations are made.

HOSPICE COUNCIL, MAINE

Maine Hospice Council 0663

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$63,506	\$63,506
GENERAL FUND TOTAL	<u>\$63,506</u>	<u>\$63,506</u>

MAINE HOSPICE COUNCIL 0663

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$63,506	\$63,506
GENERAL FUND TOTAL	<u>\$63,506</u>	<u>\$63,506</u>

Sec. A-33. Appropriations and allocations. The following appropriations and allocations are made.

HOUSING AUTHORITY, MAINE STATE

Home Modification Certification Program Z231

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$50,000	\$50,000
GENERAL FUND TOTAL	<u>\$50,000</u>	<u>\$50,000</u>

HOME MODIFICATION CERTIFICATION PROGRAM Z231

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$50,000	\$50,000
GENERAL FUND TOTAL	<u>\$50,000</u>	<u>\$50,000</u>

Housing Authority - State 0442

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$18,963,902	\$18,963,902
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$18,963,902</u>	<u>\$18,963,902</u>

HOUSING AUTHORITY - STATE 0442

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS

All Other	\$18,963,902	\$18,963,902
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OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$18,963,902</u>	<u>\$18,963,902</u>
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Low-income Home Energy Assistance - MSHA 0708

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS

All Other	\$545	\$545
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OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$545</u>	<u>\$545</u>
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LOW-INCOME HOME ENERGY ASSISTANCE - MSHA 0708

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS

All Other	\$545	\$545
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OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$545</u>	<u>\$545</u>
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Maine Energy, Housing and Economic Recovery Program Z124

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS

All Other	\$4,315,700	\$4,315,700
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OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$4,315,700</u>	<u>\$4,315,700</u>
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MAINE ENERGY, HOUSING AND ECONOMIC RECOVERY PROGRAM Z124

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS

All Other	\$4,315,700	\$4,315,700
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OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$4,315,700</u>	<u>\$4,315,700</u>
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Shelter Operating Subsidy 0661

Initiative: BASELINE BUDGET

GENERAL FUND

All Other	\$2,500,000	\$2,500,000
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GENERAL FUND TOTAL	<u>\$2,500,000</u>	<u>\$2,500,000</u>
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SHELTER OPERATING SUBSIDY 0661

PROGRAM SUMMARY

GENERAL FUND

All Other	\$2,500,000	\$2,500,000
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GENERAL FUND TOTAL	\$2,500,000	\$2,500,000
HOUSING AUTHORITY, MAINE STATE DEPARTMENT TOTALS		
	2021-22	2022-23
GENERAL FUND	\$2,550,000	\$2,550,000
OTHER SPECIAL REVENUE FUNDS	\$23,280,147	\$23,280,147
DEPARTMENT TOTAL - ALL FUNDS	\$25,830,147	\$25,830,147

Sec. A-34. Appropriations and allocations. The following appropriations and allocations are made.

HUMAN RIGHTS COMMISSION, MAINE

Human Rights Commission - Regulation 0150

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$1,003,534	\$1,028,263
All Other	\$44,117	\$44,117
GENERAL FUND TOTAL	\$1,047,651	\$1,072,380

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$385,697	\$393,514
All Other	\$210,252	\$210,252
FEDERAL EXPENDITURES FUND TOTAL	\$595,949	\$603,766

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$107,864	\$107,864
OTHER SPECIAL REVENUE FUNDS TOTAL	\$107,864	\$107,864

HUMAN RIGHTS COMMISSION - REGULATION 0150

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$1,003,534	\$1,028,263
All Other	\$44,117	\$44,117
GENERAL FUND TOTAL	\$1,047,651	\$1,072,380

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$385,697	\$393,514

All Other	\$210,252	\$210,252
FEDERAL EXPENDITURES FUND TOTAL	\$595,949	\$603,766

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$107,864	\$107,864
OTHER SPECIAL REVENUE FUNDS TOTAL	\$107,864	\$107,864

Sec. A-35. Appropriations and allocations. The following appropriations and allocations are made.

HUMANITIES COUNCIL, MAINE

Humanities Council 0942

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$53,357	\$53,357
GENERAL FUND TOTAL	\$53,357	\$53,357

HUMANITIES COUNCIL 0942

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$53,357	\$53,357
GENERAL FUND TOTAL	\$53,357	\$53,357

Sec. A-36. Appropriations and allocations. The following appropriations and allocations are made.

INDIAN TRIBAL-STATE COMMISSION, MAINE

Maine Indian Tribal-state Commission 0554

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$111,614	\$111,614
GENERAL FUND TOTAL	\$111,614	\$111,614

MAINE INDIAN TRIBAL-STATE COMMISSION 0554

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$111,614	\$111,614
GENERAL FUND TOTAL	\$111,614	\$111,614

Sec. A-37. Appropriations and allocations. The following appropriations and allocations are made.

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON

Maine Commission on Indigent Legal Services Z112

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	11.500	11.500
Personal Services	\$954,855	\$977,284
All Other	\$15,521,725	\$15,521,725
GENERAL FUND TOTAL	\$16,476,580	\$16,499,009
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,157,000	\$1,157,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,157,000	\$1,157,000

MAINE COMMISSION ON INDIGENT LEGAL SERVICES Z112

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	11.500	11.500
Personal Services	\$954,855	\$977,284
All Other	\$15,521,725	\$15,521,725
GENERAL FUND TOTAL	\$16,476,580	\$16,499,009
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,157,000	\$1,157,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,157,000	\$1,157,000

Sec. A-38. Appropriations and allocations. The following appropriations and allocations are made.

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$365,802	\$370,593
All Other	\$302,000	\$302,000
GENERAL FUND TOTAL	\$667,802	\$672,593
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$11,659	\$11,659
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,659	\$11,659

ADMINISTRATIVE SERVICES - INLAND FISHERIES AND WILDLIFE 0530

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$365,802	\$370,593
All Other	\$302,000	\$302,000
GENERAL FUND TOTAL	\$667,802	\$672,593

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$11,659	\$11,659
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,659	\$11,659

ATV Enforcement Fund Z276

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$124,960	\$124,960
OTHER SPECIAL REVENUE FUNDS TOTAL	\$124,960	\$124,960

ATV ENFORCEMENT FUND Z276

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$124,960	\$124,960
OTHER SPECIAL REVENUE FUNDS TOTAL	\$124,960	\$124,960

ATV Safety and Educational Program 0559

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$23,170	\$23,170
GENERAL FUND TOTAL	\$23,170	\$23,170

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$145,188	\$145,188
OTHER SPECIAL REVENUE FUNDS TOTAL	\$145,188	\$145,188

ATV SAFETY AND EDUCATIONAL PROGRAM 0559

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$23,170	\$23,170
GENERAL FUND TOTAL	\$23,170	\$23,170

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$145,188	\$145,188
OTHER SPECIAL REVENUE FUNDS TOTAL	\$145,188	\$145,188

Boating Access Sites 0631

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$43,616	\$43,616
FEDERAL EXPENDITURES FUND TOTAL	\$43,616	\$43,616
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$64,378	\$64,989
All Other	\$122,233	\$122,233
OTHER SPECIAL REVENUE FUNDS TOTAL	\$186,611	\$187,222

BOATING ACCESS SITES 0631

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$43,616	\$43,616
FEDERAL EXPENDITURES FUND TOTAL	\$43,616	\$43,616
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$64,378	\$64,989
All Other	\$122,233	\$122,233
OTHER SPECIAL REVENUE FUNDS TOTAL	\$186,611	\$187,222

Camp North Woods Fund Z193

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$25,000	\$25,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$25,000	\$25,000

CAMP NORTH WOODS FUND Z193

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$25,000	\$25,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$25,000	\$25,000

Endangered Nongame Operations 0536

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$21,210	\$22,225
All Other	\$4,731	\$4,731

GENERAL FUND TOTAL	\$25,941	\$26,956
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$463,511	\$471,341
All Other	\$622,534	\$622,534

FEDERAL EXPENDITURES FUND TOTAL	\$1,086,045	\$1,093,875
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$338,427	\$341,786
All Other	\$128,138	\$128,138

OTHER SPECIAL REVENUE FUNDS TOTAL	\$466,565	\$469,924
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ENDANGERED NONGAME OPERATIONS 0536

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$21,210	\$22,225
All Other	\$4,731	\$4,731
GENERAL FUND TOTAL	\$25,941	\$26,956
FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$463,511	\$471,341
All Other	\$622,534	\$622,534

FEDERAL EXPENDITURES FUND TOTAL	\$1,086,045	\$1,093,875
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$338,427	\$341,786
All Other	\$128,138	\$128,138

OTHER SPECIAL REVENUE FUNDS TOTAL	\$466,565	\$469,924
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Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	126.000	126.000
Personal Services	\$14,790,717	\$14,980,938
All Other	\$2,883,909	\$2,883,909

GENERAL FUND TOTAL	\$17,674,626	\$17,864,847
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - FTE COUNT	1.232	1.232
Personal Services	\$753,795	\$765,626
All Other	\$583,151	\$583,154
FEDERAL EXPENDITURES FUND TOTAL	\$1,336,946	\$1,348,780

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$235,012	\$238,018
All Other	\$402,576	\$402,581
OTHER SPECIAL REVENUE FUNDS TOTAL	\$637,588	\$640,599

ENFORCEMENT OPERATIONS - INLAND FISHERIES AND WILDLIFE 0537

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	126.000	126.000
Personal Services	\$14,790,717	\$14,980,938
All Other	\$2,883,909	\$2,883,909
GENERAL FUND TOTAL	\$17,674,626	\$17,864,847

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - FTE COUNT	1.232	1.232
Personal Services	\$753,795	\$765,626
All Other	\$583,151	\$583,154
FEDERAL EXPENDITURES FUND TOTAL	\$1,336,946	\$1,348,780

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$235,012	\$238,018
All Other	\$402,576	\$402,581
OTHER SPECIAL REVENUE FUNDS TOTAL	\$637,588	\$640,599

Fisheries and Hatcheries Operations 0535

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	58.000	58.000
POSITIONS - FTE COUNT	0.577	0.577
Personal Services	\$3,624,070	\$3,683,213
All Other	\$1,107,255	\$1,107,255
GENERAL FUND TOTAL	\$4,731,325	\$4,790,468

FEDERAL EXPENDITURES FUND	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$2,365,100	\$2,405,401
All Other	\$1,049,644	\$1,049,644

FEDERAL EXPENDITURES FUND TOTAL	\$3,414,744	\$3,455,045
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$25,073	\$26,115
All Other	\$156,526	\$156,526

OTHER SPECIAL REVENUE FUNDS TOTAL	\$181,599	\$182,641
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FISHERIES AND HATCHERIES OPERATIONS 0535

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	58.000	58.000
POSITIONS - FTE COUNT	0.577	0.577
Personal Services	\$3,624,070	\$3,683,213
All Other	\$1,107,255	\$1,107,255
GENERAL FUND TOTAL	\$4,731,325	\$4,790,468

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$2,365,100	\$2,405,401
All Other	\$1,049,644	\$1,049,644
FEDERAL EXPENDITURES FUND TOTAL	\$3,414,744	\$3,455,045

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$25,073	\$26,115
All Other	\$156,526	\$156,526
OTHER SPECIAL REVENUE FUNDS TOTAL	\$181,599	\$182,641

Landowner Relations Fund Z140

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$150,000	\$150,000
GENERAL FUND TOTAL	\$150,000	\$150,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$10,792	\$10,911
All Other	\$98,225	\$98,225

OTHER SPECIAL REVENUE FUNDS TOTAL	\$109,017	\$109,136
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LANDOWNER RELATIONS FUND Z140

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$150,000	\$150,000
GENERAL FUND TOTAL	\$150,000	\$150,000
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$10,792	\$10,911
All Other	\$98,225	\$98,225
OTHER SPECIAL REVENUE FUNDS TOTAL	\$109,017	\$109,136

Licensing Services - Inland Fisheries and Wildlife 0531

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,069,380	\$1,091,821
All Other	\$566,466	\$566,466
GENERAL FUND TOTAL	\$1,635,846	\$1,658,287

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$76,328	\$76,328
FEDERAL EXPENDITURES FUND TOTAL	\$76,328	\$76,328

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$137,640	\$142,656
All Other	\$371,248	\$371,248
OTHER SPECIAL REVENUE FUNDS TOTAL	\$508,888	\$513,904

LICENSING SERVICES - INLAND FISHERIES AND WILDLIFE 0531

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,069,380	\$1,091,821
All Other	\$566,466	\$566,466
GENERAL FUND TOTAL	\$1,635,846	\$1,658,287
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$76,328	\$76,328
FEDERAL EXPENDITURES FUND TOTAL	\$76,328	\$76,328
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23

POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$137,640	\$142,656
All Other	\$371,248	\$371,248

OTHER SPECIAL REVENUE FUNDS TOTAL	\$508,888	\$513,904
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Maine Outdoor Heritage Fund 0829

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$1,500	\$1,500
All Other	\$796,906	\$796,906
OTHER SPECIAL REVENUE FUNDS TOTAL	\$798,406	\$798,406

MAINE OUTDOOR HERITAGE FUND 0829

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$1,500	\$1,500
All Other	\$796,906	\$796,906
OTHER SPECIAL REVENUE FUNDS TOTAL	\$798,406	\$798,406

Office of the Commissioner - Inland Fisheries and Wildlife 0529

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$630,849	\$632,774
All Other	\$2,170,585	\$2,170,585
GENERAL FUND TOTAL	\$2,801,434	\$2,803,359

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$400,279	\$405,929
All Other	\$1,137,674	\$1,137,674
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,537,953	\$1,543,603

OFFICE OF THE COMMISSIONER - INLAND FISHERIES AND WILDLIFE 0529

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$630,849	\$632,774
All Other	\$2,170,585	\$2,170,585
GENERAL FUND TOTAL	\$2,801,434	\$2,803,359

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$400,279	\$405,929
All Other	\$1,137,674	\$1,137,674
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,537,953	\$1,543,603

Public Information and Education, Division of 0729

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$485,256	\$496,284
All Other	\$564,441	\$564,441
GENERAL FUND TOTAL	\$1,049,697	\$1,060,725

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$354,017	\$363,728
All Other	\$655,736	\$655,736
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,009,753	\$1,019,464

PUBLIC INFORMATION AND EDUCATION, DIVISION OF 0729

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$485,256	\$496,284
All Other	\$564,441	\$564,441
GENERAL FUND TOTAL	\$1,049,697	\$1,060,725

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$354,017	\$363,728
All Other	\$655,736	\$655,736
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,009,753	\$1,019,464

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$1,722,430	\$1,750,594
All Other	\$423,108	\$423,108
GENERAL FUND TOTAL	\$2,145,538	\$2,173,702

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	35.000	35.000
POSITIONS - FTE COUNT	4.568	4.568
Personal Services	\$3,466,621	\$3,519,714
All Other	\$2,258,163	\$2,258,166
FEDERAL EXPENDITURES FUND TOTAL	\$5,724,784	\$5,777,880

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$315,671	\$322,442
All Other	\$767,666	\$767,666
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,083,337	\$1,090,108

RESOURCE MANAGEMENT SERVICES - INLAND FISHERIES AND WILDLIFE 0534

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$1,722,430	\$1,750,594
All Other	\$423,108	\$423,108
GENERAL FUND TOTAL	\$2,145,538	\$2,173,702

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	35.000	35.000
POSITIONS - FTE COUNT	4.568	4.568
Personal Services	\$3,466,621	\$3,519,714
All Other	\$2,258,163	\$2,258,166
FEDERAL EXPENDITURES FUND TOTAL	\$5,724,784	\$5,777,880

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$315,671	\$322,442
All Other	\$767,666	\$767,666
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,083,337	\$1,090,108

Search and Rescue 0538

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$354,525	\$361,854
All Other	\$120,220	\$120,220
GENERAL FUND TOTAL	\$474,745	\$482,074

SEARCH AND RESCUE 0538

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$354,525	\$361,854
All Other	\$120,220	\$120,220
GENERAL FUND TOTAL	\$474,745	\$482,074

Waterfowl Habitat Acquisition and Management 0561

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,525,000	\$1,525,000
FEDERAL EXPENDITURES FUND TOTAL	\$1,525,000	\$1,525,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$83,085	\$83,085
OTHER SPECIAL REVENUE FUNDS TOTAL	\$83,085	\$83,085

WATERFOWL HABITAT ACQUISITION AND MANAGEMENT 0561

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,525,000	\$1,525,000
FEDERAL EXPENDITURES FUND TOTAL	\$1,525,000	\$1,525,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$83,085	\$83,085
OTHER SPECIAL REVENUE FUNDS TOTAL	\$83,085	\$83,085

Whitewater Rafting - Inland Fisheries and Wildlife 0539

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	0.616	0.616
Personal Services	\$101,153	\$103,537
All Other	\$43,697	\$43,697
OTHER SPECIAL REVENUE FUNDS TOTAL	\$144,850	\$147,234

WHITewater RAFTING - INLAND FISHERIES AND WILDLIFE 0539

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	0.616	0.616
Personal Services	\$101,153	\$103,537
All Other	\$43,697	\$43,697
OTHER SPECIAL REVENUE FUNDS TOTAL	\$144,850	\$147,234

Whitewater Rafting Fund 0533

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$18,404	\$18,404
OTHER SPECIAL REVENUE FUNDS TOTAL	\$18,404	\$18,404

WHITewater RAFTING FUND 0533

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$18,404	\$18,404
OTHER SPECIAL REVENUE FUNDS TOTAL	\$18,404	\$18,404

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$31,380,124	\$31,706,181
FEDERAL EXPENDITURES FUND	\$13,207,463	\$13,320,524
OTHER SPECIAL REVENUE FUNDS	\$7,072,863	\$7,110,537
DEPARTMENT TOTAL - ALL FUNDS	\$51,660,450	\$52,137,242

Sec. A-39. Appropriations and allocations. The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	528.000	528.000
Personal Services	\$52,137,289	\$53,268,349
All Other	\$19,898,833	\$19,898,833
GENERAL FUND TOTAL	\$72,036,122	\$73,167,182

FEDERAL EXPENDITURES FUND	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$106,075	\$108,910
All Other	\$1,088,789	\$1,088,789
FEDERAL EXPENDITURES FUND TOTAL	<u>\$1,194,864</u>	<u>\$1,197,699</u>
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	19.000	19.000
Personal Services	\$4,166,368	\$4,293,565
All Other	\$6,316,667	\$6,316,667
Capital Expenditures	\$300,000	\$300,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$10,783,035</u>	<u>\$10,910,232</u>

**COURTS - SUPREME, SUPERIOR AND
DISTRICT 0063**

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	528.000	528.000
Personal Services	\$52,137,289	\$53,268,349
All Other	\$19,898,833	\$19,898,833
GENERAL FUND TOTAL	<u>\$72,036,122</u>	<u>\$73,167,182</u>
FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$106,075	\$108,910
All Other	\$1,088,789	\$1,088,789
FEDERAL EXPENDITURES FUND TOTAL	<u>\$1,194,864</u>	<u>\$1,197,699</u>
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	19.000	19.000
Personal Services	\$4,166,368	\$4,293,565
All Other	\$6,316,667	\$6,316,667
Capital Expenditures	\$300,000	\$300,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$10,783,035</u>	<u>\$10,910,232</u>

Judicial - Debt Service Z097

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$17,089,584	\$17,089,584
GENERAL FUND TOTAL	<u>\$17,089,584</u>	<u>\$17,089,584</u>

JUDICIAL - DEBT SERVICE Z097

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$17,089,584	\$17,089,584

GENERAL FUND TOTAL	<u>\$17,089,584</u>	<u>\$17,089,584</u>
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**JUDICIAL DEPARTMENT
DEPARTMENT TOTALS**

	2021-22	2022-23
GENERAL FUND	\$89,125,706	\$90,256,766
FEDERAL EXPENDITURES FUND	\$1,194,864	\$1,197,699
OTHER SPECIAL REVENUE FUNDS	\$10,783,035	\$10,910,232

DEPARTMENT TOTAL - ALL FUNDS	<u>\$101,103,605</u>	<u>\$102,364,697</u>
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Sec. A-40. Appropriations and allocations. The following appropriations and allocations are made.

LABOR, DEPARTMENT OF

Administration - Bureau of Labor Standards 0158

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$94,549	\$97,590
All Other	\$31,350	\$31,350

GENERAL FUND TOTAL	<u>\$125,899</u>	<u>\$128,940</u>
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**FEDERAL EXPENDITURES
FUND**

	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$134,332	\$136,739
All Other	\$68,588	\$68,588

FEDERAL EXPENDITURES FUND TOTAL	<u>\$202,920</u>	<u>\$205,327</u>
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**OTHER SPECIAL REVENUE
FUNDS**

	2021-22	2022-23
All Other	\$200,000	\$200,000

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$200,000</u>	<u>\$200,000</u>
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**ADMINISTRATION - BUREAU OF LABOR
STANDARDS 0158**

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$94,549	\$97,590
All Other	\$31,350	\$31,350

GENERAL FUND TOTAL	<u>\$125,899</u>	<u>\$128,940</u>
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**FEDERAL EXPENDITURES
FUND**

	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000

FIRST REGULAR SESSION - 2021

PUBLIC LAW, C. 29

Personal Services	\$134,332	\$136,739
All Other	\$68,588	\$68,588
FEDERAL EXPENDITURES	<u>\$202,920</u>	<u>\$205,327</u>
FUND TOTAL		
OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
All Other	\$200,000	\$200,000
OTHER SPECIAL REVENUE	<u>\$200,000</u>	<u>\$200,000</u>
FUNDS TOTAL		

Administration - Labor 0030

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	1.000	1.000
COUNT		
Personal Services	\$246,028	\$248,589
All Other	\$282,907	\$282,907
GENERAL FUND TOTAL	<u>\$528,935</u>	<u>\$531,496</u>

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
POSITIONS - LEGISLATIVE	11.000	11.000
COUNT		
Personal Services	\$1,239,507	\$1,256,956
All Other	\$2,891,665	\$2,891,665
OTHER SPECIAL REVENUE	<u>\$4,131,172</u>	<u>\$4,148,621</u>
FUNDS TOTAL		

ADMINISTRATION - LABOR 0030

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	1.000	1.000
COUNT		
Personal Services	\$246,028	\$248,589
All Other	\$282,907	\$282,907
GENERAL FUND TOTAL	<u>\$528,935</u>	<u>\$531,496</u>

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
POSITIONS - LEGISLATIVE	11.000	11.000
COUNT		
Personal Services	\$1,239,507	\$1,256,956
All Other	\$2,891,665	\$2,891,665
OTHER SPECIAL REVENUE	<u>\$4,131,172</u>	<u>\$4,148,621</u>
FUNDS TOTAL		

Blind and Visually Impaired - Division for the 0126

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	12.000	12.000
COUNT		
Personal Services	\$1,036,415	\$1,052,646
All Other	\$2,594,300	\$2,594,300
GENERAL FUND TOTAL	<u>\$3,630,715</u>	<u>\$3,646,946</u>

FEDERAL EXPENDITURES	2021-22	2022-23
FUND		
POSITIONS - LEGISLATIVE	21.500	21.500
COUNT		
Personal Services	\$1,898,886	\$1,938,311
All Other	\$2,325,228	\$2,325,228
FEDERAL EXPENDITURES	<u>\$4,224,114</u>	<u>\$4,263,539</u>
FUND TOTAL		

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
POSITIONS - LEGISLATIVE	2.000	2.000
COUNT		
Personal Services	\$115,726	\$116,638
All Other	\$212,044	\$212,044
OTHER SPECIAL REVENUE	<u>\$327,770</u>	<u>\$328,682</u>
FUNDS TOTAL		

BLIND AND VISUALLY IMPAIRED - DIVISION FOR THE 0126

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	12.000	12.000
COUNT		
Personal Services	\$1,036,415	\$1,052,646
All Other	\$2,594,300	\$2,594,300
GENERAL FUND TOTAL	<u>\$3,630,715</u>	<u>\$3,646,946</u>

FEDERAL EXPENDITURES	2021-22	2022-23
FUND		
POSITIONS - LEGISLATIVE	21.500	21.500
COUNT		
Personal Services	\$1,898,886	\$1,938,311
All Other	\$2,325,228	\$2,325,228
FEDERAL EXPENDITURES	<u>\$4,224,114</u>	<u>\$4,263,539</u>
FUND TOTAL		

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
POSITIONS - LEGISLATIVE	2.000	2.000
COUNT		
Personal Services	\$115,726	\$116,638
All Other	\$212,044	\$212,044
OTHER SPECIAL REVENUE	<u>\$327,770</u>	<u>\$328,682</u>
FUNDS TOTAL		

Employment Security Services 0245

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES	2021-22	2022-23
FUND		
POSITIONS - LEGISLATIVE	112.500	112.500
COUNT		
Personal Services	\$11,566,040	\$11,898,170
All Other	\$15,700,840	\$15,700,840
FEDERAL EXPENDITURES	<u>\$27,266,880</u>	<u>\$27,599,010</u>
FUND TOTAL		

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	47.000	47.000
Personal Services	\$2,029,875	\$2,077,353
All Other	\$1,373,146	\$1,373,146
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,403,021	\$3,450,499

EMPLOYMENT SECURITY TRUST FUND	2021-22	2022-23
All Other	\$174,350,000	\$174,350,000
EMPLOYMENT SECURITY TRUST FUND TOTAL	\$174,350,000	\$174,350,000

**EMPLOYMENT SECURITY SERVICES 0245
PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	112.500	112.500
Personal Services	\$11,566,040	\$11,898,170
All Other	\$15,700,840	\$15,700,840
FEDERAL EXPENDITURES FUND TOTAL	\$27,266,880	\$27,599,010

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	47.000	47.000
Personal Services	\$2,029,875	\$2,077,353
All Other	\$1,373,146	\$1,373,146
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,403,021	\$3,450,499

EMPLOYMENT SECURITY TRUST FUND	2021-22	2022-23
All Other	\$174,350,000	\$174,350,000
EMPLOYMENT SECURITY TRUST FUND TOTAL	\$174,350,000	\$174,350,000

Employment Services Activity 0852

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$674,789	\$689,700
All Other	\$325,368	\$325,368
GENERAL FUND TOTAL	\$1,000,157	\$1,015,068

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	104.000	104.000
Personal Services	\$7,215,192	\$7,431,772
All Other	\$15,919,040	\$15,919,040

FEDERAL EXPENDITURES FUND TOTAL	\$23,134,232	\$23,350,812
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$898,248	\$920,381
All Other	\$718,591	\$718,591

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,616,839	\$1,638,972
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COMPETITIVE SKILLS SCHOLARSHIP FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$1,254,760	\$1,279,320
All Other	\$2,586,161	\$2,586,161

COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$3,840,921	\$3,865,481
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EMPLOYMENT SERVICES ACTIVITY 0852

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$674,789	\$689,700
All Other	\$325,368	\$325,368
GENERAL FUND TOTAL	\$1,000,157	\$1,015,068

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	104.000	104.000
Personal Services	\$7,215,192	\$7,431,772
All Other	\$15,919,040	\$15,919,040

FEDERAL EXPENDITURES FUND TOTAL	\$23,134,232	\$23,350,812
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$898,248	\$920,381
All Other	\$718,591	\$718,591

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,616,839	\$1,638,972
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COMPETITIVE SKILLS SCHOLARSHIP FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$1,254,760	\$1,279,320
All Other	\$2,586,161	\$2,586,161

COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$3,840,921	\$3,865,481
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Labor Relations Board 0160

FIRST REGULAR SESSION - 2021

PUBLIC LAW, C. 29

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.500	3.500
Personal Services	\$393,687	\$404,258
All Other	\$60,672	\$60,672
GENERAL FUND TOTAL	\$454,359	\$464,930

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$95,000	\$95,000
All Other	\$45,477	\$45,477

OTHER SPECIAL REVENUE FUNDS TOTAL	\$140,477	\$140,477
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LABOR RELATIONS BOARD 0160

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.500	3.500
Personal Services	\$393,687	\$404,258
All Other	\$60,672	\$60,672
GENERAL FUND TOTAL	\$454,359	\$464,930

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$95,000	\$95,000
All Other	\$45,477	\$45,477

OTHER SPECIAL REVENUE FUNDS TOTAL	\$140,477	\$140,477
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Racial, Indigenous and Maine Tribal Populations Z287

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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RACIAL, INDIGENOUS AND MAINE TRIBAL POPULATIONS Z287

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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Regulation and Enforcement 0159

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	8.000	8.000

Personal Services	\$775,047	\$789,648
All Other	\$170,296	\$170,296

GENERAL FUND TOTAL	\$945,343	\$959,944
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FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$1,137,102	\$1,149,794
All Other	\$112,921	\$112,921

FEDERAL EXPENDITURES FUND TOTAL	\$1,250,023	\$1,262,715
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REGULATION AND ENFORCEMENT 0159

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$775,047	\$789,648
All Other	\$170,296	\$170,296
GENERAL FUND TOTAL	\$945,343	\$959,944

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$1,137,102	\$1,149,794
All Other	\$112,921	\$112,921

FEDERAL EXPENDITURES FUND TOTAL	\$1,250,023	\$1,262,715
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Rehabilitation Services 0799

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,295,272	\$1,321,688
All Other	\$3,369,946	\$3,369,946

GENERAL FUND TOTAL	\$4,665,218	\$4,691,634
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	100.000	100.000
Personal Services	\$8,361,562	\$8,582,342
All Other	\$9,651,981	\$9,651,981

FEDERAL EXPENDITURES FUND TOTAL	\$18,013,543	\$18,234,323
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$75,320	\$78,759
All Other	\$391,109	\$391,109

OTHER SPECIAL REVENUE FUNDS TOTAL	\$466,429	\$469,868
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REHABILITATION SERVICES 0799

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	16,000	16,000
Personal Services	\$1,295,272	\$1,321,688
All Other	\$3,369,946	\$3,369,946
GENERAL FUND TOTAL	\$4,665,218	\$4,691,634

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	100,000	100,000
Personal Services	\$8,361,562	\$8,582,342
All Other	\$9,651,981	\$9,651,981
FEDERAL EXPENDITURES FUND TOTAL	\$18,013,543	\$18,234,323

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$75,320	\$78,759
All Other	\$391,109	\$391,109
OTHER SPECIAL REVENUE FUNDS TOTAL	\$466,429	\$469,868

Safety Education and Training Programs 0161

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	16,000	16,000
Personal Services	\$1,371,766	\$1,403,220
All Other	\$997,360	\$997,360
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,369,126	\$2,400,580

SAFETY EDUCATION AND TRAINING PROGRAMS 0161

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	16,000	16,000
Personal Services	\$1,371,766	\$1,403,220
All Other	\$997,360	\$997,360
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,369,126	\$2,400,580

State Workforce Investment Board Z158

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$382,607	\$384,653
All Other	\$52,751	\$52,751

FEDERAL EXPENDITURES FUND TOTAL	\$435,358	\$437,404
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$3,000	\$3,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,000	\$3,000

STATE WORKFORCE INVESTMENT BOARD Z158

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$382,607	\$384,653
All Other	\$52,751	\$52,751

FEDERAL EXPENDITURES FUND TOTAL	\$435,358	\$437,404
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$3,000	\$3,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,000	\$3,000

Workforce Research Z164

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$151,307	\$155,186
All Other	\$200,573	\$200,573
GENERAL FUND TOTAL	\$351,880	\$355,759

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	16,500	16,500
Personal Services	\$1,574,048	\$1,607,495
All Other	\$1,030,681	\$1,030,681
FEDERAL EXPENDITURES FUND TOTAL	\$2,604,729	\$2,638,176

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$54,379	\$54,379
OTHER SPECIAL REVENUE FUNDS TOTAL	\$54,379	\$54,379

WORKFORCE RESEARCH Z164

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
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FIRST REGULAR SESSION - 2021

PUBLIC LAW, C. 29

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$151,307	\$155,186
All Other	\$200,573	\$200,573
GENERAL FUND TOTAL	\$351,880	\$355,759
FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	16.500	16.500
Personal Services	\$1,574,048	\$1,607,495
All Other	\$1,030,681	\$1,030,681
FEDERAL EXPENDITURES FUND TOTAL	\$2,604,729	\$2,638,176
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$54,379	\$54,379
OTHER SPECIAL REVENUE FUNDS TOTAL	\$54,379	\$54,379
LABOR, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$11,702,506	\$11,794,717
FEDERAL EXPENDITURES FUND	\$77,131,799	\$77,991,306
OTHER SPECIAL REVENUE FUNDS	\$12,712,713	\$12,835,578
EMPLOYMENT SECURITY TRUST FUND	\$174,350,000	\$174,350,000
COMPETITIVE SKILLS SCHOLARSHIP FUND	\$3,840,921	\$3,865,481
DEPARTMENT TOTAL - ALL FUNDS	\$279,737,939	\$280,837,082

Sec. A-41. Appropriations and allocations. The following appropriations and allocations are made.

LAW AND LEGISLATIVE REFERENCE LIBRARY

Law and Legislative Reference Library 0636

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,553,295	\$1,605,664
All Other	\$356,757	\$356,757
GENERAL FUND TOTAL	\$1,910,052	\$1,962,421

LAW AND LEGISLATIVE REFERENCE LIBRARY 0636

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	14.000	14.000

Personal Services	\$1,553,295	\$1,605,664
All Other	\$356,757	\$356,757
GENERAL FUND TOTAL	\$1,910,052	\$1,962,421

Sec. A-42. Appropriations and allocations. The following appropriations and allocations are made.

LEGISLATURE

Citizen Trade Policy Commission Z173

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
Personal Services	\$1,320	\$1,320
All Other	\$36,300	\$26,300

GENERAL FUND TOTAL	\$37,620	\$27,620
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CITIZEN TRADE POLICY COMMISSION Z173

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
Personal Services	\$1,320	\$1,320
All Other	\$36,300	\$26,300

GENERAL FUND TOTAL	\$37,620	\$27,620
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Interstate Cooperation - Commission on 0053

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$209,557	\$209,557

GENERAL FUND TOTAL	\$209,557	\$209,557
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INTERSTATE COOPERATION - COMMISSION ON 0053

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$209,557	\$209,557

GENERAL FUND TOTAL	\$209,557	\$209,557
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Legislature 0081

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	155.500	155.500
POSITIONS - FTE COUNT	29.138	29.138
Personal Services	\$25,478,207	\$27,471,067
All Other	\$4,232,670	\$4,592,154

GENERAL FUND TOTAL	\$29,710,877	\$32,063,221
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OTHER SPECIAL REVENUE FUNDS

All Other	\$10,000	\$10,000
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,000	\$10,000
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LEGISLATURE 0081

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	155.500	155.500
POSITIONS - FTE COUNT	29.138	29.138
Personal Services	\$25,478,207	\$27,471,067
All Other	\$4,232,670	\$4,592,154
GENERAL FUND TOTAL	\$29,710,877	\$32,063,221

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$10,000	\$10,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,000	\$10,000

State House and Capitol Park Commission 0615

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$67,834	\$67,834
GENERAL FUND TOTAL	\$67,834	\$67,834

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

STATE HOUSE AND CAPITOL PARK COMMISSION 0615

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$67,834	\$67,834
GENERAL FUND TOTAL	\$67,834	\$67,834

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Study Commissions - Funding 0444

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
Personal Services	\$3,725	\$3,725
All Other	\$6,275	\$6,275
GENERAL FUND TOTAL	\$10,000	\$10,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

STUDY COMMISSIONS - FUNDING 0444

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
Personal Services	\$3,725	\$3,725
All Other	\$6,275	\$6,275
GENERAL FUND TOTAL	\$10,000	\$10,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Uniform State Laws - Commission on 0242

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$10,000	\$10,000
GENERAL FUND TOTAL	\$10,000	\$10,000

UNIFORM STATE LAWS - COMMISSION ON 0242

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$10,000	\$10,000
GENERAL FUND TOTAL	\$10,000	\$10,000

LEGISLATURE DEPARTMENT TOTALS

GENERAL FUND	\$30,045,888	\$32,388,232
OTHER SPECIAL REVENUE FUNDS	\$11,000	\$11,000

DEPARTMENT TOTAL - ALL FUNDS	\$30,056,888	\$32,399,232
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Sec. A-43. Appropriations and allocations. The following appropriations and allocations are made.

LIBRARY, MAINE STATE

Administration - Library 0215

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$173,680	\$175,348
All Other	\$85,938	\$85,938
GENERAL FUND TOTAL	\$259,618	\$261,286

ADMINISTRATION - LIBRARY 0215

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$173,680	\$175,348

All Other	\$85,938	\$85,938
GENERAL FUND TOTAL	\$259,618	\$261,286

Blind and Visually Impaired News Access Fund Z275

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$40,000	\$40,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$40,000	\$40,000
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BLIND AND VISUALLY IMPAIRED NEWS ACCESS FUND Z275

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$40,000	\$40,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$40,000	\$40,000
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Maine Public Library Fund Z144

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$52,000	\$52,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$52,000	\$52,000
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MAINE PUBLIC LIBRARY FUND Z144

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$52,000	\$52,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$52,000	\$52,000
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Maine State Library 0217

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	30.000	30.000
Personal Services	\$2,419,155	\$2,457,145
All Other	\$994,633	\$994,633

GENERAL FUND TOTAL	\$3,413,788	\$3,451,778
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$974,868	\$987,621
All Other	\$587,171	\$587,171

FEDERAL EXPENDITURES FUND TOTAL	\$1,562,039	\$1,574,792
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$719,977	\$719,977

OTHER SPECIAL REVENUE FUNDS TOTAL	\$719,977	\$719,977
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MAINE STATE LIBRARY 0217

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	30.000	30.000
Personal Services	\$2,419,155	\$2,457,145
All Other	\$994,633	\$994,633

GENERAL FUND TOTAL	\$3,413,788	\$3,451,778
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$974,868	\$987,621
All Other	\$587,171	\$587,171

FEDERAL EXPENDITURES FUND TOTAL	\$1,562,039	\$1,574,792
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$719,977	\$719,977

OTHER SPECIAL REVENUE FUNDS TOTAL	\$719,977	\$719,977
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Statewide Library Information System 0185

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$242,786	\$242,786

GENERAL FUND TOTAL	\$242,786	\$242,786
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STATEWIDE LIBRARY INFORMATION SYSTEM 0185

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$242,786	\$242,786

GENERAL FUND TOTAL	\$242,786	\$242,786
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LIBRARY, MAINE STATE DEPARTMENT TOTALS

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	30.000	30.000
Personal Services	\$2,419,155	\$2,457,145
All Other	\$994,633	\$994,633
GENERAL FUND TOTAL	\$3,916,192	\$3,955,850
FEDERAL EXPENDITURES FUND	\$1,562,039	\$1,574,792
OTHER SPECIAL REVENUE FUNDS	\$811,977	\$811,977

DEPARTMENT TOTAL - ALL FUNDS \$6,290,208 \$6,342,619

Sec. A-44. Appropriations and allocations. The following appropriations and allocations are made.

MAINE CHILDREN'S CABINET EARLY CHILDHOOD ADVISORY COUNCIL

Maine Children's Cabinet Early Childhood Advisory Council Z282

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	<u>\$500</u>	<u>\$500</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>

MAINE CHILDREN'S CABINET EARLY CHILDHOOD ADVISORY COUNCIL Z282

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	<u>\$500</u>	<u>\$500</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>

Sec. A-45. Appropriations and allocations. The following appropriations and allocations are made.

MAINE LOBSTER MARKETING COLLABORATIVE

Lobster Promotion Fund 0701

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$2,686,000	\$2,686,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,686,000</u>	<u>\$2,686,000</u>

LOBSTER PROMOTION FUND 0701

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$2,686,000	\$2,686,000

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,686,000</u>	<u>\$2,686,000</u>
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Sec. A-46. Appropriations and allocations. The following appropriations and allocations are made.

MARINE RESOURCES, DEPARTMENT OF

Bureau of Marine Science 0027

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,655,700	\$1,689,637
All Other	\$590,528	\$590,528

GENERAL FUND TOTAL	<u>\$2,246,228</u>	<u>\$2,280,165</u>
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
POSITIONS - FTE COUNT	2.000	2.000
Personal Services	\$1,715,939	\$1,746,033
All Other	\$757,275	\$757,308

FEDERAL EXPENDITURES FUND TOTAL	<u>\$2,473,214</u>	<u>\$2,503,341</u>
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$1,384,868	\$1,418,244
All Other	\$873,406	\$873,385

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,258,274</u>	<u>\$2,291,629</u>
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BUREAU OF MARINE SCIENCE 0027

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,655,700	\$1,689,637
All Other	\$590,528	\$590,528

GENERAL FUND TOTAL	<u>\$2,246,228</u>	<u>\$2,280,165</u>
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
POSITIONS - FTE COUNT	2.000	2.000
Personal Services	\$1,715,939	\$1,746,033
All Other	\$757,275	\$757,308

FIRST REGULAR SESSION - 2021

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FEDERAL EXPENDITURES	\$2,473,214	\$2,503,341
FUND TOTAL		
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$1,384,868	\$1,418,244
All Other	\$873,406	\$873,385
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,258,274	\$2,291,629

Bureau of Policy and Management 0258

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$1,033,890	\$1,043,711
All Other	\$1,299,287	\$1,299,287
GENERAL FUND TOTAL	\$2,333,177	\$2,342,998

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$655,708	\$667,110
All Other	\$1,100,992	\$1,100,992
FEDERAL EXPENDITURES FUND TOTAL	\$1,756,700	\$1,768,102

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	21.000	21.000
Personal Services	\$2,088,013	\$2,135,735
All Other	\$1,047,310	\$1,047,310
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,135,323	\$3,183,045

BUREAU OF POLICY AND MANAGEMENT 0258

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$1,033,890	\$1,043,711
All Other	\$1,299,287	\$1,299,287
GENERAL FUND TOTAL	\$2,333,177	\$2,342,998

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$655,708	\$667,110
All Other	\$1,100,992	\$1,100,992
FEDERAL EXPENDITURES FUND TOTAL	\$1,756,700	\$1,768,102

FEDERAL EXPENDITURES FUND TOTAL	\$1,756,700	\$1,768,102
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	21.000	21.000
Personal Services	\$2,088,013	\$2,135,735
All Other	\$1,047,310	\$1,047,310
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,135,323	\$3,183,045

Bureau of Public Health Z154

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	18.000	18.000
Personal Services	\$1,489,986	\$1,534,099
All Other	\$425,460	\$425,460
GENERAL FUND TOTAL	\$1,915,446	\$1,959,559

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$218,306	\$221,368
All Other	\$365,198	\$365,051
FEDERAL EXPENDITURES FUND TOTAL	\$583,504	\$586,419

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$842,873	\$869,566
All Other	\$122,671	\$122,671
OTHER SPECIAL REVENUE FUNDS TOTAL	\$965,544	\$992,237

BUREAU OF PUBLIC HEALTH Z154

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	18.000	18.000
Personal Services	\$1,489,986	\$1,534,099
All Other	\$425,460	\$425,460
GENERAL FUND TOTAL	\$1,915,446	\$1,959,559

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$218,306	\$221,368
All Other	\$365,198	\$365,051
FEDERAL EXPENDITURES FUND TOTAL	\$583,504	\$586,419

FEDERAL EXPENDITURES FUND TOTAL	\$583,504	\$586,419
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$842,873	\$869,566
All Other	\$122,671	\$122,671

OTHER SPECIAL REVENUE FUNDS TOTAL	\$965,544	\$992,237
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Marine Patrol - Bureau of 0029

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	39.000	39.000
Personal Services	\$4,707,162	\$4,791,585
All Other	\$961,528	\$961,528

GENERAL FUND TOTAL	\$5,668,690	\$5,753,113
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$285,044	\$291,265
All Other	\$120,839	\$120,839

FEDERAL EXPENDITURES FUND TOTAL	\$405,883	\$412,104
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,149,058	\$1,162,826
All Other	\$1,328,174	\$1,328,168

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,477,232	\$2,490,994
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MARINE PATROL - BUREAU OF 0029

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	39.000	39.000
Personal Services	\$4,707,162	\$4,791,585
All Other	\$961,528	\$961,528

GENERAL FUND TOTAL	\$5,668,690	\$5,753,113
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$285,044	\$291,265
All Other	\$120,839	\$120,839

FEDERAL EXPENDITURES FUND TOTAL	\$405,883	\$412,104
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,149,058	\$1,162,826

All Other	\$1,328,174	\$1,328,168
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,477,232	\$2,490,994

MARINE RESOURCES, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
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GENERAL FUND	\$12,163,541	\$12,335,835
FEDERAL EXPENDITURES FUND	\$5,219,301	\$5,269,966
OTHER SPECIAL REVENUE FUNDS	\$8,836,373	\$8,957,905

DEPARTMENT TOTAL - ALL FUNDS	\$26,219,215	\$26,563,706
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Sec. A-47. Appropriations and allocations. The following appropriations and allocations are made.

MARITIME ACADEMY, MAINE

Maine Maritime Academy Scholarship Fund - Casino Z167

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$162,469	\$162,469

OTHER SPECIAL REVENUE FUNDS TOTAL	\$162,469	\$162,469
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MAINE MARITIME ACADEMY SCHOLARSHIP FUND - CASINO Z167

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$162,469	\$162,469

OTHER SPECIAL REVENUE FUNDS TOTAL	\$162,469	\$162,469
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Maritime Academy - Operations 0035

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$9,164,135	\$9,164,135

GENERAL FUND TOTAL	\$9,164,135	\$9,164,135
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MARITIME ACADEMY - OPERATIONS 0035

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$9,164,135	\$9,164,135

GENERAL FUND TOTAL	\$9,164,135	\$9,164,135
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Maritime Academy - Schooner Bowdoin Z253

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
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FIRST REGULAR SESSION - 2021

PUBLIC LAW, C. 29

All Other	\$50,000	\$50,000
GENERAL FUND TOTAL	\$50,000	\$50,000

MARITIME ACADEMY - SCHOONER BOWDOIN Z253

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$50,000	\$50,000
GENERAL FUND TOTAL	\$50,000	\$50,000

MARITIME ACADEMY, MAINE DEPARTMENT TOTALS

GENERAL FUND	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS	\$9,214,135	\$9,214,135
	\$162,469	\$162,469

DEPARTMENT TOTAL - ALL FUNDS	\$9,376,604	\$9,376,604
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Sec. A-48. Appropriations and allocations. The following appropriations and allocations are made.

MUNICIPAL BOND BANK, MAINE

Maine Municipal Bond Bank - Maine Rural Water Association 0699

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$69,331	\$69,331
GENERAL FUND TOTAL	\$69,331	\$69,331

MAINE MUNICIPAL BOND BANK - MAINE RURAL WATER ASSOCIATION 0699

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$69,331	\$69,331
GENERAL FUND TOTAL	\$69,331	\$69,331

Sec. A-49. Appropriations and allocations. The following appropriations and allocations are made.

MUSEUM, MAINE STATE

Maine State Museum 0180

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	20.000	20.000
Personal Services	\$1,863,176	\$1,902,419
All Other	\$204,366	\$204,366

GENERAL FUND TOTAL	\$2,067,542	\$2,106,785
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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All Other	\$180,899	\$180,899
OTHER SPECIAL REVENUE FUNDS TOTAL	\$180,899	\$180,899

MAINE STATE MUSEUM 0180

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	20.000	20.000
Personal Services	\$1,863,176	\$1,902,419
All Other	\$204,366	\$204,366

GENERAL FUND TOTAL	\$2,067,542	\$2,106,785
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$180,899	\$180,899

OTHER SPECIAL REVENUE FUNDS TOTAL	\$180,899	\$180,899
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Maine State Museum - Operating Fund Z179

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$6,434	\$6,578
All Other	\$28,000	\$28,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$34,434	\$34,578
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MAINE STATE MUSEUM - OPERATING FUND Z179

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$6,434	\$6,578
All Other	\$28,000	\$28,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$34,434	\$34,578
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Research and Collection - Museum 0174

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$130,606	\$130,606

FEDERAL EXPENDITURES FUND TOTAL	\$130,606	\$130,606
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$5,347	\$5,384
All Other	\$163,238	\$163,238

OTHER SPECIAL REVENUE FUNDS TOTAL	\$168,585	\$168,622
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**RESEARCH AND COLLECTION - MUSEUM
0174**

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$130,606	\$130,606
FEDERAL EXPENDITURES FUND TOTAL	<u>\$130,606</u>	<u>\$130,606</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$5,347	\$5,384
All Other	\$163,238	\$163,238
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$168,585</u>	<u>\$168,622</u>

MUSEUM, MAINE STATE DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$2,067,542	\$2,106,785
FEDERAL EXPENDITURES FUND	\$130,606	\$130,606
OTHER SPECIAL REVENUE FUNDS	\$383,918	\$384,099
DEPARTMENT TOTAL - ALL FUNDS	<u>\$2,582,066</u>	<u>\$2,621,490</u>

Sec. A-50. Appropriations and allocations. The following appropriations and allocations are made.

NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION

Maine Joint Environmental Training Coordinating Committee 0980

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$52,950	\$52,950
GENERAL FUND TOTAL	<u>\$52,950</u>	<u>\$52,950</u>

MAINE JOINT ENVIRONMENTAL TRAINING COORDINATING COMMITTEE 0980

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$52,950	\$52,950
GENERAL FUND TOTAL	<u>\$52,950</u>	<u>\$52,950</u>

Sec. A-51. Appropriations and allocations. The following appropriations and allocations are made.

PINE TREE LEGAL ASSISTANCE

Legal Assistance 0553

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
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All Other	\$500,000	\$500,000
GENERAL FUND TOTAL	<u>\$500,000</u>	<u>\$500,000</u>

LEGAL ASSISTANCE 0553

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$500,000	\$500,000
GENERAL FUND TOTAL	<u>\$500,000</u>	<u>\$500,000</u>

Sec. A-52. Appropriations and allocations. The following appropriations and allocations are made.

POTATO BOARD, MAINE

Potato Board 0429

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$160,902	\$160,902
GENERAL FUND TOTAL	<u>\$160,902</u>	<u>\$160,902</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,586,129	\$1,586,129

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$1,586,129</u>	<u>\$1,586,129</u>
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POTATO BOARD 0429

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$160,902	\$160,902
GENERAL FUND TOTAL	<u>\$160,902</u>	<u>\$160,902</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,586,129	\$1,586,129

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$1,586,129</u>	<u>\$1,586,129</u>
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Sec. A-53. Appropriations and allocations. The following appropriations and allocations are made.

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Administrative Services - Professional and Financial Regulation 0094

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$10,030	\$10,030

FEDERAL EXPENDITURES FUND TOTAL	<u>\$10,030</u>	<u>\$10,030</u>
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FIRST REGULAR SESSION - 2021

PUBLIC LAW, C. 29

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$1,201,832	\$1,216,012
All Other	\$4,008,171	\$4,008,171
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,210,003	\$5,224,183

ADMINISTRATIVE SERVICES - PROFESSIONAL AND FINANCIAL REGULATION 0094

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$10,030	\$10,030
FEDERAL EXPENDITURES FUND TOTAL	\$10,030	\$10,030

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$1,201,832	\$1,216,012
All Other	\$4,008,171	\$4,008,171
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,210,003	\$5,224,183

Bureau of Consumer Credit Protection 0091

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,428,946	\$1,477,028
All Other	\$567,840	\$567,840
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,996,786	\$2,044,868

BUREAU OF CONSUMER CREDIT PROTECTION 0091

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,428,946	\$1,477,028
All Other	\$567,840	\$567,840
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,996,786	\$2,044,868

Dental Practice - Board of 0384

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$388,213	\$391,097
All Other	\$202,780	\$202,780
OTHER SPECIAL REVENUE FUNDS TOTAL	\$590,993	\$593,877

DENTAL PRACTICE - BOARD OF 0384

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$388,213	\$391,097
All Other	\$202,780	\$202,780
OTHER SPECIAL REVENUE FUNDS TOTAL	\$590,993	\$593,877

Engineers - State Board of Licensure for Professional 0369

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$217,099	\$220,613
All Other	\$80,005	\$80,005
OTHER SPECIAL REVENUE FUNDS TOTAL	\$297,104	\$300,618

ENGINEERS - STATE BOARD OF LICENSURE FOR PROFESSIONAL 0369

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$217,099	\$220,613
All Other	\$80,005	\$80,005
OTHER SPECIAL REVENUE FUNDS TOTAL	\$297,104	\$300,618

Financial Institutions - Bureau of 0093

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	19.000	19.000
Personal Services	\$2,022,893	\$2,059,022
All Other	\$645,359	\$645,359
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,668,252	\$2,704,381

FINANCIAL INSTITUTIONS - BUREAU OF 0093

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	19.000	19.000
Personal Services	\$2,022,893	\$2,059,022
All Other	\$645,359	\$645,359
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,668,252	\$2,704,381

Insurance - Bureau of 0092

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$10,000	\$10,000
FEDERAL EXPENDITURES FUND TOTAL	\$10,000	\$10,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	70.500	70.500
Personal Services	\$7,660,850	\$7,832,267
All Other	\$3,145,393	\$3,145,393
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,806,243	\$10,977,660

INSURANCE - BUREAU OF 0092

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$10,000	\$10,000
FEDERAL EXPENDITURES FUND TOTAL	\$10,000	\$10,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	70.500	70.500
Personal Services	\$7,660,850	\$7,832,267
All Other	\$3,145,393	\$3,145,393
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,806,243	\$10,977,660

Licensing and Enforcement 0352

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	54.000	54.000
Personal Services	\$4,929,472	\$5,021,487
All Other	\$2,140,326	\$2,140,326
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,069,798	\$7,161,813

LICENSING AND ENFORCEMENT 0352

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	54.000	54.000
Personal Services	\$4,929,472	\$5,021,487
All Other	\$2,140,326	\$2,140,326
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,069,798	\$7,161,813

Licensure in Medicine - Board of 0376

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
POSITIONS - FTE COUNT	0.770	0.770
Personal Services	\$1,036,765	\$1,064,779
All Other	\$741,020	\$741,020

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,777,785	\$1,805,799
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LICENSURE IN MEDICINE - BOARD OF 0376

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
POSITIONS - FTE COUNT	0.770	0.770
Personal Services	\$1,036,765	\$1,064,779
All Other	\$741,020	\$741,020

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,777,785	\$1,805,799
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Manufactured Housing Board 0351

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$22,486	\$22,486
FEDERAL EXPENDITURES FUND TOTAL	\$22,486	\$22,486

MANUFACTURED HOUSING BOARD 0351

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$22,486	\$22,486
FEDERAL EXPENDITURES FUND TOTAL	\$22,486	\$22,486

Nursing - Board of 0372

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$10,144	\$10,144

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FEDERAL EXPENDITURES	\$10,144	\$10,144
FUND TOTAL		

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$679,769	\$690,075
All Other	\$551,343	\$551,343

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,231,112	\$1,241,418
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**NURSING - BOARD OF 0372
PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$10,144	\$10,144

FEDERAL EXPENDITURES FUND TOTAL	\$10,144	\$10,144
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$679,769	\$690,075
All Other	\$551,343	\$551,343

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,231,112	\$1,241,418
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Office of Securities 0943

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$10,113	\$10,113

FEDERAL EXPENDITURES FUND TOTAL	\$10,113	\$10,113
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,747,761	\$1,765,975
All Other	\$422,361	\$422,361

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,170,122	\$2,188,336
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**OFFICE OF SECURITIES 0943
PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$10,113	\$10,113

FEDERAL EXPENDITURES FUND TOTAL	\$10,113	\$10,113
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,747,761	\$1,765,975
All Other	\$422,361	\$422,361

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,170,122	\$2,188,336
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**Optometry - Board of 0385
Initiative: BASELINE BUDGET**

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$61,755	\$62,244
All Other	\$28,359	\$28,359

OTHER SPECIAL REVENUE FUNDS TOTAL	\$90,114	\$90,603
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**OPTOMETRY - BOARD OF 0385
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$61,755	\$62,244
All Other	\$28,359	\$28,359

OTHER SPECIAL REVENUE FUNDS TOTAL	\$90,114	\$90,603
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Osteopathic Licensure - Board of 0383

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$102,974	\$104,146
All Other	\$168,500	\$168,500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$271,474	\$272,646
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**OSTEOPATHIC LICENSURE - BOARD OF 0383
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$102,974	\$104,146
All Other	\$168,500	\$168,500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$271,474	\$272,646
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PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

DEPARTMENT TOTALS	2021-22	2022-23
FEDERAL EXPENDITURES FUND	\$62,773	\$62,773
OTHER SPECIAL REVENUE FUNDS	\$34,179,786	\$34,606,202
DEPARTMENT TOTAL - ALL FUNDS	\$34,242,559	\$34,668,975

Sec. A-54. Appropriations and allocations. The following appropriations and allocations are made.

PROGRAM EVALUATION AND GOVERNMENT ACCOUNTABILITY, OFFICE OF

Office of Program Evaluation and Government Accountability 0976

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$1,372,737	\$1,417,758
All Other	\$149,088	\$149,088
GENERAL FUND TOTAL	\$1,521,825	\$1,566,846

OFFICE OF PROGRAM EVALUATION AND GOVERNMENT ACCOUNTABILITY 0976

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$1,372,737	\$1,417,758
All Other	\$149,088	\$149,088
GENERAL FUND TOTAL	\$1,521,825	\$1,566,846

Sec. A-55. Appropriations and allocations. The following appropriations and allocations are made.

PROPERTY TAX REVIEW, STATE BOARD OF Property Tax Review - State Board of 0357

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
Personal Services	\$6,000	\$6,000
All Other	\$80,565	\$80,565
GENERAL FUND TOTAL	\$86,565	\$86,565

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$3,000	\$3,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,000	\$3,000
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PROPERTY TAX REVIEW - STATE BOARD OF 0357

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
Personal Services	\$6,000	\$6,000
All Other	\$80,565	\$80,565

GENERAL FUND TOTAL	\$86,565	\$86,565
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$3,000	\$3,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,000	\$3,000
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Sec. A-56. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC BROADCASTING CORPORATION, MAINE

Maine Public Broadcasting Corporation 0033

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$1,650,000	\$1,650,000

GENERAL FUND TOTAL	\$1,650,000	\$1,650,000
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MAINE PUBLIC BROADCASTING CORPORATION 0033

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$1,650,000	\$1,650,000

GENERAL FUND TOTAL	\$1,650,000	\$1,650,000
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Sec. A-57. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF Administration - Public Safety 0088

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$275,441	\$279,409
All Other	\$874,821	\$874,821

GENERAL FUND TOTAL	\$1,150,262	\$1,154,230
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FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
Personal Services	\$181,052	\$187,846
All Other	\$2,000,712	\$2,000,712

FEDERAL EXPENDITURES FUND TOTAL	\$2,181,764	\$2,188,558
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$226,023	\$227,379
All Other	\$238,207	\$238,207
OTHER SPECIAL REVENUE FUNDS TOTAL	\$464,230	\$465,586

ADMINISTRATION - PUBLIC SAFETY 0088

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$275,441	\$279,409
All Other	\$874,821	\$874,821
GENERAL FUND TOTAL	\$1,150,262	\$1,154,230

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$181,052	\$187,846
All Other	\$2,000,712	\$2,000,712
FEDERAL EXPENDITURES FUND TOTAL	\$2,181,764	\$2,188,558

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$226,023	\$227,379
All Other	\$238,207	\$238,207
OTHER SPECIAL REVENUE FUNDS TOTAL	\$464,230	\$465,586

Background Checks - Certified Nursing Assistants 0992

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$91,140	\$92,054
All Other	\$12,091	\$12,091
GENERAL FUND TOTAL	\$103,231	\$104,145

BACKGROUND CHECKS - CERTIFIED NURSING ASSISTANTS 0992

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$91,140	\$92,054
All Other	\$12,091	\$12,091
GENERAL FUND TOTAL	\$103,231	\$104,145

Capitol Police - Bureau of 0101

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	15.500	15.500
Personal Services	\$1,382,215	\$1,396,482
All Other	\$115,377	\$115,377
GENERAL FUND TOTAL	\$1,497,592	\$1,511,859

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$481,738	\$485,196
All Other	\$48,754	\$48,754
OTHER SPECIAL REVENUE FUNDS TOTAL	\$530,492	\$533,950

CAPITOL POLICE - BUREAU OF 0101

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	15.500	15.500
Personal Services	\$1,382,215	\$1,396,482
All Other	\$115,377	\$115,377
GENERAL FUND TOTAL	\$1,497,592	\$1,511,859

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$481,738	\$485,196
All Other	\$48,754	\$48,754
OTHER SPECIAL REVENUE FUNDS TOTAL	\$530,492	\$533,950

Computer Crimes 0048

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,335,677	\$1,367,825
All Other	\$517,421	\$517,421
GENERAL FUND TOTAL	\$1,853,098	\$1,885,246

COMPUTER CRIMES 0048

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,335,677	\$1,367,825
All Other	\$517,421	\$517,421
GENERAL FUND TOTAL	\$1,853,098	\$1,885,246

Consolidated Emergency Communications Z021

Initiative: BASELINE BUDGET

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	64.000	64.000
Personal Services	\$6,094,502	\$6,268,514
All Other	\$633,500	\$633,500
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	\$6,728,002	\$6,902,014

CONSOLIDATED EMERGENCY COMMUNICATIONS Z021

PROGRAM SUMMARY

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	64.000	64.000
Personal Services	\$6,094,502	\$6,268,514
All Other	\$633,500	\$633,500
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	\$6,728,002	\$6,902,014

Criminal Justice Academy 0290

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$163,658	\$164,823
All Other	\$833,077	\$833,077
GENERAL FUND TOTAL	\$996,735	\$997,900

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$25,000	\$25,000
FEDERAL EXPENDITURES FUND TOTAL	\$25,000	\$25,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$877,155	\$899,448
All Other	\$132,265	\$132,265
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,009,420	\$1,031,713

CRIMINAL JUSTICE ACADEMY 0290

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$163,658	\$164,823
All Other	\$833,077	\$833,077

GENERAL FUND TOTAL	\$996,735	\$997,900
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$25,000	\$25,000
FEDERAL EXPENDITURES FUND TOTAL	\$25,000	\$25,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$877,155	\$899,448
All Other	\$132,265	\$132,265
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,009,420	\$1,031,713

Division of Building Codes and Standards Z073

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$70,079	\$73,573
All Other	\$38,404	\$38,404
OTHER SPECIAL REVENUE FUNDS TOTAL	\$108,483	\$111,977

DIVISION OF BUILDING CODES AND STANDARDS Z073

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$70,079	\$73,573
All Other	\$38,404	\$38,404
OTHER SPECIAL REVENUE FUNDS TOTAL	\$108,483	\$111,977

Drug Enforcement Agency 0388

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$286,181	\$287,989
All Other	\$6,277,564	\$6,277,564
GENERAL FUND TOTAL	\$6,563,745	\$6,565,553

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,340,386	\$1,340,386
FEDERAL EXPENDITURES FUND TOTAL	\$1,340,386	\$1,340,386

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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$256,419	\$256,419
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$256,419</u>	<u>\$256,419</u>

**DRUG ENFORCEMENT AGENCY 0388
PROGRAM SUMMARY**

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$286,181	\$287,989
All Other	\$6,277,564	\$6,277,564
GENERAL FUND TOTAL	<u>\$6,563,745</u>	<u>\$6,565,553</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,340,386	\$1,340,386
FEDERAL EXPENDITURES FUND TOTAL	<u>\$1,340,386</u>	<u>\$1,340,386</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$256,419	\$256,419
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$256,419</u>	<u>\$256,419</u>

Emergency Medical Services 0485

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$433,459	\$449,955
All Other	\$601,473	\$601,473
GENERAL FUND TOTAL	<u>\$1,034,932</u>	<u>\$1,051,428</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$211,522	\$213,521
All Other	\$59,677	\$59,677
FEDERAL EXPENDITURES FUND TOTAL	<u>\$271,199</u>	<u>\$273,198</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$38,701	\$40,292
All Other	\$102,349	\$102,349
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$141,050</u>	<u>\$142,641</u>

EMERGENCY MEDICAL SERVICES 0485

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$433,459	\$449,955
All Other	\$601,473	\$601,473
GENERAL FUND TOTAL	<u>\$1,034,932</u>	<u>\$1,051,428</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$211,522	\$213,521
All Other	\$59,677	\$59,677
FEDERAL EXPENDITURES FUND TOTAL	<u>\$271,199</u>	<u>\$273,198</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$38,701	\$40,292
All Other	\$102,349	\$102,349
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$141,050</u>	<u>\$142,641</u>

Fire Marshal - Office of 0327

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$734,533	\$744,857
All Other	\$49,519	\$49,519
GENERAL FUND TOTAL	<u>\$784,052</u>	<u>\$794,376</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$101,675	\$101,675
FEDERAL EXPENDITURES FUND TOTAL	<u>\$101,675</u>	<u>\$101,675</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	33.000	33.000
Personal Services	\$4,036,174	\$4,086,941
All Other	\$989,408	\$989,408
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$5,025,582</u>	<u>\$5,076,349</u>

FIRE MARSHAL - OFFICE OF 0327

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$734,533	\$744,857
All Other	\$49,519	\$49,519
GENERAL FUND TOTAL	<u>\$784,052</u>	<u>\$794,376</u>

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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$101,675	\$101,675
FEDERAL EXPENDITURES FUND TOTAL	\$101,675	\$101,675

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	33.000	33.000
Personal Services	\$4,036,174	\$4,086,941
All Other	\$989,408	\$989,408
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,025,582	\$5,076,349

Gambling Control Board Z002

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$1,481,531	\$1,503,231
All Other	\$4,442	\$4,442
GENERAL FUND TOTAL	\$1,485,973	\$1,507,673

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$74,414	\$75,022
All Other	\$8,240,375	\$8,240,375
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,314,789	\$8,315,397

GAMBLING CONTROL BOARD Z002

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$1,481,531	\$1,503,231
All Other	\$4,442	\$4,442
GENERAL FUND TOTAL	\$1,485,973	\$1,507,673

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$74,414	\$75,022
All Other	\$8,240,375	\$8,240,375
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,314,789	\$8,315,397

Highway Safety DPS 0457

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$574,895	\$590,117
All Other	\$4,451,456	\$4,451,456

FEDERAL EXPENDITURES FUND TOTAL	\$5,026,351	\$5,041,573
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$20,866	\$21,723
All Other	\$20,613	\$20,613

OTHER SPECIAL REVENUE FUNDS TOTAL	\$41,479	\$42,336
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HIGHWAY SAFETY DPS 0457

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$574,895	\$590,117
All Other	\$4,451,456	\$4,451,456
FEDERAL EXPENDITURES FUND TOTAL	\$5,026,351	\$5,041,573

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$20,866	\$21,723
All Other	\$20,613	\$20,613
OTHER SPECIAL REVENUE FUNDS TOTAL	\$41,479	\$42,336

Licensing and Enforcement - Public Safety 0712

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$265,532	\$270,169
All Other	\$78,180	\$78,180
GENERAL FUND TOTAL	\$343,712	\$348,349

LICENSING AND ENFORCEMENT - PUBLIC SAFETY 0712

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$265,532	\$270,169
All Other	\$78,180	\$78,180
GENERAL FUND TOTAL	\$343,712	\$348,349

State Police 0291

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
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FIRST REGULAR SESSION - 2021

PUBLIC LAW, C. 29

POSITIONS - LEGISLATIVE COUNT	316.500	316.500
Personal Services	\$28,593,367	\$29,063,968
All Other	\$11,091,729	\$11,091,729

GENERAL FUND TOTAL	\$39,685,096	\$40,155,697
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FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$452,550	\$459,879
All Other	\$1,141,546	\$1,141,546

FEDERAL EXPENDITURES FUND TOTAL	\$1,594,096	\$1,601,425
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OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$218,111	\$220,298
All Other	\$1,520,694	\$1,520,694

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,738,805	\$1,740,992
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STATE POLICE 0291 PROGRAM SUMMARY

GENERAL FUND

POSITIONS - LEGISLATIVE COUNT	316.500	316.500
Personal Services	\$28,593,367	\$29,063,968
All Other	\$11,091,729	\$11,091,729

GENERAL FUND TOTAL	\$39,685,096	\$40,155,697
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FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$452,550	\$459,879
All Other	\$1,141,546	\$1,141,546

FEDERAL EXPENDITURES FUND TOTAL	\$1,594,096	\$1,601,425
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OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$218,111	\$220,298
All Other	\$1,520,694	\$1,520,694

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,738,805	\$1,740,992
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Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND

Personal Services	\$346,397	\$350,877
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All Other	\$650,526	\$650,526
FEDERAL EXPENDITURES FUND TOTAL	\$996,923	\$1,001,403

TRAFFIC SAFETY - COMMERCIAL VEHICLE ENFORCEMENT 0715

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND

Personal Services	\$346,397	\$350,877
All Other	\$650,526	\$650,526

FEDERAL EXPENDITURES FUND TOTAL	\$996,923	\$1,001,403
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Turnpike Enforcement 0547

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	37.000	37.000
Personal Services	\$6,057,879	\$6,118,530
All Other	\$1,116,238	\$1,116,238

OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,174,117	\$7,234,768
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TURNPIKE ENFORCEMENT 0547

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	37.000	37.000
Personal Services	\$6,057,879	\$6,118,530
All Other	\$1,116,238	\$1,116,238

OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,174,117	\$7,234,768
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PUBLIC SAFETY, DEPARTMENT OF

DEPARTMENT TOTALS

GENERAL FUND	\$55,498,428	\$56,076,456
FEDERAL EXPENDITURES FUND	\$11,537,394	\$11,573,218
OTHER SPECIAL REVENUE FUNDS	\$24,804,866	\$24,952,128
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	\$6,728,002	\$6,902,014

DEPARTMENT TOTAL - ALL FUNDS	\$98,568,690	\$99,503,816
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Sec. A-58. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Emergency Services Communication Bureau 0994

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9,000	9,000
Personal Services	\$973,485	\$991,088
All Other	\$6,297,577	\$6,297,577
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,271,062	\$7,288,665

EMERGENCY SERVICES COMMUNICATION BUREAU 0994

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9,000	9,000
Personal Services	\$973,485	\$991,088
All Other	\$6,297,577	\$6,297,577
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,271,062	\$7,288,665

Oversight and Evaluation Fund Z106

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$252,660	\$252,660
OTHER SPECIAL REVENUE FUNDS TOTAL	\$252,660	\$252,660

OVERSIGHT AND EVALUATION FUND Z106

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$252,660	\$252,660
OTHER SPECIAL REVENUE FUNDS TOTAL	\$252,660	\$252,660

Public Utilities - Administrative Division 0184

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$58,934	\$58,934
All Other	\$1,066	\$1,066
FEDERAL EXPENDITURES FUND TOTAL	\$60,000	\$60,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	56,500	56,500
Personal Services	\$7,916,853	\$8,195,325
All Other	\$5,269,083	\$5,269,083

OTHER SPECIAL REVENUE FUNDS TOTAL	\$13,185,936	\$13,464,408
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PUBLIC UTILITIES - ADMINISTRATIVE DIVISION 0184

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$58,934	\$58,934
All Other	\$1,066	\$1,066
FEDERAL EXPENDITURES FUND TOTAL	\$60,000	\$60,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	56,500	56,500
Personal Services	\$7,916,853	\$8,195,325
All Other	\$5,269,083	\$5,269,083

OTHER SPECIAL REVENUE FUNDS TOTAL	\$13,185,936	\$13,464,408
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PUBLIC UTILITIES COMMISSION

DEPARTMENT TOTALS

FEDERAL EXPENDITURES FUND	\$60,000	\$60,000
OTHER SPECIAL REVENUE FUNDS	\$20,709,658	\$21,005,733
DEPARTMENT TOTAL - ALL FUNDS	\$20,769,658	\$21,065,733

Sec. A-59. Appropriations and allocations. The following appropriations and allocations are made.

RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES

Retirement System - Retirement Allowance Fund 0085

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$200,770	\$200,770
GENERAL FUND TOTAL	\$200,770	\$200,770

RETIREMENT SYSTEM - RETIREMENT ALLOWANCE FUND 0085

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$200,770	\$200,770
GENERAL FUND TOTAL	\$200,770	\$200,770

Sec. A-60. Appropriations and allocations. The following appropriations and allocations are made.

SACO RIVER CORRIDOR COMMISSION

Saco River Corridor Commission 0322

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$46,960	\$46,960
GENERAL FUND TOTAL	\$46,960	\$46,960
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000

SACO RIVER CORRIDOR COMMISSION 0322

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$46,960	\$46,960
GENERAL FUND TOTAL	\$46,960	\$46,960
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000

Sec. A-61. Appropriations and allocations. The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF

Administration - Archives 0050

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	14.500	14.500
Personal Services	\$1,278,135	\$1,303,187
All Other	\$744,800	\$744,813
GENERAL FUND TOTAL	\$2,022,935	\$2,048,000
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$27,673	\$27,673
FEDERAL EXPENDITURES FUND TOTAL	\$27,673	\$27,673
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$33,535	\$33,535
OTHER SPECIAL REVENUE FUNDS TOTAL	\$33,535	\$33,535

ADMINISTRATION - ARCHIVES 0050

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	14.500	14.500

Personal Services	\$1,278,135	\$1,303,187
All Other	\$744,800	\$744,813

GENERAL FUND TOTAL	\$2,022,935	\$2,048,000
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$27,673	\$27,673

FEDERAL EXPENDITURES FUND TOTAL	\$27,673	\$27,673
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$33,535	\$33,535

OTHER SPECIAL REVENUE FUNDS TOTAL	\$33,535	\$33,535
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Administration - Motor Vehicles 0077

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$485,423	\$485,423

FEDERAL EXPENDITURES FUND TOTAL	\$485,423	\$485,423
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000

Personal Services	\$125,343	\$126,365
All Other	\$175,405	\$175,405

OTHER SPECIAL REVENUE FUNDS TOTAL	\$300,748	\$301,770
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ADMINISTRATION - MOTOR VEHICLES 0077

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$485,423	\$485,423

FEDERAL EXPENDITURES FUND TOTAL	\$485,423	\$485,423
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000

Personal Services	\$125,343	\$126,365
All Other	\$175,405	\$175,405

OTHER SPECIAL REVENUE FUNDS TOTAL	\$300,748	\$301,770
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Bureau of Administrative Services and Corporations 0692

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	33.000	33.000
Personal Services	\$2,800,605	\$2,855,725
All Other	\$1,802,735	\$1,802,735
GENERAL FUND TOTAL	\$4,603,340	\$4,658,460

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$217,307	\$220,665
All Other	\$75,224	\$75,224
OTHER SPECIAL REVENUE FUNDS TOTAL	\$292,531	\$295,889

BUREAU OF ADMINISTRATIVE SERVICES AND CORPORATIONS 0692

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	33.000	33.000
Personal Services	\$2,800,605	\$2,855,725
All Other	\$1,802,735	\$1,802,735
GENERAL FUND TOTAL	\$4,603,340	\$4,658,460

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$217,307	\$220,665
All Other	\$75,224	\$75,224
OTHER SPECIAL REVENUE FUNDS TOTAL	\$292,531	\$295,889

Elections and Commissions 0693

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,510,000	\$1,510,000
FEDERAL EXPENDITURES FUND TOTAL	\$1,510,000	\$1,510,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000

ELECTIONS AND COMMISSIONS 0693

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,510,000	\$1,510,000
FEDERAL EXPENDITURES FUND TOTAL	\$1,510,000	\$1,510,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000

Municipal Excise Tax Reimbursement Fund 0871

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,100,000	\$1,100,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,100,000	\$1,100,000

MUNICIPAL EXCISE TAX REIMBURSEMENT FUND 0871

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,100,000	\$1,100,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,100,000	\$1,100,000

SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$6,626,275	\$6,706,460
FEDERAL EXPENDITURES FUND	\$2,023,096	\$2,023,096
OTHER SPECIAL REVENUE FUNDS	\$1,776,814	\$1,781,194
DEPARTMENT TOTAL - ALL FUNDS	\$10,426,185	\$10,510,750

Sec. A-62. Appropriations and allocations. The following appropriations and allocations are made.

ST. CROIX INTERNATIONAL WATERWAY COMMISSION

St. Croix International Waterway Commission 0576

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$25,000	\$25,000
GENERAL FUND TOTAL	\$25,000	\$25,000

ST. CROIX INTERNATIONAL WATERWAY COMMISSION 0576

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$25,000	\$25,000
GENERAL FUND TOTAL	\$25,000	\$25,000

Sec. A-63. Appropriations and allocations. The following appropriations and allocations are made.

STATE HOUSE PRESERVATION AND MAINTENANCE, RESERVE FUND FOR

Reserve Fund for State House Preservation and Maintenance 0975

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$800,000	\$800,000
GENERAL FUND TOTAL	\$800,000	\$800,000

RESERVE FUND FOR STATE HOUSE PRESERVATION AND MAINTENANCE 0975

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$800,000	\$800,000
GENERAL FUND TOTAL	\$800,000	\$800,000

Sec. A-64. Appropriations and allocations. The following appropriations and allocations are made.

TELECOMMUNICATIONS RELAY SERVICES COUNCIL

Telecommunications Relay Services Council Fund Z266

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$600,000	\$600,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$600,000	\$600,000

TELECOMMUNICATIONS RELAY SERVICES COUNCIL FUND Z266

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$600,000	\$600,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$600,000	\$600,000

Sec. A-65. Appropriations and allocations. The following appropriations and allocations are made.

TREASURER OF STATE, OFFICE OF Administration - Treasury 0022

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	16.000	16.000

Personal Services	\$1,467,189	\$1,503,499
All Other	\$776,277	\$776,277
GENERAL FUND TOTAL	\$2,243,466	\$2,279,776

ABANDONED PROPERTY FUND	2021-22	2022-23
All Other	\$325,454	\$325,454

ABANDONED PROPERTY FUND TOTAL	\$325,454	\$325,454
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ADMINISTRATION - TREASURY 0022

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,467,189	\$1,503,499
All Other	\$776,277	\$776,277
GENERAL FUND TOTAL	\$2,243,466	\$2,279,776

ABANDONED PROPERTY FUND	2021-22	2022-23
All Other	\$325,454	\$325,454

ABANDONED PROPERTY FUND TOTAL	\$325,454	\$325,454
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Debt Service - Treasury 0021

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$113,314,784	\$113,314,784
GENERAL FUND TOTAL	\$113,314,784	\$113,314,784

DEBT SERVICE - TREASURY 0021

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$113,314,784	\$113,314,784
GENERAL FUND TOTAL	\$113,314,784	\$113,314,784

Disproportionate Tax Burden Fund 0472

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$26,418,539	\$26,418,539
OTHER SPECIAL REVENUE FUNDS TOTAL	\$26,418,539	\$26,418,539

DISPROPORTIONATE TAX BURDEN FUND 0472

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$26,418,539	\$26,418,539

OTHER SPECIAL REVENUE \$26,418,539 \$26,418,539
FUNDS TOTAL

Kim Wallace Adaptive Equipment Loan Program Fund Z278

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE 2021-22 2022-23
FUNDS
All Other \$500 \$500

OTHER SPECIAL REVENUE \$500 \$500
FUNDS TOTAL

KIM WALLACE ADAPTIVE EQUIPMENT LOAN PROGRAM FUND Z278

PROGRAM SUMMARY

OTHER SPECIAL REVENUE 2021-22 2022-23
FUNDS
All Other \$500 \$500

OTHER SPECIAL REVENUE \$500 \$500
FUNDS TOTAL

Passamaquoddy Sales Tax Fund 0915

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE 2021-22 2022-23
FUNDS
All Other \$17,607 \$17,607

OTHER SPECIAL REVENUE \$17,607 \$17,607
FUNDS TOTAL

PASSAMAQUODDY SALES TAX FUND 0915

PROGRAM SUMMARY

OTHER SPECIAL REVENUE 2021-22 2022-23
FUNDS
All Other \$17,607 \$17,607

OTHER SPECIAL REVENUE \$17,607 \$17,607
FUNDS TOTAL

Property Tax Relief Fund for Maine Residents Z285

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE 2021-22 2022-23
FUNDS
All Other \$206,500 \$206,500

OTHER SPECIAL REVENUE \$206,500 \$206,500
FUNDS TOTAL

PROPERTY TAX RELIEF FUND FOR MAINE RESIDENTS Z285

PROGRAM SUMMARY

OTHER SPECIAL REVENUE 2021-22 2022-23
FUNDS
All Other \$206,500 \$206,500

OTHER SPECIAL REVENUE \$206,500 \$206,500
FUNDS TOTAL

State - Municipal Revenue Sharing 0020

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE 2021-22 2022-23
FUNDS
All Other \$117,706,329 \$117,706,329

OTHER SPECIAL REVENUE \$117,706,329 \$117,706,329
FUNDS TOTAL

STATE - MUNICIPAL REVENUE SHARING 0020

PROGRAM SUMMARY

OTHER SPECIAL REVENUE 2021-22 2022-23
FUNDS
All Other \$117,706,329 \$117,706,329

OTHER SPECIAL REVENUE \$117,706,329 \$117,706,329
FUNDS TOTAL

TREASURER OF STATE, OFFICE OF DEPARTMENT TOTALS

2021-22 2022-23
GENERAL FUND \$115,558,250 \$115,594,560
OTHER SPECIAL REVENUE \$144,349,475 \$144,349,475
FUNDS
ABANDONED PROPERTY \$325,454 \$325,454
FUND

DEPARTMENT TOTAL - ALL FUNDS \$260,233,179 \$260,269,489

Sec. A-66. Appropriations and allocations. The following appropriations and allocations are made.

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Casco Bay Estuary Project - University of Southern Maine 0983

Initiative: BASELINE BUDGET

GENERAL FUND 2021-22 2022-23
All Other \$35,000 \$35,000

GENERAL FUND TOTAL \$35,000 \$35,000

CASCO BAY ESTUARY PROJECT - UNIVERSITY OF SOUTHERN MAINE 0983

PROGRAM SUMMARY

GENERAL FUND 2021-22 2022-23
All Other \$35,000 \$35,000

GENERAL FUND TOTAL \$35,000 \$35,000

Debt Service - University of Maine System 0902

Initiative: BASELINE BUDGET

FIRST REGULAR SESSION - 2021

PUBLIC LAW, C. 29

GENERAL FUND	2021-22	2022-23
All Other	\$8,267,950	\$8,267,950
GENERAL FUND TOTAL	<u>\$8,267,950</u>	<u>\$8,267,950</u>

DEBT SERVICE - UNIVERSITY OF MAINE SYSTEM 0902

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$8,267,950	\$8,267,950
GENERAL FUND TOTAL	<u>\$8,267,950</u>	<u>\$8,267,950</u>

Educational and General Activities - UMS 0031

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$198,111,388	\$198,111,388
GENERAL FUND TOTAL	<u>\$198,111,388</u>	<u>\$198,111,388</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$100,000	\$100,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$100,000</u>	<u>\$100,000</u>

EDUCATIONAL AND GENERAL ACTIVITIES - UMS 0031

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$198,111,388	\$198,111,388
GENERAL FUND TOTAL	<u>\$198,111,388</u>	<u>\$198,111,388</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$100,000	\$100,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$100,000</u>	<u>\$100,000</u>

Maine Economic Improvement Fund 0986

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$17,350,000	\$17,350,000
GENERAL FUND TOTAL	<u>\$17,350,000</u>	<u>\$17,350,000</u>

MAINE ECONOMIC IMPROVEMENT FUND 0986

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$17,350,000	\$17,350,000
GENERAL FUND TOTAL	<u>\$17,350,000</u>	<u>\$17,350,000</u>

New Ventures Maine Z169

Initiative: BASELINE BUDGET

GENERAL FUND	2021-22	2022-23
All Other	\$1,134,666	\$1,134,666
GENERAL FUND TOTAL	<u>\$1,134,666</u>	<u>\$1,134,666</u>

NEW VENTURES MAINE Z169

PROGRAM SUMMARY

GENERAL FUND	2021-22	2022-23
All Other	\$1,134,666	\$1,134,666
GENERAL FUND TOTAL	<u>\$1,134,666</u>	<u>\$1,134,666</u>

Tick Laboratory and Pest Management Fund Z290

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$102,485	\$102,485
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$102,485</u>	<u>\$102,485</u>

TICK LABORATORY AND PEST MANAGEMENT FUND Z290

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$102,485	\$102,485
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$102,485</u>	<u>\$102,485</u>

UM Cooperative Extension - Pesticide Education Z059

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$81,500	\$81,500
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$81,500</u>	<u>\$81,500</u>

UM COOPERATIVE EXTENSION - PESTICIDE EDUCATION Z059

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$81,500	\$81,500
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$81,500</u>	<u>\$81,500</u>

University of Maine Cooperative Extension Z172

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$200,000	\$200,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$200,000</u>	<u>\$200,000</u>

UNIVERSITY OF MAINE COOPERATIVE EXTENSION Z172

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$200,000	\$200,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$200,000</u>	<u>\$200,000</u>

University of Maine Scholarship Fund Z011

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$3,777,830	\$3,777,830
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$3,777,830</u>	<u>\$3,777,830</u>

UNIVERSITY OF MAINE SCHOLARSHIP FUND Z011

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$3,777,830	\$3,777,830
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$3,777,830</u>	<u>\$3,777,830</u>

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$224,899,004	\$224,899,004
OTHER SPECIAL REVENUE FUNDS	\$4,261,815	\$4,261,815
DEPARTMENT TOTAL - ALL FUNDS	<u>\$229,160,819</u>	<u>\$229,160,819</u>

Sec. A-67. Appropriations and allocations. The following appropriations and allocations are made.

WORKERS' COMPENSATION BOARD

Administration - Workers' Compensation Board 0183

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	107,000	107,000
Personal Services	\$10,543,496	\$10,712,732
All Other	\$2,568,869	\$2,568,869
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$13,112,365</u>	<u>\$13,281,601</u>

ADMINISTRATION - WORKERS' COMPENSATION BOARD 0183

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	107,000	107,000
Personal Services	\$10,543,496	\$10,712,732
All Other	\$2,568,869	\$2,568,869
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$13,112,365</u>	<u>\$13,281,601</u>

Employment Rehabilitation Program 0195

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$125,000	\$125,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$125,000</u>	<u>\$125,000</u>

EMPLOYMENT REHABILITATION PROGRAM 0195

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$125,000	\$125,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$125,000</u>	<u>\$125,000</u>

Workers' Compensation Board 0751

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$10,000	\$10,000
All Other	\$10,820	\$10,820
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$20,820</u>	<u>\$20,820</u>

WORKERS' COMPENSATION BOARD 0751

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$10,000	\$10,000
All Other	\$10,820	\$10,820
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$20,820</u>	<u>\$20,820</u>

WORKERS' COMPENSATION BOARD DEPARTMENT TOTALS

	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS	\$13,258,185	\$13,427,421

DEPARTMENT TOTAL - ALL FUNDS \$13,258,185 \$13,427,421

PART B

Sec. B-1. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Lottery Operations 0023

Initiative: RECLASSIFICATIONS

STATE LOTTERY FUND	2021-22	2022-23
Personal Services	\$446,333	\$60,355
All Other	(\$446,333)	(\$60,355)
STATE LOTTERY FUND TOTAL	\$0	\$0

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
STATE LOTTERY FUND	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Bureau of Agriculture 0393

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$14,000	\$4,785
All Other	\$416	\$143
FEDERAL EXPENDITURES FUND TOTAL	\$14,416	\$4,928

Off-Road Recreational Vehicles Program Z224

Initiative: RECLASSIFICATION

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$5,804	\$5,803
All Other	\$163	\$163
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,967	\$5,966

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
FEDERAL EXPENDITURES FUND	\$14,416	\$4,928
OTHER SPECIAL REVENUE FUNDS	\$5,967	\$5,966

DEPARTMENT TOTAL - ALL FUNDS \$20,383 \$10,894

EDUCATION, DEPARTMENT OF

Facilities, Safety and Transportation Z271

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$6,327	\$6,649
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,327	\$6,649

School Finance and Operations Z078

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$46,264	\$32,791
FEDERAL EXPENDITURES FUND TOTAL	\$46,264	\$32,791

Special Services Team Z080

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$9,331	\$9,329
FEDERAL EXPENDITURES FUND TOTAL	\$9,331	\$9,329

EDUCATION, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
FEDERAL EXPENDITURES FUND	\$55,595	\$42,120
OTHER SPECIAL REVENUE FUNDS	\$6,327	\$6,649

DEPARTMENT TOTAL - ALL FUNDS \$61,922 \$48,769

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Remediation and Waste Management 0247

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$10,159	\$3,643
All Other	\$599	\$215
FEDERAL EXPENDITURES FUND TOTAL	\$10,758	\$3,858

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

DEPARTMENT TOTALS	2021-22	2022-23
FEDERAL EXPENDITURES FUND	\$10,758	\$3,858
DEPARTMENT TOTAL - ALL FUNDS	\$10,758	\$3,858

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Maine Center for Disease Control and Prevention 0143

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$4,657	\$4,185
All Other	\$107	\$96
FEDERAL EXPENDITURES FUND TOTAL	\$4,764	\$4,281

Office of Aging and Disability Services Central Office 0140

Initiative: RECLASSIFICATIONS

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$46,068	\$7,883
All Other	\$1,060	\$181
FEDERAL EXPENDITURES FUND TOTAL	\$47,128	\$8,064

HEALTH AND HUMAN SERVICES, DEPARTMENT OF DEPARTMENT TOTALS

FEDERAL EXPENDITURES FUND	\$51,892	\$12,345
DEPARTMENT TOTAL - ALL FUNDS	\$51,892	\$12,345

LABOR, DEPARTMENT OF

Administration - Bureau of Labor Standards 0158

Initiative: RECLASSIFICATIONS

GENERAL FUND	2021-22	2022-23
Personal Services	\$6,620	\$3,080
All Other	(\$6,620)	(\$3,080)
GENERAL FUND TOTAL	\$0	\$0

Safety Education and Training Programs 0161

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$12,570	\$5,847
All Other	(\$12,570)	(\$5,847)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

LABOR, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

SECTION TOTALS	2021-22	2022-23
GENERAL FUND	\$0	\$0
FEDERAL EXPENDITURES FUND	\$132,661	\$63,251
OTHER SPECIAL REVENUE FUNDS	\$12,294	\$12,615
STATE LOTTERY FUND	\$0	\$0
SECTION TOTAL - ALL FUNDS	\$144,955	\$75,866

PART C

Sec. C-1. 20-A MRSA §15671, sub-§7, ¶B, as amended by PL 2021, c. 1, Pt. C, §1, is further amended by enacting subparagraph (17) to read:

(17) For fiscal year 2021-22, the target is 51.83%.

Sec. C-2. 20-A MRSA §15671-A, sub-§2, ¶B, as amended by PL 2021, c. 1, Pt. C, §2, is further amended by amending subparagraph (14) to read:

(14) For the 2021 property tax year and subsequent tax years, the full-value education mill rate is the amount necessary to result in a 45% 48.17% statewide total local share in fiscal year 2021-22 and after.

Sec. C-3. 20-A MRSA §15671-A, sub-§2, ¶B, as amended by PL 2021, c. 1, Pt. C, §2, is further amended by enacting subparagraph (15) to read:

(15) For the 2022 property tax year and subsequent tax years, the full-value education mill rate is the amount necessary to result in a 45% statewide total local share in fiscal year 2022-23 and after.

Sec. C-4. 20-A MRSA §15678, sub-§2, ¶A-1 is enacted to read:

A-1. Notwithstanding paragraph A, for fiscal year 2021-22 only, for the elementary school level, the student-to-teacher ratio is 16:1.

Sec. C-5. Mill expectation. The mill expectation pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A for fiscal year 2021-22 is 7.90.

Sec. C-6. Total cost of funding public education from kindergarten to grade 12. The total cost of funding public education from kindergarten to grade 12 for fiscal year 2021-22 is as follows:

	2021-22		
	TOTAL		
Total Operating Allocation		Total adjustments to the state share of the total allocation pursuant to Title 20-A, section 15689	\$9,693,041
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683	\$1,506,633,588	Targeted education funds pursuant to Title 20-A, section 15689-A	
Total adjustments to state subsidy pursuant to Title 20-A, section 15689 included in subsidizable costs and total other subsidizable costs pursuant to Title 20-A, section 15681-A	\$575,975,183	Special education costs for state agency clients and state wards pursuant to Title 20-A, section 15689-A, subsection 1	\$33,737,998
		Essential programs and services components contract pursuant to Title 20-A, section 15689-A, subsection 3	\$250,000
Total Operating Allocation and Subsidizable Costs		Data management and support services for essential programs and services pursuant to Title 20-A, section 15689-A, subsection 10	\$9,550,629
Total operating allocation pursuant to Title 20-A, section 15683 and total other subsidizable costs pursuant to Title 20-A, section 15681-A	\$2,082,608,771	Postsecondary course payments pursuant to Title 20-A, section 15689-A, subsection 11	\$4,000,000
Total Debt Service Allocation		National board certification salary supplement pursuant to Title 20-A, section 15689-A, subsection 12	\$307,551
Total debt service allocation pursuant to Title 20-A, section 15683-A	\$103,528,810	Learning through technology program pursuant to Title 20-A, section 15689-A, subsection 12-A	\$14,000,000
Total Adjustments and Targeted Education Funds		Jobs for Maine's Graduates including college pursuant to Title 20-A, section 15689-A, subsection 13	\$3,545,379
Adjustments pursuant to Title 20-A, section 15689		Maine School of Science and Mathematics pursuant to Title 20-A, section 15689-A, subsection 14	\$3,615,347
Audit adjustments pursuant to Title 20-A, section 15689, subsection 4	\$225,000	Maine Educational Center for the Deaf and Hard of Hearing pursuant to Title 20-A, section 15689-A, subsection 15	\$8,712,565
Educating students in long-term drug treatment center adjustments pursuant to Title 20-A, section 15689, subsection 5	\$500,000	Transportation administration pursuant to Title 20-A, section 15689-A, subsection 16	\$416,764
Minimum teacher salary adjustment pursuant to Title 20-A, section 15689, subsection 7-A	\$1,576,272	Special education for juvenile offenders pursuant to Title 20-A, section 15689-A, subsection 17	\$401,650
Regionalization, consolidation and efficiency assistance adjustments pursuant to Title 20-A, section 15689, subsection 9	\$6,056,993	Comprehensive early college programs funding (bridge year program) pursuant to Title 20-A, section 15689-A, subsection 23	\$1,000,000
MaineCare seed payments adjustments pursuant to Title 20-A, section 15689, subsection 14	\$1,334,776		

Community schools pursuant to Title 20-A, section 15689-A, subsection 25	\$200,000	Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance for fiscal year 2021-22 pursuant to Title 5, chapters 421 and 423, excluding the normal cost of teacher retirement
Maine School for Marine Science, Technology, Transportation and Engineering pursuant to Title 20-A, section 15689-A, subsection 26	\$195,610	
Musical instruments and professional development in rural schools pursuant to Title 20-A, section 15689-A, subsection 28	\$50,000	Total cost of funding public education from kindergarten to grade 12, plus state contributions to the unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance for fiscal year 2021-22 pursuant to Title 5, chapters 421 and 423
Total targeted education funds pursuant to Title 20-A, section 15689-A	\$79,983,493	\$2,629,933,263

Enhancing student performance and opportunity pursuant to Title 20-A, section 15688-A

Career and technical education costs pursuant to Title 20-A, section 15688-A, subsection 1	\$58,543,648
College transitions programs through adult education college readiness programs pursuant to Title 20-A, section 15688-A, subsection 2	\$450,000
National industry standards for career and technical education pursuant to Title 20-A, section 15688-A, subsection 6	\$2,000,000

Sec. C-7. Local and state contributions to total cost of funding public education from kindergarten to grade 12. The local contribution and the state contribution appropriation provided for general purpose aid for local schools for the fiscal year beginning July 1, 2021 and ending June 30, 2022 is calculated as follows:

Total enhancing student performance and opportunity pursuant to Title 20-A, section 15688-A	\$60,993,648		
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Total Cost of Funding Public Education from Kindergarten to Grade 12

Total cost of funding public education from kindergarten to grade 12 for fiscal year 2021-22 pursuant to Title 20-A, chapter 606-B, not including normal retirement costs	\$2,336,807,763
Total normal cost of teacher retirement	\$48,878,211
Total cost of funding public education from kindergarten to grade 12 for fiscal year 2021-22 pursuant to Title 20-A, chapter 606-B, including normal retirement costs	\$2,385,685,974
Total cost of state contribution to unfunded actuarial liabilities of the	\$244,247,289

	2021-22	2021-22
	LOCAL	STATE

Local and State Contributions to the Total Cost of Funding Public Education from Kindergarten to Grade 12

Local and state contributions to the total cost of funding public education from kindergarten to grade 12 pursuant to the Maine Revised Statutes, Title 20-A, section 15683, subject to statewide distributions required by law	\$1,149,270,617	\$1,236,415,357
State contribution to the total cost of unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance for fiscal year 2021-22 pursuant to Title 5, chapters		\$244,247,289

421 and 423 excluding the normal cost of teacher retirement

State contribution to the total cost of funding public education from kindergarten to grade 12 plus state contribution to the total cost of unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance pursuant to Title 5, chapters 421 and 423

\$1,480,662,646

Sec. C-8. Authorization of payments. If the State's continued obligation for any individual component contained in those sections of this Part that set the total cost of funding public education from kindergarten to grade 12 and the local and state contributions for that purpose exceeds the level of funding provided for that component, any unexpended balances occurring in other programs may be applied to avoid proration of payments for any individual component. Any unexpended balances from this Part may not lapse but must be carried forward for the same purpose.

Sec. C-9. Limit of State's obligation. Those sections of this Part that set the total cost of funding public education from kindergarten to grade 12 and the local and state contributions for that purpose may not be construed to require the State to provide payments that exceed the appropriation of funds for general purpose aid for local schools for the fiscal year beginning July 1, 2021 and ending June 30, 2022.

PART D

Sec. D-1. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Administration - Human Resources 0038

Initiative: Eliminates one part-time Office Associate II position and reduces funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	(\$18,551)	(\$19,471)
All Other	(\$5,229)	(\$5,229)
GENERAL FUND TOTAL	(\$23,780)	(\$24,700)

Alcoholic Beverages - General Operation 0015

Initiative: Reduces funding to align with projected expenditures for nonstate information technology services and consulting services.

GENERAL FUND	2021-22	2022-23
All Other	(\$159,833)	(\$159,833)
GENERAL FUND TOTAL	(\$159,833)	(\$159,833)

Homestead Property Tax Exemption Reimbursement 0886

Initiative: Provides funding required by Public Law 2019, chapter 343, Part H, which increased the homestead exemption from \$20,000 to \$25,000 and increased the rate of reimbursement to 70%.

GENERAL FUND	2021-22	2022-23
All Other	\$7,500,000	\$8,000,000
GENERAL FUND TOTAL	\$7,500,000	\$8,000,000

Maine Board of Tax Appeals Z146

Initiative: Reduces funding in the Maine Board of Tax Appeals General Fund account for general operating expenses.

GENERAL FUND	2021-22	2022-23
All Other	(\$20,000)	(\$20,000)
GENERAL FUND TOTAL	(\$20,000)	(\$20,000)

Revenue Services, Bureau of 0002

Initiative: Reduces funding in the Maine Revenues Services General Fund account to reflect one-time savings in technology and professional services.

GENERAL FUND	2021-22	2022-23
All Other	(\$1,714,411)	(\$1,714,411)
GENERAL FUND TOTAL	(\$1,714,411)	(\$1,714,411)

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$5,581,976	\$6,081,056
DEPARTMENT TOTAL - ALL FUNDS	\$5,581,976	\$6,081,056

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Bureau of Agriculture 0393

Initiative: Continues one Planning and Research Associate II position previously continued by Financial Order 001071 F1 funded 100% by the Federal Expenditures Fund in the Bureau of Agriculture program to work with the federal emergency food assistance program and commodity supplemental food program and

provides funding for related All Other costs. The position will end on June 10, 2023.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$85,491	\$89,522
All Other	\$2,538	\$2,658
FEDERAL EXPENDITURES FUND TOTAL	\$88,029	\$92,180

Bureau of Agriculture 0393

Initiative: Reduces funding to recognize one-time savings for decreased travel expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$50,000)	(\$50,000)
GENERAL FUND TOTAL	(\$50,000)	(\$50,000)

Bureau of Agriculture 0393

Initiative: Reduces funding to recognize one-time savings for decreased contracts and general operating expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$28,739)	(\$14,000)
GENERAL FUND TOTAL	(\$28,739)	(\$14,000)

Bureau of Agriculture 0393

Initiative: Reduces funding to recognize one-time savings for contracted lab services.

GENERAL FUND	2021-22	2022-23
All Other	(\$5,000)	\$0
GENERAL FUND TOTAL	(\$5,000)	\$0

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	(\$5,149)	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$5,149)	\$0

Division of Forest Protection Z232

Initiative: Reduces funding by recognizing one-time savings in the General Fund from decreased mileage costs.

GENERAL FUND	2021-22	2022-23
All Other	(\$41,000)	(\$41,000)
GENERAL FUND TOTAL	(\$41,000)	(\$41,000)

Division of Forest Protection Z232

Initiative: Reduces funding by allocating operating expenditures to allowable federal funding sources.

GENERAL FUND	2021-22	2022-23
All Other	(\$100,000)	(\$100,000)
GENERAL FUND TOTAL	(\$100,000)	(\$100,000)

Forest Resource Management Z233

Initiative: Reduces funding by recognizing one-time savings in the General Fund from decreased mileage costs.

GENERAL FUND	2021-22	2022-23
All Other	(\$4,860)	(\$4,860)
GENERAL FUND TOTAL	(\$4,860)	(\$4,860)

Geology and Resource Information Z237

Initiative: Adjusts funding by allocating Personal Services to allowable federal funding sources.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$40,000)	(\$40,000)
GENERAL FUND TOTAL	(\$40,000)	(\$40,000)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$40,000	\$40,000
All Other	\$2,251	\$2,251
FEDERAL EXPENDITURES FUND TOTAL	\$42,251	\$42,251

Office of the Commissioner 0401

Initiative: Reduces funding for grants.

GENERAL FUND	2021-22	2022-23
All Other	(\$4,400)	(\$4,400)
GENERAL FUND TOTAL	(\$4,400)	(\$4,400)

Office of the Commissioner 0401

Initiative: Reduces funding in the General Fund and Other Special Revenue Funds by recognizing savings from turning in 17 vehicle radios and subscribing to satellite communications service instead.

GENERAL FUND	2021-22	2022-23
All Other	(\$4,135)	(\$4,135)
GENERAL FUND TOTAL	(\$4,135)	(\$4,135)

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$832)	(\$832)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$832)	(\$832)

Office of the Commissioner 0401

Initiative: Reduces funding to recognize one-time savings for decreased travel expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$10,000)	(\$10,000)
GENERAL FUND TOTAL	(\$10,000)	(\$10,000)

Parks - General Operations Z221

Initiative: Establishes 6 seasonal Assistant Park Ranger positions in state parks.

GENERAL FUND	2021-22	2022-23
POSITIONS - FTE COUNT	1.728	1.728
Personal Services	\$102,648	\$106,500
GENERAL FUND TOTAL	\$102,648	\$106,500

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	(\$185,486)	(\$161,895)
FEDERAL EXPENDITURES FUND	\$125,131	\$134,431
OTHER SPECIAL REVENUE FUNDS	(\$832)	(\$832)
DEPARTMENT TOTAL - ALL FUNDS	(\$61,187)	(\$28,296)

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General 0310

Initiative: Reduces one-time funding by returning a state leased vehicle to the Department of Administrative and Financial Services, Central Fleet Management Division.

GENERAL FUND	2021-22	2022-23
All Other	(\$6,000)	(\$6,000)
GENERAL FUND TOTAL	(\$6,000)	(\$6,000)

Chief Medical Examiner - Office of 0412

Initiative: Reduces one-time funding by returning a state leased vehicle to the Department of Administrative and Financial Services, Central Fleet Management Division.

GENERAL FUND	2021-22	2022-23
All Other	(\$6,500)	(\$6,500)
GENERAL FUND TOTAL	(\$6,500)	(\$6,500)

Chief Medical Examiner - Office of 0412

Initiative: Reduces one-time funding for cell phone services.

GENERAL FUND	2021-22	2022-23
All Other	(\$1,058)	(\$1,058)
GENERAL FUND TOTAL	(\$1,058)	(\$1,058)

Human Services Division 0696

Initiative: Continues one part-time Research Assistant MSEA-B position, working 40 hours biweekly and dedicated to the child support division and provides funding for related All Other costs. This position was continued by Financial Order 001105 F1. The position will end on June 10, 2023.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$38,565	\$40,214

All Other	\$5,063	\$5,115
OTHER SPECIAL REVENUE FUNDS TOTAL	\$43,628	\$45,329

Human Services Division 0696

Initiative: Continues one limited-period Assistant Attorney General position dedicated to the child protection division and provides funding for related All Other costs. This position was continued by Financial Order 001109 F1.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$109,682	\$107,896
All Other	\$9,470	\$9,635

OTHER SPECIAL REVENUE FUNDS TOTAL	\$119,152	\$117,531
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**ATTORNEY GENERAL,
DEPARTMENT OF THE
DEPARTMENT TOTALS**

GENERAL FUND	(\$13,558)	(\$13,558)
OTHER SPECIAL REVENUE FUNDS	\$162,780	\$162,860

DEPARTMENT TOTAL - ALL FUNDS	\$149,222	\$149,302
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**DEFENSE, VETERANS AND EMERGENCY
MANAGEMENT, DEPARTMENT OF**

**Administration - Maine Emergency Management
Agency 0214**

Initiative: Reduces funding by managing professional services contracts, travel, state vehicle operations, employee training, technology and office supplies within available resources.

GENERAL FUND	2021-22	2022-23
All Other	(\$33,140)	(\$33,196)
GENERAL FUND TOTAL	(\$33,140)	(\$33,196)

Military Training and Operations 0108

Initiative: Provides funding for the proposed reorganization of one Engineering Technician IV position to a Facilities Project Manager position to reflect the change of duties and responsibilities.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$8,074	\$12,378
FEDERAL EXPENDITURES FUND TOTAL	\$8,074	\$12,378

Military Training and Operations 0108

Initiative: Provides funding for the proposed reorganization of one vacant Engineering Technician III position to a Planning & Research Associate I position to reflect the change of duties and responsibilities.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$4,901	\$5,175
FEDERAL EXPENDITURES FUND TOTAL	\$4,901	\$5,175

Veterans Services 0110

Initiative: Reduces funding by reallocating cemetery expenses for vehicle repairs, gas, diesel, electricity, building repairs, equipment repairs, fuel, cleaning contracts and rubbish disposal contracts from 100% General Fund to 100% Federal Expenditures Fund within the same program.

GENERAL FUND	2021-22	2022-23
All Other	(\$131,037)	(\$131,037)
GENERAL FUND TOTAL	(\$131,037)	(\$131,037)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$131,037	\$131,037
FEDERAL EXPENDITURES FUND TOTAL	\$131,037	\$131,037

Veterans Services 0110

Initiative: Reduces funding by managing employee training, travel, advertising and marketing and technology contracts within available resources.

GENERAL FUND	2021-22	2022-23
All Other	(\$73,014)	(\$77,803)
GENERAL FUND TOTAL	(\$73,014)	(\$77,803)

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	(\$237,191)	(\$242,036)
FEDERAL EXPENDITURES FUND	\$144,012	\$148,590
DEPARTMENT TOTAL - ALL FUNDS	(\$93,179)	(\$93,446)

EDUCATION, DEPARTMENT OF

Adult Education 0364

Initiative: Reduces funding for travel, office supplies and general operations expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$7,000)	(\$7,000)
GENERAL FUND TOTAL	(\$7,000)	(\$7,000)

Facilities, Safety and Transportation Z271

Initiative: Continues one Public Service Manager II position previously continued by Financial Order 001258

F1 and one Public Service Coordinator II position previously continued by Financial Order 001257 F1 funded 100% Maine School Safety Center program, Federal Expenditures Fund, transfers these positions from the Federal Expenditures Fund to the General Fund within the same program beginning October 31, 2021 and provides funding for related All Other costs. This initiative also continues 2 limited-period Regional Education Representative positions previously continued by Financial Order 001258 F1 through September 29, 2023 and provides funding for related All Other costs. This initiative also reduces funding in the Facilities, Safety and Transportation program related to an operational reorganization within the Department of Education.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	(\$553,032)	(\$553,032)
FEDERAL EXPENDITURES FUND TOTAL	(\$553,032)	(\$553,032)

General Purpose Aid for Local Schools 0308

Initiative: Reduces funding for obligations for publicly funded students and teachers in the State.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$9,081,042)	(\$1,137,684)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$9,081,042)	(\$1,137,684)

General Purpose Aid for Local Schools 0308

Initiative: Provides funding to increase the state share percentage of the total cost of public education from kindergarten to grade 12 to 51.83%.

GENERAL FUND	2021-22	2022-23
All Other	\$22,500,000	\$22,500,000
GENERAL FUND TOTAL	\$22,500,000	\$22,500,000

General Purpose Aid for Local Schools 0308

Initiative: Continues one Education Specialist III position previously continued by Financial Order 001049 F1 and reduces All Other to fund the position. This initiative also continues one Public Service Manager III position previously established by Financial Order CV0040 F1 and reduces All Other to fund the position. These positions will end on June 10, 2023.

GENERAL FUND	2021-22	2022-23
Personal Services	\$277,950	\$280,356
All Other	(\$277,950)	(\$280,356)
GENERAL FUND TOTAL	\$0	\$0

General Purpose Aid for Local Schools 0308

Initiative: Continues one Management Analyst II position previously continued by Financial Order 001308 F1 and reduces All Other to fund the position. The position will end on June 10, 2023.

GENERAL FUND	2021-22	2022-23
Personal Services	\$87,800	\$91,912
All Other	(\$87,800)	(\$91,912)
GENERAL FUND TOTAL	\$0	\$0

General Purpose Aid for Local Schools 0308

Initiative: Transfers one Management Analyst I position and one Office Specialist I position from the Learning Through Technology program to the General Purpose Aid for Local Schools program.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	2.000	2.000
COUNT		
Personal Services	\$127,730	\$130,711
GENERAL FUND TOTAL	\$127,730	\$130,711

Higher Education and Educator Support Services Z082

Initiative: Reduces funding for travel, office supplies and general operations expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$14,263)	(\$14,263)
GENERAL FUND TOTAL	(\$14,263)	(\$14,263)

Leadership Team Z077

Initiative: Reduces funding for travel, office supplies and general operations expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$15,000)	(\$15,000)
GENERAL FUND TOTAL	(\$15,000)	(\$15,000)

Learning Systems Team Z081

Initiative: Continues one limited-period Education Specialist III position previously continued by Financial Order 001076 F1 through August 31, 2022 and provides funding for related All Other costs.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$118,512	\$20,110
All Other	\$31,025	\$1,256
FEDERAL EXPENDITURES FUND TOTAL	\$149,537	\$21,366

Learning Systems Team Z081

Initiative: Reduces funding for travel, office supplies and general operations expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$78,986)	(\$78,986)
GENERAL FUND TOTAL	(\$78,986)	(\$78,986)

Learning Through Technology Z029

Initiative: Transfers one Management Analyst I position and one Office Specialist I position from the Learning Through Technology program to the General Purpose Aid for Local Schools program.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	(2.000)	(2.000)
COUNT		
Personal Services	(\$127,730)	(\$130,711)
GENERAL FUND TOTAL	(\$127,730)	(\$130,711)

Maine Commission for Community Service Z134

Initiative: Reduces funding for travel, office supplies and general operations expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$9,490)	(\$9,490)
GENERAL FUND TOTAL	(\$9,490)	(\$9,490)

Maine School Safety Center Z293

Initiative: Continues one Public Service Manager II position previously continued by Financial Order 001258 F1 and one Public Service Coordinator II position previously continued by Financial Order 001257 F1 funded 100% Maine School Safety Center program, Federal Expenditures Fund, transfers these positions from the Federal Expenditures Fund to the General Fund within the same program beginning October 31, 2021 and provides funding for related All Other costs. These positions will end on June 10, 2023. This initiative also continues 2 limited-period Regional Education Representative positions previously continued by Financial Order 001258 F1 through September 29, 2023 and provides funding for related All Other costs. This initiative also reduces funding in the Facilities, Safety and Transportation program related to an operational reorganization within the Department of Education.

GENERAL FUND	2021-22	2022-23
Personal Services	\$185,869	\$298,783
All Other	\$12,766	\$12,766
GENERAL FUND TOTAL	\$198,635	\$311,549

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$362,249	\$254,146
All Other	\$39,521	\$146,376
FEDERAL EXPENDITURES FUND TOTAL	\$401,770	\$400,522

School and Student Supports Z270

Initiative: Reallocates the cost of one Management Analyst I position, one Education Specialist III position, one Public Service Manager II position and one Public Service Executive II position between accounts within the same program. This initiative also continues one Secretary Specialist Supervisor position previously continued by Financial Order 001257 F1 and provides

funding for All Other costs associated with the position. The position will end on June 10, 2023.

GENERAL FUND	2021-22	2022-23
Personal Services	\$41,204	\$44,811
All Other	\$6,383	\$6,383
GENERAL FUND TOTAL	\$47,587	\$51,194

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$11,783	\$11,932
All Other	\$433	\$437
FEDERAL EXPENDITURES FUND TOTAL	\$12,216	\$12,369

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$35,910	\$35,956
All Other	\$1,318	\$1,320
OTHER SPECIAL REVENUE FUNDS TOTAL	\$37,228	\$37,276

School Finance and Operations Z078

Initiative: Reduces funding for travel, office supplies and general operations expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$25,300)	(\$25,300)
GENERAL FUND TOTAL	(\$25,300)	(\$25,300)

Teacher Retirement 0170

Initiative: Provides funding for teacher retirement costs based upon actuarial estimates from the Maine Public Employees Retirement System.

GENERAL FUND	2021-22	2022-23
All Other	\$15,324,489	\$20,677,486
GENERAL FUND TOTAL	\$15,324,489	\$20,677,486

EDUCATION, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$37,920,672	\$43,390,190
FEDERAL EXPENDITURES FUND	\$10,491	(\$118,775)
OTHER SPECIAL REVENUE FUNDS	(\$9,043,814)	(\$1,100,408)
DEPARTMENT TOTAL - ALL FUNDS	\$28,887,349	\$42,171,007

EXECUTIVE DEPARTMENT

Governor's Energy Office Z122

Initiative: Continues one limited-period Public Service Coordinator II position previously established by Financial Order 000558 F0 and transfers All Other to Personal Services to fund the position. The position will end on June 10, 2023.

GENERAL FUND	2021-22	2022-23
Personal Services	\$127,794	\$134,189
All Other	(\$127,794)	(\$134,189)
GENERAL FUND TOTAL	\$0	\$0

Public Advocate 0410

Initiative: Continues one Economic Analyst position previously continued by Financial Order 001055 F1. Also, provides funding for related All Other costs. The position will end on June 10, 2023.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$32,025	\$31,918
All Other	\$536	\$534
OTHER SPECIAL REVENUE FUNDS TOTAL	\$32,561	\$32,452

EXECUTIVE DEPARTMENT DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$32,561	\$32,452

DEPARTMENT TOTAL - ALL FUNDS	\$32,561	\$32,452
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HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Brain Injury Z213

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$899)	(\$899)
GENERAL FUND TOTAL	(\$899)	(\$899)

Child Support 0100

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$2,435)	(\$2,435)
GENERAL FUND TOTAL	(\$2,435)	(\$2,435)

Crisis Outreach Program Z216

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$4,090)	(\$4,090)
GENERAL FUND TOTAL	(\$4,090)	(\$4,090)

Data, Research and Vital Statistics Z037

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$216)	(\$216)
GENERAL FUND TOTAL	<u>(\$216)</u>	<u>(\$216)</u>

Department of Health and Human Services Central Operations 0142

Initiative: Continues one limited-period Public Service Coordinator II position previously continued by financial order 001110 F1 and funded 60% General Fund and 40% Other Special Revenue Funds in the Central Operations program and provides funding for related All Other costs. This position ends on June 17, 2023.

GENERAL FUND	2021-22	2022-23
Personal Services	\$83,737	\$86,631
All Other	\$3,813	\$3,813
GENERAL FUND TOTAL	<u>\$87,550</u>	<u>\$90,444</u>

OTHER SPECIAL REVENUE FUNDS

2021-22	2022-23
Personal Services	\$55,824
All Other	\$3,884
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$59,708</u> <u>\$61,689</u>

Department of Health and Human Services Central Operations 0142

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$49,702)	(\$49,702)
GENERAL FUND TOTAL	<u>(\$49,702)</u>	<u>(\$49,702)</u>

Departmentwide 0640

Initiative: Reduces funding one time from the identification of efficiencies and underutilized professional services agreements.

GENERAL FUND	2021-22	2022-23
All Other	(\$2,250,000)	(\$2,250,000)
GENERAL FUND TOTAL	<u>(\$2,250,000)</u>	<u>(\$2,250,000)</u>

Developmental Services - Community Z208

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
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All Other	(\$37,890)	(\$37,890)
GENERAL FUND TOTAL	<u>(\$37,890)</u>	<u>(\$37,890)</u>

Developmental Services Waiver - MaineCare Z211

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal years 2021 to 2023.

GENERAL FUND	2021-22	2022-23
All Other	(\$529,766)	(\$882,943)
GENERAL FUND TOTAL	<u>(\$529,766)</u>	<u>(\$882,943)</u>

Developmental Services Waiver - MaineCare Z211

Initiative: Provides one-time funding to increase rates for services under the department’s rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder, and Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder.

GENERAL FUND	2021-22	2022-23
All Other	\$7,975,378	\$0
GENERAL FUND TOTAL	<u>\$7,975,378</u>	<u>\$0</u>

Developmental Services Waiver - Supports Z212

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal years 2021 to 2023.

GENERAL FUND	2021-22	2022-23
All Other	(\$110,237)	(\$183,727)
GENERAL FUND TOTAL	<u>(\$110,237)</u>	<u>(\$183,727)</u>

Developmental Services Waiver - Supports Z212

Initiative: Provides one-time funding to increase rates for services under the department’s rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder, and Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder.

GENERAL FUND	2021-22	2022-23
All Other	\$1,811,799	\$0
GENERAL FUND TOTAL	<u>\$1,811,799</u>	<u>\$0</u>

Disproportionate Share - Dorothea Dix Psychiatric Center Z225

Initiative: Continues one limited-period Public Service Manager III position funded 36.08% in fiscal year 2021-22 and 36% in fiscal year 2022-23 General Fund in the Disproportionate Share - Dorothea Dix Psychiatric Center program and 63.92% in fiscal year 2021-22 and 64% in fiscal year 2022-23 Other Special Revenue Funds in the Dorothea Dix Psychiatric Center program,

provides funding for related All Other costs and transfers All Other to Personal Services to fund the position. This position was continued by Financial Order 001058 F1. The position will end on June 17, 2023.

GENERAL FUND	2021-22	2022-23
Personal Services	\$60,090	\$59,974
All Other	(\$60,090)	(\$59,974)
GENERAL FUND TOTAL	\$0	\$0

Disproportionate Share - Dorothea Dix Psychiatric Center Z225

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$1,599)	(\$1,599)
GENERAL FUND TOTAL	(\$1,599)	(\$1,599)

Disproportionate Share - Riverview Psychiatric Center Z220

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$2,541)	(\$2,541)
GENERAL FUND TOTAL	(\$2,541)	(\$2,541)

Division of Licensing and Certification Z036

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$36,051)	(\$36,051)
GENERAL FUND TOTAL	(\$36,051)	(\$36,051)

Division of Licensing and Certification Z036

Initiative: Reduces funding as a result of ongoing efficiencies in the Division of Licensing and Certification program.

GENERAL FUND	2021-22	2022-23
All Other	(\$300,000)	(\$300,000)
GENERAL FUND TOTAL	(\$300,000)	(\$300,000)

Dorothea Dix Psychiatric Center Z222

Initiative: Continues one limited-period Public Service Manager III position funded 36.08% in fiscal year 2021-22 and 36% in fiscal year 2022-23 General Fund in the Disproportionate Share - Dorothea Dix Psychiatric Center program and 63.92% in fiscal year 2021-22 and 64% in fiscal year 2022-23 Other Special Revenue Funds in the Dorothea Dix Psychiatric Center program,

provides funding for related All Other costs and transfers All Other to Personal Services to fund the position. This position was continued by Financial Order 001058 F1. The position will end on June 17, 2023.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$106,833	\$106,998
All Other	(\$106,833)	(\$106,998)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Dorothea Dix Psychiatric Center Z222

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$776)	(\$776)
GENERAL FUND TOTAL	(\$776)	(\$776)

Driver Education & Evaluation Program - Off Sub Abuse & MH S Z200

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$815)	(\$815)
GENERAL FUND TOTAL	(\$815)	(\$815)

Food Supplement Administration Z019

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$201)	(\$201)
GENERAL FUND TOTAL	(\$201)	(\$201)

Forensic Services Z203

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$325)	(\$325)
GENERAL FUND TOTAL	(\$325)	(\$325)

IV-E Foster Care/Adoption Assistance 0137

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$4,500)	(\$4,500)

GENERAL FUND TOTAL	(\$4,500)	(\$4,500)
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Long Term Care - Office of Aging and Disability Services 0420

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$375)	(\$375)

GENERAL FUND TOTAL	(\$375)	(\$375)
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Maine Center for Disease Control and Prevention 0143

Initiative: Continues 5 limited-period Environmental Specialist III positions previously continued in Public Law 2019, chapter 343 and 3 limited-period Environmental Specialist III positions previously established in Public Law 2019, chapter 343 and provides funding for related All Other costs. Also provides All Other funding for the continuation of lead inspection services and associated laboratory costs. These positions will end June 17, 2023.

GENERAL FUND	2021-22	2022-23
Personal Services	\$700,008	\$722,454
All Other	\$50,832	\$50,832

GENERAL FUND TOTAL	\$750,840	\$773,286
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Maine Center for Disease Control and Prevention 0143

Initiative: Continues one limited-period Chemist II position and one limited-period Chemist III position previously continued by Public Law 2019, chapter 343 and one limited-period Business Manager II position previously continued by Financial Order 001131 F1 and provides funding for related All Other costs. These positions will end on June 17, 2023.

GENERAL FUND	2021-22	2022-23
Personal Services	\$330,449	\$335,139
All Other	\$19,062	\$19,062

GENERAL FUND TOTAL	\$349,511	\$354,201
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Maine Center for Disease Control and Prevention 0143

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$6,447)	(\$6,447)

GENERAL FUND TOTAL	(\$6,447)	(\$6,447)
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Maternal and Child Health Block Grant Match Z008

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$5,169)	(\$5,169)

GENERAL FUND TOTAL	(\$5,169)	(\$5,169)
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Medicaid Services - Developmental Services Z210

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal years 2021 to 2023.

GENERAL FUND	2021-22	2022-23
All Other	(\$97,844)	(\$163,075)

GENERAL FUND TOTAL	(\$97,844)	(\$163,075)
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Medicaid Services - Developmental Services Z210

Initiative: Provides one-time funding to increase rates for services under the department's rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder, and Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,952,229	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,952,229	\$0
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Medicaid Waiver for Brain Injury Residential /Community Serv Z218

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal years 2021 to 2023.

GENERAL FUND	2021-22	2022-23
All Other	(\$24,508)	(\$40,848)

GENERAL FUND TOTAL	(\$24,508)	(\$40,848)
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Medicaid Waiver for Other Related Conditions Z217

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal years 2021 to 2023.

GENERAL FUND	2021-22	2022-23
All Other	(\$11,517)	(\$19,195)

GENERAL FUND TOTAL	(\$11,517)	(\$19,195)
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Medical Care - Payments to Providers 0147

Initiative: Provides one-time funding to increase rates for services under the department’s rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder, and Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$20,797,750	\$0
FEDERAL EXPENDITURES FUND TOTAL	<u>\$20,797,750</u>	<u>\$0</u>

Medical Care - Payments to Providers 0147

Initiative: Provides one-time funding to increase rates related to the department’s rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Appendix D, Principles of Reimbursement for Child Care Facilities, due to a planned rate study and to meet the requirements of the federal Family First Prevention Services Act.

GENERAL FUND	2021-22	2022-23
All Other	\$815,178	\$0
GENERAL FUND TOTAL	<u>\$815,178</u>	<u>\$0</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$6,279,064	\$0
FEDERAL EXPENDITURES FUND TOTAL	<u>\$6,279,064</u>	<u>\$0</u>

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding between the General Fund and Other Special Revenue Funds within the MaineCare pharmacy program to reflect the drug rebates received annually.

GENERAL FUND	2021-22	2022-23
All Other	(\$9,790,000)	(\$9,790,000)
GENERAL FUND TOTAL	<u>(\$9,790,000)</u>	<u>(\$9,790,000)</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$9,790,000	\$9,790,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$9,790,000</u>	<u>\$9,790,000</u>

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding in order to claim enhanced expansion Federal Medical Assistance Percentage rates for biannual hospital supplemental payments.

GENERAL FUND	2021-22	2022-23
All Other	(\$7,223,063)	(\$7,223,063)
GENERAL FUND TOTAL	<u>(\$7,223,063)</u>	<u>(\$7,223,063)</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$7,223,063	\$7,223,063
FEDERAL EXPENDITURES FUND TOTAL	<u>\$7,223,063</u>	<u>\$7,223,063</u>

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal years 2021 to 2023.

GENERAL FUND	2021-22	2022-23
All Other	(\$927,466)	(\$2,298,836)
GENERAL FUND TOTAL	<u>(\$927,466)</u>	<u>(\$2,298,836)</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$3,265,741	\$5,442,901
FEDERAL EXPENDITURES FUND TOTAL	<u>\$3,265,741</u>	<u>\$5,442,901</u>

FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	(\$102,885)	(\$171,475)
FUND FOR A HEALTHY MAINE TOTAL	<u>(\$102,885)</u>	<u>(\$171,475)</u>

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	(\$1,152,872)	(\$1,168,392)
FEDERAL BLOCK GRANT FUND TOTAL	<u>(\$1,152,872)</u>	<u>(\$1,168,392)</u>

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding in the Medical Care - Payments to Providers program between the General Fund and Other Special Revenue Funds related to rebasing the hospital tax year from fiscal year 2015-16 to 2017-18.

GENERAL FUND	2021-22	2022-23
All Other	(\$11,818,376)	(\$11,818,376)
GENERAL FUND TOTAL	<u>(\$11,818,376)</u>	<u>(\$11,818,376)</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$11,818,376	\$11,818,376
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$11,818,376</u>	<u>\$11,818,376</u>

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding in order to claim enhanced expansion Federal Medical Assistance Percentage rates for weekly hospital prospective interim payments for treatment related to the Medicaid expansion population.

GENERAL FUND	2021-22	2022-23
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All Other	(\$13,450,874)	(\$13,409,614)
GENERAL FUND TOTAL	(\$13,450,874)	(\$13,409,614)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$13,450,874	\$13,409,614
FEDERAL EXPENDITURES FUND TOTAL	\$13,450,874	\$13,409,614

Medical Care - Payments to Providers 0147

Initiative: Provides funding to increase the supplemental payments to hospitals.

GENERAL FUND	2021-22	2022-23
All Other	\$3,184,713	\$3,184,713
GENERAL FUND TOTAL	\$3,184,713	\$3,184,713

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$8,103,172	\$8,103,172
FEDERAL EXPENDITURES FUND TOTAL	\$8,103,172	\$8,103,172

Medical Care - Payments to Providers 0147

Initiative: Provides funding to increase private nonmedical institution services rates by inflation per the department's rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Appendix C, Principles of Reimbursement for Medical and Remedial Service Facilities.

GENERAL FUND	2021-22	2022-23
All Other	\$632,174	\$0
GENERAL FUND TOTAL	\$632,174	\$0

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,519,005	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$1,519,005	\$0

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$225,237	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$225,237	\$0

Medical Care - Payments to Providers 0147

Initiative: Provides funding for an increase in rates for federally qualified health centers as required by the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services.

GENERAL FUND	2021-22	2022-23
All Other	\$293,571	\$0
GENERAL FUND TOTAL	\$293,571	\$0

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$659,509	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$659,509	\$0

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$30,892	\$0
FEDERAL BLOCK GRANT FUND TOTAL	\$30,892	\$0

Medical Care - Payments to Providers 0147

Initiative: Provides funding for an increase in rates for rural health centers as required by the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services.

GENERAL FUND	2021-22	2022-23
All Other	\$73,544	\$0
GENERAL FUND TOTAL	\$73,544	\$0

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$156,663	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$156,663	\$0

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$8,013	\$0
FEDERAL BLOCK GRANT FUND TOTAL	\$8,013	\$0

Medical Care - Payments to Providers 0147

Initiative: Provides funding for cost-of-living adjustments for adult family care homes.

GENERAL FUND	2021-22	2022-23
All Other	\$89,884	\$0
GENERAL FUND TOTAL	\$89,884	\$0

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$159,240	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$159,240	\$0

Mental Health Services - Child Medicaid Z207

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal years 2021 to 2023.

GENERAL FUND	2021-22	2022-23
All Other	(\$120,196)	(\$200,326)
GENERAL FUND TOTAL	(\$120,196)	(\$200,326)

Mental Health Services - Child Medicaid Z207

Initiative: Provides one-time funding to increase rates related to the department's rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Appendix D, Principles of Reimbursement for Child Care Facilities, due to a planned rate study and to meet the requirements of the federal Family First Prevention Services Act.

GENERAL FUND	2021-22	2022-23
All Other	\$2,729,075	\$0
GENERAL FUND TOTAL	<u>\$2,729,075</u>	<u>\$0</u>

Mental Health Services - Children Z206

Initiative: Provides one-time funding to increase rates related to the department's rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Appendix D, Principles of Reimbursement for Child Care Facilities, due to a planned rate study and to meet the requirements of the federal Family First Prevention Services Act.

GENERAL FUND	2021-22	2022-23
All Other	\$1,122,000	\$0
GENERAL FUND TOTAL	<u>\$1,122,000</u>	<u>\$0</u>

Mental Health Services - Children Z206

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$14,873)	(\$14,873)
GENERAL FUND TOTAL	<u>(\$14,873)</u>	<u>(\$14,873)</u>

Mental Health Services - Community Z198

Initiative: Continues one limited-period Public Service Manager III position previously established by Financial Order 000793 F0 to serve as the deputy director of strategic planning, managing the grant, contract, administrative and finance teams and communications, and reduces All Other to fund the position through June 17, 2023.

GENERAL FUND	2021-22	2022-23
Personal Services	\$173,241	\$173,233
All Other	(\$173,241)	(\$173,233)
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$0</u>

Mental Health Services - Community Z198

Initiative: Continues one limited-period Public Service Manager III position in the Mental Health Services - Community Program, General Fund to serve as the deputy director of research and evaluation. Transfers All Other funding to Personal Services to fund the position. This position was previously established as a limited-period position by Financial Order 000762 F0 and will end on June 17, 2023.

GENERAL FUND	2021-22	2022-23
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Personal Services	\$173,241	\$173,233
All Other	(\$173,241)	(\$173,233)

GENERAL FUND TOTAL	<u>\$0</u>	<u>\$0</u>
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Mental Health Services - Community Z198

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$10,273)	(\$10,273)

GENERAL FUND TOTAL	<u>(\$10,273)</u>	<u>(\$10,273)</u>
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Mental Health Services - Community Medicaid Z201

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal years 2021 to 2023.

GENERAL FUND	2021-22	2022-23
All Other	(\$157,896)	(\$263,159)

GENERAL FUND TOTAL	<u>(\$157,896)</u>	<u>(\$263,159)</u>
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Multicultural Services Z034

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$170)	(\$170)

GENERAL FUND TOTAL	<u>(\$170)</u>	<u>(\$170)</u>
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Nursing Facilities 0148

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal years 2021 to 2023.

GENERAL FUND	2021-22	2022-23
All Other	(\$544,132)	(\$906,887)

GENERAL FUND TOTAL	<u>(\$544,132)</u>	<u>(\$906,887)</u>
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FEDERAL EXPENDITURES FUND

All Other	\$544,132	\$906,887
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FEDERAL EXPENDITURES FUND TOTAL	<u>\$544,132</u>	<u>\$906,887</u>
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Nursing Facilities 0148

Initiative: Provides funding in the Nursing Facilities program for a cost-of-living increase in fiscal year 2021-22.

GENERAL FUND	2021-22	2022-23
All Other	\$4,019,723	\$0

GENERAL FUND TOTAL	<u>\$4,019,723</u>	<u>\$0</u>
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$8,541,911	\$0
FEDERAL EXPENDITURES FUND TOTAL	<u>\$8,541,911</u>	<u>\$0</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$801,806	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$801,806</u>	<u>\$0</u>

Office for Family Independence Z020

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$1,421)	(\$1,421)
GENERAL FUND TOTAL	<u>(\$1,421)</u>	<u>(\$1,421)</u>

Office for Family Independence - District 0453

Initiative: Continues 3 limited-period Family Independence Unit Supervisor positions and 45 limited-period Customer Representative Associate II - Human Services positions previously continued by Public Law 2019, chapter 616, Part A, section 7 through June 17, 2023, funded 37.9% General Fund and 62.1% Other Special Revenue Funds within the Office for Family Independence - District program, and provides funding for related All Other costs. These positions will end on June 17, 2023.

GENERAL FUND	2021-22	2022-23
Personal Services	\$1,184,695	\$1,235,775
All Other	\$115,592	\$115,592
GENERAL FUND TOTAL	<u>\$1,300,287</u>	<u>\$1,351,367</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$1,940,991	\$2,024,819
All Other	\$242,380	\$244,760
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,183,371</u>	<u>\$2,269,579</u>

Office for Family Independence - District 0453

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$9,379)	(\$9,379)
GENERAL FUND TOTAL	<u>(\$9,379)</u>	<u>(\$9,379)</u>

Office of Aging and Disability Services Adult Protective Services Z040

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$19,500)	(\$19,500)
GENERAL FUND TOTAL	<u>(\$19,500)</u>	<u>(\$19,500)</u>

Office of Aging and Disability Services Central Office 0140

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$750)	(\$750)
GENERAL FUND TOTAL	<u>(\$750)</u>	<u>(\$750)</u>

Office of Child and Family Services - Central 0307

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$5,950)	(\$5,950)
GENERAL FUND TOTAL	<u>(\$5,950)</u>	<u>(\$5,950)</u>

Office of Child and Family Services - District 0452

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$217,231)	(\$217,231)
GENERAL FUND TOTAL	<u>(\$217,231)</u>	<u>(\$217,231)</u>

Office of MaineCare Services 0129

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$3,767)	(\$3,767)
GENERAL FUND TOTAL	<u>(\$3,767)</u>	<u>(\$3,767)</u>

Office of Substance Abuse & Mental Health Srvc-Medicaid Seed Z202

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal years 2021 to 2023.

GENERAL FUND	2021-22	2022-23
All Other	(\$25,816)	(\$43,028)

GENERAL FUND TOTAL	(\$25,816)	(\$43,028)
FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	(\$4,329)	(\$7,216)
FUND FOR A HEALTHY MAINE TOTAL	(\$4,329)	(\$7,216)

Office of Substance Abuse and Mental Health Services Z199

Initiative: Continues one limited-period Management Analyst II position previously continued by Financial Order 001106 F1 to serve as the opioid response project manager to oversee and coordinate opioid-related projects and provides funding for related All Other costs. This position will end on June 17, 2023.

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
Personal Services	\$89,497	\$93,892
All Other	\$8,560	\$8,661
FEDERAL BLOCK GRANT FUND TOTAL	\$98,057	\$102,553

Office of Substance Abuse and Mental Health Services Z199

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$1,573)	(\$1,573)
GENERAL FUND TOTAL	(\$1,573)	(\$1,573)

PNMI Room and Board Z009

Initiative: Provides funding to increase private nonmedical institution services rates by inflation per the department's rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Appendix C, Principles of Reimbursement for Medical and Remedial Service Facilities.

GENERAL FUND	2021-22	2022-23
All Other	\$1,377,531	\$0
GENERAL FUND TOTAL	\$1,377,531	\$0

PNMI Room and Board Z009

Initiative: Provides funding for cost-of-living adjustments for adult family care homes.

GENERAL FUND	2021-22	2022-23
All Other	\$33,330	\$0
GENERAL FUND TOTAL	\$33,330	\$0

Purchased Social Services 0228

Initiative: Provides ongoing appropriations to maintain sexual assault and domestic violence prevention and victim services.

GENERAL FUND	2021-22	2022-23
All Other	\$2,500,000	\$2,500,000
GENERAL FUND TOTAL	\$2,500,000	\$2,500,000

Purchased Social Services 0228

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$495)	(\$495)
GENERAL FUND TOTAL	(\$495)	(\$495)

Riverview Psychiatric Center Z219

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$112)	(\$112)
GENERAL FUND TOTAL	(\$112)	(\$112)

State-funded Foster Care/Adoption Assistance 0139

Initiative: Reduces funding one time for employee mileage reimbursement by 15% due to a decrease in travel during the COVID-19 pandemic and based on prior year expenditures.

GENERAL FUND	2021-22	2022-23
All Other	(\$3,645)	(\$3,645)
GENERAL FUND TOTAL	(\$3,645)	(\$3,645)

State-funded Foster Care/Adoption Assistance 0139

Initiative: Reduces funding for software implementation for results-oriented management reporting.

GENERAL FUND	2021-22	2022-23
All Other	(\$80,804)	(\$80,804)
GENERAL FUND TOTAL	(\$80,804)	(\$80,804)

FEDERAL EXPENDITURES FUND

All Other	(\$2,998)	(\$2,998)
FEDERAL EXPENDITURES FUND TOTAL	(\$2,998)	(\$2,998)

Traumatic Brain Injury Seed Z214

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal years 2021 to 2023.

GENERAL FUND	2021-22	2022-23
All Other	(\$409)	(\$681)

GENERAL FUND TOTAL (\$409) (\$681)

HEALTH AND HUMAN SERVICES, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	(\$18,759,986)	(\$42,063,721)
FEDERAL EXPENDITURES FUND	\$70,697,126	\$35,082,639
FUND FOR A HEALTHY MAINE	(\$107,214)	(\$178,691)
OTHER SPECIAL REVENUE FUNDS	\$26,830,727	\$23,939,644
FEDERAL BLOCK GRANT FUND	(\$1,015,910)	(\$1,065,839)

DEPARTMENT TOTAL - ALL FUNDS \$77,644,743 \$15,714,032

HOUSING AUTHORITY, MAINE STATE

Home Modification Certification Program Z231

Initiative: Reduces funding to reflect the termination of the home modification certification program.

GENERAL FUND	2021-22	2022-23
All Other	(\$50,000)	(\$50,000)

GENERAL FUND TOTAL (\$50,000) (\$50,000)

HOUSING AUTHORITY, MAINE STATE

DEPARTMENT TOTALS

GENERAL FUND	2021-22	2022-23
	(\$50,000)	(\$50,000)

DEPARTMENT TOTAL - ALL FUNDS (\$50,000) (\$50,000)

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Reduces funding one time for maintenance activities at department-owned facilities.

GENERAL FUND	2021-22	2022-23
All Other	(\$21,739)	(\$22,385)

GENERAL FUND TOTAL (\$21,739) (\$22,385)

Fisheries and Hatcheries Operations 0535

Initiative: Reduces funding one time for fish hatchery equipment.

GENERAL FUND	2021-22	2022-23
All Other	(\$125,000)	(\$125,000)

GENERAL FUND TOTAL (\$125,000) (\$125,000)

Fisheries and Hatcheries Operations 0535

Initiative: Reduces funding one time for contractual expenses in the Fisheries and Hatcheries Operations program.

GENERAL FUND	2021-22	2022-23
All Other	(\$16,500)	(\$16,500)

GENERAL FUND TOTAL (\$16,500) (\$16,500)

Licensing Services - Inland Fisheries and Wildlife 0531

Initiative: Reduces funding one time for online store transactions.

GENERAL FUND	2021-22	2022-23
All Other	(\$6,000)	(\$6,000)

GENERAL FUND TOTAL (\$6,000) (\$6,000)

Public Information and Education, Division of 0729

Initiative: Continues one Gamekeeper position established by financial order for the Maine Wildlife Park. The position will end on June 10, 2023.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$66,669	\$69,528
All Other	\$1,878	\$1,951

OTHER SPECIAL REVENUE FUNDS TOTAL \$68,547 \$71,479

Public Information and Education, Division of 0729

Initiative: Reduces funding one time for out-of-state travel.

GENERAL FUND	2021-22	2022-23
All Other	(\$9,303)	(\$9,303)

GENERAL FUND TOTAL (\$9,303) (\$9,303)

Public Information and Education, Division of 0729

Initiative: Reduces funding one time for printed materials.

GENERAL FUND	2021-22	2022-23
All Other	(\$21,892)	(\$21,892)

GENERAL FUND TOTAL (\$21,892) (\$21,892)

Public Information and Education, Division of 0729

Initiative: Reduces funding one time for educational materials.

GENERAL FUND	2021-22	2022-23
All Other	(\$4,973)	(\$4,973)

GENERAL FUND TOTAL (\$4,973) (\$4,973)

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Provides funding in the Resource Management Services - Inland Fisheries and Wildlife program to align expenditures with anticipated federal grant revenue.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$740,000	\$740,000
FEDERAL EXPENDITURES FUND TOTAL	<u>\$740,000</u>	<u>\$740,000</u>

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reduces funding one time for predator control efforts.

GENERAL FUND	2021-22	2022-23
All Other	(\$50,000)	(\$50,000)
GENERAL FUND TOTAL	<u>(\$50,000)</u>	<u>(\$50,000)</u>

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	(\$255,407)	(\$256,053)
FEDERAL EXPENDITURES FUND	\$740,000	\$740,000
OTHER SPECIAL REVENUE FUNDS	\$68,547	\$71,479
DEPARTMENT TOTAL - ALL FUNDS	<u>\$553,140</u>	<u>\$555,426</u>

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: Continues 2 limited-period Service Center/Violations Bureau Assistant Clerk positions through June 17, 2023 and transfers and reallocates the positions to another Other Special Revenue Funds account within the same program. These positions were previously authorized in Public Law 2019, chapter 343.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$149,086	\$156,318
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$149,086</u>	<u>\$156,318</u>

Courts - Supreme, Superior and District 0063

Initiative: Continues 2 limited-period Court Appointed Special Advocate Legal Services Advisor positions through June 17, 2023. These positions were previously authorized in Public Law 2019, chapter 343.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$265,240	\$272,740
FEDERAL EXPENDITURES FUND TOTAL	<u>\$265,240</u>	<u>\$272,740</u>

Courts - Supreme, Superior and District 0063

Initiative: Continues 3 limited-period Law Clerk positions through June 17, 2023. These positions were previously authorized in Public Law 2019, chapter 343.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$285,939	\$298,107
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$285,939</u>	<u>\$298,107</u>

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Assistant Clerk position through June 17, 2023. The position was previously authorized in Public Law 2019, chapter 486.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$74,950	\$78,713
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$74,950</u>	<u>\$78,713</u>

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Facility Engineer position through June 17, 2023. This position was previously authorized in Public Law 2019, chapter 343.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$122,352	\$127,472
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$122,352</u>	<u>\$127,472</u>

Courts - Supreme, Superior and District 0063

Initiative: Continues one limited-period Child Protective and Juvenile Process Specialist position through June 17, 2023. This position was previously authorized in Public Law 2019, chapter 343.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$139,408	\$145,185
FEDERAL EXPENDITURES FUND TOTAL	<u>\$139,408</u>	<u>\$145,185</u>

Courts - Supreme, Superior and District 0063

Initiative: Continues 2 limited-period Collections Clerk positions and one limited-period Court Fine Screener position through June 17, 2023. These positions were previously authorized in Public Law 2019, chapter 343.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$250,658	\$257,010
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$250,658</u>	<u>\$257,010</u>

JUDICIAL DEPARTMENT DEPARTMENT TOTALS

	2021-22	2022-23
FEDERAL EXPENDITURES FUND	\$404,648	\$417,925
OTHER SPECIAL REVENUE FUNDS	\$882,985	\$917,620

DEPARTMENT TOTAL - ALL FUNDS \$1,287,633 \$1,335,545

LABOR, DEPARTMENT OF

Employment Security Services 0245

Initiative: Continues 13 limited-period Claims Adjudicator positions, previously continued by Financial Order 001092 F1, through June 10, 2023.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$974,662	\$959,257
All Other	\$19,240	\$18,935
FEDERAL EXPENDITURES FUND TOTAL	<u>\$993,902</u>	<u>\$978,192</u>

Employment Security Services 0245

Initiative: Continues one Tax Section Manager position and one Assistant UC Team Leader position, previously established by Financial Order 001091 F1, through June 10, 2023.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$201,977	\$198,218
All Other	\$3,987	\$3,913
FEDERAL EXPENDITURES FUND TOTAL	<u>\$205,964</u>	<u>\$202,131</u>

Employment Security Services 0245

Initiative: Continues the following limited-period positions, previously continued by Financial Order 001090 F1, through June 10, 2023: 4 Unemployment Comp Team Leader positions, 13 Fraud Investigator positions, 18 Accounting Specialist positions, 38 UC Eligibility Agent positions, 4 Accounting Technician positions, 2 Business Systems Q/A Analyst positions and 16 Claims Adjudicator positions.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$7,649,970	\$7,498,114
All Other	\$151,010	\$148,013
FEDERAL EXPENDITURES FUND TOTAL	<u>\$7,800,980</u>	<u>\$7,646,127</u>

Employment Security Services 0245

Initiative: Continues the following limited-period positions, previously continued by Financial Order 001090 F1, through June 10, 2023: 6 Claims Adjudicator positions, one Unemployment Comp Regional Manager position, 4 Unemployment Comp Team Leader positions, 8 UC Eligibility Agent positions, 9 Fraud Investigator positions, 2 Hearings Examiner positions and 5 Accounting Specialist positions.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$2,983,162	\$2,929,005

All Other	\$58,888	\$57,819
FEDERAL EXPENDITURES FUND TOTAL	<u>\$3,042,050</u>	<u>\$2,986,824</u>

Rehabilitation Services 0799

Initiative: Continues one limited-period Rehabilitation Services Manager position and 3 limited-period Rehabilitation Counselor I positions, previously established by Public Law 2017, chapter 284, through September 18, 2021 and provides funding for related All Other costs.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$84,914	\$0
All Other	\$370,320	\$0
FEDERAL EXPENDITURES FUND TOTAL	<u>\$455,234</u>	<u>\$0</u>

LABOR, DEPARTMENT OF DEPARTMENT TOTALS

FEDERAL EXPENDITURES FUND	2021-22	2022-23
	<u>\$12,498,130</u>	<u>\$11,813,274</u>
DEPARTMENT TOTAL - ALL FUNDS	<u>\$12,498,130</u>	<u>\$11,813,274</u>

MARINE RESOURCES, DEPARTMENT OF

Bureau of Marine Science 0027

Initiative: Continues one Marine Resource Scientist I position previously continued by Financial Order 001096 F1 and provides funding for related All Other costs to identify, document and test experimental lobster fishing gear modifications to reduce the risk of entanglement for endangered North Atlantic right whales. The position will end on June 10, 2023.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$88,577	\$92,762
All Other	\$4,158	\$4,354
FEDERAL EXPENDITURES FUND TOTAL	<u>\$92,735</u>	<u>\$97,116</u>

Bureau of Marine Science 0027

Initiative: Reduces funding for the rent on the Department of Marine Resources facility in Bangor.

GENERAL FUND	2021-22	2022-23
All Other	(\$30,000)	(\$30,000)
GENERAL FUND TOTAL	<u>(\$30,000)</u>	<u>(\$30,000)</u>

Marine Patrol - Bureau of 0029

Initiative: Continues one Public Service Manager I position previously continued by Financial Order 001095 F1 and provides funding for related All Other costs to enhance the oversight and administration of the Bureau

of Marine Patrol's special services division. The position will end on June 10, 2023.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$54,675	\$55,095
All Other	\$2,566	\$2,586
FEDERAL EXPENDITURES FUND TOTAL	\$57,241	\$57,681

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$101,540	\$102,319
All Other	\$4,766	\$4,803
OTHER SPECIAL REVENUE FUNDS TOTAL	\$106,306	\$107,122

Sea Run Fisheries and Habitat Z295

Initiative: Continues one Marine Resource Scientist II position previously continued by Financial Order 001094 F1 and provides funding for related All Other costs to implement scientific and restoration projects focused on native diadromous or sea-run fish species in the State. The position will end on June 10, 2023.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$98,448	\$103,271
All Other	\$4,622	\$4,848
FEDERAL EXPENDITURES FUND TOTAL	\$103,070	\$108,119

Sea Run Fisheries and Habitat Z295

Initiative: Continues one Biologist II position previously continued by Financial Order 001093 F1 and provides funding for related All Other costs to implement scientific and restoration projects focused on the federal Bay of Fundy aquatic connectivity project. The position will end on June 10, 2023.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$96,118	\$100,930
All Other	\$4,512	\$4,738
FEDERAL EXPENDITURES FUND TOTAL	\$100,630	\$105,668

MARINE RESOURCES, DEPARTMENT OF DEPARTMENT TOTALS

GENERAL FUND	(\$30,000)	(\$30,000)
FEDERAL EXPENDITURES FUND	\$353,676	\$368,584
OTHER SPECIAL REVENUE FUNDS	\$106,306	\$107,122
DEPARTMENT TOTAL - ALL FUNDS	\$429,982	\$445,706

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Insurance - Bureau of 0092

Initiative: Provides funding for increased costs as a result of higher STA-CAP rates.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$123,007	\$126,206
OTHER SPECIAL REVENUE FUNDS TOTAL	\$123,007	\$126,206

Licensure in Medicine - Board of 0376

Initiative: Continues one board member position previously established by Public Law 2019, chapter 627. The position will end on June 10, 2023.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$1,248	\$1,248
All Other	\$35	\$35
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,283	\$1,283

Office of Securities 0943

Initiative: Provides funding for increased costs as a result of higher STA-CAP rates.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$25,465	\$25,877
OTHER SPECIAL REVENUE FUNDS TOTAL	\$25,465	\$25,877

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF DEPARTMENT TOTALS

OTHER SPECIAL REVENUE FUNDS	\$149,755	\$153,366
DEPARTMENT TOTAL - ALL FUNDS	\$149,755	\$153,366

PUBLIC SAFETY, DEPARTMENT OF

Administration - Public Safety 0088

Initiative: Reduces funding for office supplies costs.

GENERAL FUND	2021-22	2022-23
All Other	(\$335)	(\$335)
GENERAL FUND TOTAL	(\$335)	(\$335)

Background Checks - Certified Nursing Assistants 0992

Initiative: Reduces funding for office supplies costs.

GENERAL FUND	2021-22	2022-23
All Other	(\$119)	(\$119)

GENERAL FUND TOTAL (\$119) (\$119)

Computer Crimes 0048

Initiative: Reduces funding for office supplies costs.

GENERAL FUND 2021-22 2022-23
All Other (\$500) (\$500)

GENERAL FUND TOTAL (\$500) (\$500)

Computer Crimes 0048

Initiative: Reduces funding in the General Fund to recognize savings in technology costs.

GENERAL FUND 2021-22 2022-23
All Other (\$380) (\$380)

GENERAL FUND TOTAL (\$380) (\$380)

Criminal Justice Academy 0290

Initiative: Reduces funding for office supplies costs.

GENERAL FUND 2021-22 2022-23
All Other (\$4,379) (\$4,379)

GENERAL FUND TOTAL (\$4,379) (\$4,379)

Division of Building Codes and Standards Z073

Initiative: Continues one Public Safety Inspector III position, continued by Financial Order 001066 F1, and provides funding for related All Other costs. The position will end on June 10, 2023.

OTHER SPECIAL REVENUE FUNDS 2021-22 2022-23
Personal Services \$86,401 \$90,731
All Other \$5,469 \$5,564

OTHER SPECIAL REVENUE FUNDS TOTAL \$91,870 \$96,295

Drug Enforcement Agency 0388

Initiative: Continues one Office Associate II position previously established by Financial Order 001098 F1 and provides funding for related All Other costs. The position will end on June 10, 2023.

OTHER SPECIAL REVENUE FUNDS 2021-22 2022-23
Personal Services \$70,079 \$73,573
All Other \$3,128 \$3,142

OTHER SPECIAL REVENUE FUNDS TOTAL \$73,207 \$76,715

Drug Enforcement Agency 0388

Initiative: Reduces funding for office supplies costs.

GENERAL FUND 2021-22 2022-23
All Other (\$3,350) (\$3,350)

GENERAL FUND TOTAL (\$3,350) (\$3,350)

Emergency Medical Services 0485

Initiative: Continues one Business Systems Administrator position continued by Financial Order 001099 F1 and provides funding for related All Other costs. The position will end on June 10, 2023.

FEDERAL EXPENDITURES FUND 2021-22 2022-23
Personal Services \$104,650 \$109,070
All Other \$37,565 \$37,741

FEDERAL EXPENDITURES FUND TOTAL \$142,215 \$146,811

Emergency Medical Services 0485

Initiative: Reduces funding for office supplies costs.

GENERAL FUND 2021-22 2022-23
Personal Services (\$335) (\$335)

GENERAL FUND TOTAL (\$335) (\$335)

Highway Safety DPS 0457

Initiative: Reallocates the cost of one Highway Safety Coordinator position from 75% Federal Expenditures Fund and 25% Other Special Revenue Funds to 90% Federal Expenditures Fund and 10% Other Special Revenue Funds within the same program.

FEDERAL EXPENDITURES FUND 2021-22 2022-23
Personal Services \$12,519 \$13,034
All Other \$150 \$157

FEDERAL EXPENDITURES FUND TOTAL \$12,669 \$13,191

OTHER SPECIAL REVENUE FUNDS 2021-22 2022-23

Personal Services (\$12,519) (\$13,034)
All Other (\$150) (\$157)

OTHER SPECIAL REVENUE FUNDS TOTAL (\$12,669) (\$13,191)

Licensing and Enforcement - Public Safety 0712

Initiative: Reduces funding for office supplies costs.

GENERAL FUND 2021-22 2022-23
All Other (\$250) (\$250)

GENERAL FUND TOTAL (\$250) (\$250)

State Police 0291

Initiative: Provides one-time funding for general operational costs to align program costs with available resources.

OTHER SPECIAL REVENUE FUNDS 2021-22 2022-23
All Other \$51,252 \$51,252

OTHER SPECIAL REVENUE FUNDS TOTAL \$51,252 \$51,252

State Police 0291

Initiative: Provides one-time funding for the purchase of DNA test kits in fiscal year 2021-22.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$65,961	\$0
FEDERAL EXPENDITURES FUND TOTAL	<u>\$65,961</u>	<u>\$0</u>

State Police 0291

Initiative: Reduces funding in the General Fund to recognize savings in technology costs.

GENERAL FUND	2021-22	2022-23
All Other	(\$407,073)	(\$400,511)
GENERAL FUND TOTAL	<u>(\$407,073)</u>	<u>(\$400,511)</u>

State Police 0291

Initiative: Reduces debt retirement funding one time to meet General Fund cost-reduction efforts.

GENERAL FUND	2021-22	2022-23
All Other	(\$786,472)	(\$649,728)
GENERAL FUND TOTAL	<u>(\$786,472)</u>	<u>(\$649,728)</u>

State Police 0291

Initiative: Reduces funding for office supplies costs.

GENERAL FUND	2021-22	2022-23
All Other	(\$29,000)	(\$29,000)
GENERAL FUND TOTAL	<u>(\$29,000)</u>	<u>(\$29,000)</u>

State Police 0291

Initiative: Reduces funding one time in gasoline expenses to meet General Fund cost-reduction efforts.

GENERAL FUND	2021-22	2022-23
All Other	(\$68,350)	(\$68,350)
GENERAL FUND TOTAL	<u>(\$68,350)</u>	<u>(\$68,350)</u>

State Police 0291

Initiative: Reduces funding for fleet maintenance costs.

GENERAL FUND	2021-22	2022-23
All Other	(\$81,350)	(\$81,350)
GENERAL FUND TOTAL	<u>(\$81,350)</u>	<u>(\$81,350)</u>

PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	(\$1,381,893)	(\$1,238,587)
FEDERAL EXPENDITURES FUND	\$220,845	\$160,002
OTHER SPECIAL REVENUE FUNDS	\$203,660	\$211,071
DEPARTMENT TOTAL - ALL FUNDS	<u>(\$957,388)</u>	<u>(\$867,514)</u>

SECRETARY OF STATE, DEPARTMENT OF Administration - Archives 0050

Initiative: Reduces funding for in-state and out-of-state travel, employee training and state vehicle operations to maintain costs within available resources.

GENERAL FUND	2021-22	2022-23
All Other	(\$10,000)	(\$10,000)
GENERAL FUND TOTAL	<u>(\$10,000)</u>	<u>(\$10,000)</u>

Administration - Archives 0050

Initiative: Reduces funding for contracted services by reducing the number of workers.

GENERAL FUND	2021-22	2022-23
All Other	(\$148,323)	(\$150,647)
GENERAL FUND TOTAL	<u>(\$148,323)</u>	<u>(\$150,647)</u>

Elections and Commissions 0693

Initiative: Provides funding for the 2018 and 2020 federal Help America Vote Act of 2002 election security grant awards for activities consistent with the laws described in Section 101 of that federal Act.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$3,000,000	\$3,000,000
FEDERAL EXPENDITURES FUND TOTAL	<u>\$3,000,000</u>	<u>\$3,000,000</u>

SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	(\$158,323)	(\$160,647)
FEDERAL EXPENDITURES FUND	\$3,000,000	\$3,000,000
DEPARTMENT TOTAL - ALL FUNDS	<u>\$2,841,677</u>	<u>\$2,839,353</u>

SECTION TOTALS

	2021-22	2022-23
GENERAL FUND	\$22,430,804	\$5,254,749
FEDERAL EXPENDITURES FUND	\$88,194,059	\$51,746,670
FUND FOR A HEALTHY MAINE	(\$107,214)	(\$178,691)
OTHER SPECIAL REVENUE FUNDS	\$19,392,675	\$24,494,374
FEDERAL BLOCK GRANT FUND	(\$1,015,910)	(\$1,065,839)
SECTION TOTAL - ALL FUNDS	<u>\$128,894,414</u>	<u>\$80,251,263</u>

PART E

Sec. E-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 F

Sec. F-1. 30-A MRS §5681, sub-§5, as amended by PL 2019, c. 343, Pt. H, §1, is further amended to read:

5. Transfers to funds. No later than the 10th day of each month, the State Controller shall transfer to the Local Government Fund 5% of the receipts during the previous month from the taxes imposed under Title 36, Parts 3 and 8, and Title 36, section 2552, subsection 1, paragraphs A to F and L, and credited to the General Fund without any reduction, except that for fiscal years 2015-16, 2016-17, 2017-18 and 2018-19 the amount transferred is 2%, for fiscal year 2019-20 the amount transferred is 3% and for fiscal ~~year~~ years 2020-21, 2021-22, and 2022-23, the amount transferred is 3.75% of the receipts during the previous month from the taxes imposed under Title 36, Parts 3 and 8, and Title 36, section 2552, subsection 1, paragraphs A to F and L, and credited to the General Fund without any reduction, and except that the postage, state cost allocation program and programming costs of administering state-municipal revenue sharing may be paid by the Local Government Fund. A percentage share of the amounts transferred to the Local Government Fund each month must be transferred to the Disproportionate Tax Burden Fund and distributed pursuant to subsection 4-B as follows:

- C. For months beginning on or after July 1, 2009 but before July 1, 2010, 15%;
- D. For months beginning on or after July 1, 2010 but before July 1, 2011, 16%;
- E. For months beginning on or after July 1, 2011 but before July 1, 2012, 17%;
- F. For months beginning on or after July 1, 2012 but before July 1, 2013, 18%;
- G. For months beginning on or after July 1, 2013 but before July 1, 2014, 19%; and
- H. For months beginning on or after July 1, 2014, 20%.

PART G

Sec. G-1. Tax expenditures. In accordance with the Maine Revised Statutes, Title 5, section 1666 and to the extent not otherwise provided in this Act, funding is continued for each individual tax expenditure, as defined in Title 5, section 1666, reported in the

budget document submitted to the Legislature by the Governor on January 8, 2021.

PART H

Sec. H-1. Transfer of funds. Notwithstanding any provision of law to the contrary, the State Controller shall transfer to the unappropriated surplus of the General Fund \$1,000,000 no later than June 30, 2022 and \$1,000,000 no later than June 30, 2023 from the Medical Use of Marijuana Fund, established in the Maine Revised Statutes, Title 22, section 2430.

PART I

Sec. I-1. Attrition savings. Notwithstanding any provision of law to the contrary, the attrition rate for the 2022-2023 biennium is 5% for judicial branch and executive branch departments and agencies only. The attrition rate for subsequent biennia is 1.6%.

Sec. I-2. Calculation and transfer; attrition savings. The State Budget Officer shall calculate the amount of the savings in Part A that applies against each General Fund account for all executive branch departments and agencies statewide and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations in fiscal years 2021-22 and 2022-23. The State Budget Officer shall submit to the Joint Standing Committee on Appropriations and Financial Affairs a report of the transferred amounts no later than October 1, 2021.

Sec. I-3. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Executive Branch Departments and Independent Agencies - Statewide 0017

Initiative: Reduces funding to reflect projected savings from an increase in the attrition rate from 1.6% to 5% for fiscal years 2021-22 and 2022-23.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$14,154,911)	(\$14,361,890)
GENERAL FUND TOTAL	(\$14,154,911)	(\$14,361,890)

JUDICIAL DEPARTMENT

Courts – Supreme, Superior and District 0063

Initiative: Reduces funding to reflect projected savings from an increase in the attrition rate from 1.6% to 5% for fiscal years 2021-22 and 2022-23.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$1,566,169)	(\$1,594,533)
GENERAL FUND TOTAL	(\$1,566,169)	(\$1,594,533)

PART J

Sec. J-1. Voluntary employee incentive programs. Notwithstanding the Maine Revised Statutes, Title 5, section 903, subsections 1 and 2, the Commissioner of Administrative and Financial Services shall offer for use prior to July 1, 2023 special voluntary employee incentive programs for state employees, including a 50% workweek, flexible position staffing and time off without pay. Employee participation in a voluntary employee incentive program is subject to the approval of the employee's appointing authority.

Sec. J-2. Continuation of group health insurance. Notwithstanding the Maine Revised Statutes, Title 5, section 285, subsection 7 and Title 5, section 903, the State shall continue to pay health and dental insurance benefits for a state employee who applies prior to July 1, 2023 and is approved to participate in a voluntary employee incentive program under section 1 of this Part based upon the scheduled workweek in effect prior to the employee's participation in the voluntary employee incentive program.

Sec. J-3. Continuation of group life insurance. Notwithstanding the Maine Revised Statutes, Title 5, sections 903 and 18056 and the rules of the Maine Public Employees Retirement System, the life, accidental death and dismemberment, supplemental and dependent insurance amounts for a state employee who applies prior to July 1, 2023 and is approved to participate in a voluntary employee incentive program under section 1 of this Part are based upon the scheduled hours of the employee prior to the employee's participation in the voluntary employee incentive program.

Sec. J-4. General Fund savings. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer shall transfer the General Fund savings resulting from the voluntary employee incentive programs under section 1 of this Part to the General Fund Compensation and Benefit Plan account in the Department of Administrative and Financial Services. The State Budget Officer shall submit to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a report of the transferred amounts no later than January 15, 2022 for fiscal year 2021-22 and no later than January 15, 2023 for fiscal year 2022-23.

Sec. J-5. Lapsed balances. Notwithstanding any provision of law to the contrary, \$150,000 in fiscal year 2021-22 and \$150,000 in fiscal year 2022-23 of savings identified from the voluntary employee incentive programs in this Part lapse to the General Fund.

PART K

Sec. K-1. Transfer from Liquor Operation Revenue Fund. Notwithstanding the Maine Revised Statutes, Title 30-A, section 6054, subsection 4, or any other provision of law to the contrary, the Maine Municipal Bond Bank shall transfer \$20,000,000 during fiscal year 2021-22 and \$20,000,000 during fiscal year

2022-23 from the Liquor Operation Revenue Fund, established in Title 30-A, section 6054, subsection 1, to the unappropriated surplus of the General Fund.

PART L

Sec. L-1. 5 MRSA §1582, sub-§4, as amended by PL 2013, c. 368, Pt. DD, §1, is further amended to read:

4. Use of savings; personal services funds. Savings accrued from unused funding of employee benefits may not be used to increase services provided by employees. Accrued salary savings generated within an appropriation or allocation for Personal Services may be used for the payment of nonrecurring Personal Services costs only within the account where the savings exist. Accrued savings generated from vacant positions within a General Fund account's appropriation for Personal Services may be used to offset Personal Services shortfalls in other General Fund accounts that occur as a direct result of Personal Services appropriation reductions for projected vacancies, and accrued savings generated within a Highway Fund account's allocations for Personal Services may be used to offset Personal Services shortfalls in other Highway Fund accounts that occur as a direct result of Personal Services allocation reductions for projected vacancies; except that the transfer of such accrued savings is subject to review by the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. Costs related to acting capacity appointments and emergency, unbudgeted overtime for which it is impractical to budget in advance may be used with the approval of the appointing authority. Other actions such as retroactive compensation for reclassifications or reallocations and retroactive or one-time settlements related to arbitrator or court decisions must be recommended by the department or agency head and approved by the State Budget Officer. Salary and employee benefits savings may not be used to fund recurring Personal Services actions either in the account where the savings exist or in another account. At the close of each fiscal year, except for the forest protection unit account within the Department of Agriculture, Conservation and Forestry, the Disproportionate Share - Riverview Psychiatric Center and the Disproportionate Share - Dorothea Dix Psychiatric Center accounts within the Department of Health and Human Services, ~~the Education in the Unorganized Territory account within the Department of Education~~ and the Chief Medical Examiner account within the Department of the Attorney General, any unexpended General Fund Personal Services appropriations to executive branch agencies including accounts that are authorized to carry unexpended balances forward must lapse to the Salary Plan program, General Fund account in the Department of Administrative and Financial Services.

Sec. L-2. Department of Education; Education in the Unorganized Territory account;

lapsed balances. Notwithstanding any provision of law to the contrary, \$5,002,639 of unencumbered balance forward from the Department of Education, Education in the Unorganized Territory account, Personal Services line category lapses to the unappropriated surplus of the General Fund no later than June 30, 2022.

PART M

Sec. M-1. 36 MRSA §2892, 7th ¶, as amended by PL 2019, c. 616, Pt. Y, §1, is further amended to read:

For state fiscal years beginning on or after July 1, 2019 but before July 1, 2021, the hospital's taxable year is the hospital's fiscal year that ended during calendar year 2016.

Sec. M-2. 36 MRSA §2892, as amended by PL 2019, c. 616, Pt. Y, §1, is further amended by adding at the end a new paragraph to read:

For state fiscal years beginning on or after July 1, 2021, the hospital's taxable year is the hospital's fiscal year that ended during calendar year 2018.

PART N

Sec. N-1. Department of Health and Human Services; General Assistance - Reimbursement to Cities and Towns carrying account; lapsed balances. Notwithstanding any provision of law to the contrary, \$3,000,000 of unencumbered balance forward from the Department of Health and Human Services, General Assistance - Reimbursement to Cities and Towns, General Fund carrying account, All Other line category lapses to the unappropriated surplus of the General Fund no later than June 30, 2022.

PART O

Sec. O-1. Department of Health and Human Services, Temporary Assistance for Needy Families account; lapsed balances. Notwithstanding any provision of law to the contrary, \$5,000,000 of unencumbered balance forward from the Department of Health and Human Services, Temporary Assistance for Needy Families, General Fund carrying account, All Other line category lapses to the unappropriated surplus of the General Fund no later than June 30, 2022.

PART P

Sec. P-1. Department of Health and Human Services, Additional Support for People in Retraining and Employment account; lapsed balances. Notwithstanding any provision of law to the contrary, \$10,000,000 of unencumbered balance forward from the Department of Health and Human Services, Additional Support for People in Retraining and Employment, General Fund carrying account, All Other line category lapses to the unappropriated surplus of the General Fund no later than June 30, 2022.

PART Q

Sec. Q-1. Department of Health and Human Services; Medical Care - Payments to Providers carrying account; lapsed balances. Notwithstanding any provision of law to the contrary, \$60,000,000 of unencumbered balance forward from the Department of Health and Human Services, Medical Care - Payments to Providers, General Fund carrying account, All Other line category lapses to the unappropriated surplus of the General Fund no later than June 30, 2022.

PART R

Sec. R-1. 22 MRSA §1708, sub-§3, ¶F, as amended by PL 2017, c. 460, Pt. B, §1, is further amended to read:

F. Establish a nursing facility's base year every 2 years and increase the rate of reimbursement beginning July 1, 2014 and every year thereafter until June 30, 2018. For the state fiscal year beginning July 1, 2018, the base year for each facility is its fiscal year that ended in the calendar year 2016. For state fiscal years beginning on or after July 1, 2019, subsequent rebasing must be based on the most recent cost report filings available. The department may provide a mechanism for subsequent adjustments to base year costs to reflect any material difference between as-filed cost reports used in rebasing and subsequent determinations of audited, allowable costs for the same fiscal period. The department's rules must provide that, beginning in the state fiscal year beginning July 1, 2018, the rates set for each rebasing year must include an inflation adjustment for a cost-of-living percentage change in nursing facility reimbursement each year in accordance with the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index ~~medical care~~ nursing homes and adult day care services index.

Any rebasing done pursuant to this paragraph may not result in a nursing facility receiving a reimbursement rate that is lower than the rate in effect on June 30, 2018.

PART S

Sec. S-1. Transfer from Other Special Revenue Funds to General Fund unappropriated surplus. Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$32,000,000 in fiscal year 2021-22 from Other Special Revenue Funds to the General Fund unappropriated surplus no later than June 30, 2022. On July 1, 2022, the State Controller shall transfer \$32,000,000 from the unappropriated surplus of the General Fund, along with interest calculated at the earnings rate within the Treasurer of State's cash pool on the date of the transfer, to Other Special Revenue Funds as repayment.

PART T

Sec. T-1. 12 MRSA §10202, sub-§9, as amended by PL 2019, c. 343, Pt. LLL, §1, is further amended to read:

9. Fiscal Stability Program. The Fiscal Stability Program is established to ensure that the general public and hunters and anglers share the cost of the fish and wildlife conservation programs of the department. To achieve this goal, beginning with the ~~2022-2023~~ 2024-2025 biennial budget and for each biennial budget thereafter, the biennial budget submitted by the executive branch must include an additional General Fund appropriation of 18% in excess of the department's requested biennial budget.

PART U

Sec. U-1. Judicial salary adjustment. Notwithstanding any provision of the Maine Revised Statutes, Title 4 to the contrary, effective July 1, 2021 and July 1, 2022, the State Court Administrator shall increase the salaries of the State's chief justices, Chief Judge, Deputy Chief Judge, associate justices and associate judges by 3% in total each of those fiscal years.

PART V

Sec. V-1. Carrying provision; Department of Secretary of State, Elections and Commissions. Notwithstanding any provision of law to the contrary, the State Controller shall carry forward any unexpended balance in the All Other line category at the end of fiscal year 2020-21 to fiscal year 2021-22 and fiscal year 2022-23 in the Department of Secretary of State, Elections and Commissions program to be used as a match for the federal Help America Vote Act of 2002 election security grant.

PART W

Sec. W-1. Carrying provision for fiscal year 2020-21; Office of Treasurer of State, Debt Service - Treasury. Notwithstanding any provision of law to the contrary, the State Controller shall carry forward any remaining fiscal year 2020-21 balance in the Office of Treasurer of State, Debt Service - Treasury program at the close of that fiscal year to fiscal year 2021-22 to be used for the same purpose.

Sec. W-2. Carrying provision for fiscal year 2021-22; Office of Treasurer of State, Debt Service - Treasury. Notwithstanding any provision of law to the contrary, the State Controller shall carry forward any remaining fiscal year 2021-22 balance in the Office of Treasurer of State, Debt Service - Treasury program at the close of that fiscal year to fiscal year 2022-23 to be used for the same purpose.

See title page for effective date.

CHAPTER 30

S.P. 44 - L.D. 36

An Act To Amend the Definition of "Timber Harvesting"

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 Department of Agriculture, Conservation and Forestry, Bureau of Forestry relies on timber harvest notifications to track green wood movement in the State and on accurate information provided by landowners and wood processors to track wood use, which, in turn, informs forest policy discussions; and

Whereas, with the increase in large power line, wind farm and solar projects throughout the State, this legislation must take effect as soon as possible to assist the regulated community to better understand when it is necessary to file a timber harvest notification with the Bureau of Forestry; 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:

Sec. 1. 12 MRSA §8868, sub-§4, as amended by PL 1997, c. 720, §6, is further amended to read:

4. Timber harvesting. "Timber harvesting" means the cutting or removal of timber for the primary purpose of selling or processing forest products trees or forest products that when cut or removed are transported to a roundwood processing operation, as defined in section 8881, subsection 10. "Timber harvesting" does not include reclaiming trees, logs or bark from timber harvesting or other operations, including but not limited to retrieving submerged timbers from log drives or bark from bark piles.

Sec. 2. 12 MRSA §8881, sub-§3, as enacted by PL 1989, c. 555, §12 and affected by c. 600, Pt. B, §11, is amended to read:

3. Forest products. "Forest products" means logs, pulpwood, veneer, bolt wood, wood chips, stud wood, poles, pilings, biomass fuel wood, fuel wood, bark or other products commonly known as forest products, but does not include Christmas trees, maple syrup, nursery products used for ornamental purposes, wreaths, bough material, cones or other seed crops.

Sec. 3. 12 MRSA §8881, sub-§10, as enacted by PL 1989, c. 555, §12 and affected by c. 600, Pt. B, §11, is amended to read:

10. Roundwood processing operation. "Roundwood processing operation" means sawmills; bolter mills; shingle mills; veneer mills; fence pole and piling making operations; pulp and paper mills; wafer board, particle board and plywood mills; whole tree chippers; commercial fuel wood processors; ~~and bark processors;~~ custom processing mills of these products; and log yards established to accumulate logs awaiting shipment to these operations.

Sec. 4. 17 MRSA §2511, sub-§1, ¶E, as enacted by PL 2003, c. 550, §1, is amended to read:

E. "Timber harvesting" ~~means the cutting or removal of timber for the primary purpose of selling or processing forest products~~ has the same meaning as in Title 12, section 8868, subsection 4.

Sec. 5. 23 MRSA §3360-A, sub-§1, ¶A-2, as enacted by PL 1999, c. 718, §1, is amended to read:

A-2. "Commercial timber harvesting activity" ~~means the cutting or removal of timber for the primary purpose of selling or processing forest products and includes the attendant operation of mobile or portable chipping mills and of cutting and skidding machinery and the creation, use and maintenance of skid trails, skid roads, winter haul roads and other roads to facilitate timber harvesting~~ has the same meaning as "timber harvesting activities" as defined in Title 12, section 8868, subsection 5.

Sec. 6. 38 MRSA §436-A, sub-§13, as amended by PL 2013, c. 320, §6, is further amended to read:

13. Timber harvesting. "Timber harvesting" ~~means the cutting and removal of timber for the primary purpose of selling or processing forest products~~ has the same meaning as in Title 12, section 8868, subsection 4. "Timber harvesting" does not include the cutting or removal of vegetation within the shoreland zone when associated with any other land use activities.

Sec. 7. 38 MRSA §438-B, sub-§1, ¶C, as enacted by PL 2003, c. 335, §5, is amended to read:

C. "Timber harvesting" ~~means cutting or removal of timber for the primary purpose of selling or processing forest products~~ has the same meaning as in Title 12, section 8868, subsection 4.

Sec. 8. 38 MRSA §480-B, sub-§2-B, as amended by PL 2011, c. 599, §11, is further amended to read:

2-B. Forest management activities. "Forest management activities" means timber stand improvement, timber harvesting activities, forest products harvesting and regeneration of forest stands. For the purposes of this definition, "timber harvesting activities" means timber harvesting, the construction and maintenance of roads used primarily for timber harvesting, the mining of gravel used for the construction and maintenance of

roads used primarily for timber harvesting and other activities conducted to facilitate timber harvesting. For the purposes of this definition, "timber harvesting" ~~means the cutting or removal of timber for the primary purpose of selling or processing forest products~~ has the same meaning as in Title 12, section 8868, subsection 4.

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

Effective April 7, 2021.

**CHAPTER 31
S.P. 93 - L.D. 204**

**An Act To Amend the Law
Regarding the Interest Rate for
State Loans under the Potato
Marketing Improvement Fund**

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

Whereas, this legislation changes the interest rate for loans under the Potato Marketing Improvement Fund; and

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to offer loans at the revised interest rate as soon as possible; 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:

Sec. 1. 7 MRSA §974-A, sub-§1, ¶C, as enacted by PL 1987, c. 319, §4, is amended to read:

C. State loans ~~shall~~ must be at the interest rate established pursuant to subsection ~~2~~ 2-A.

Sec. 2. 7 MRSA §974-A, sub-§2, as amended by PL 2013, c. 403, §7, is repealed.

Sec. 3. 7 MRSA §974-A, sub-§2-A is enacted to read:

2-A. State loan interest rate. The interest rate for state loans is the federal prime rate on the date of loan commitment but may not be greater than 5%. Loans current on the effective date of this subsection may be refinanced at the borrower's request to an interest rate of the federal prime rate but not greater than 5%.

A fee for administrative costs, which must be at a rate set by rule by the board but may not exceed 1% of the loan, must be charged on a loan made for a project the total cost of which exceeds \$50,000. This fee must be deposited in the fund.

Sec. 4. 10 MRSA §1023-N, first ¶, as amended by PL 2013, c. 403, §11, is further amended to read:

There is created a fund known as the Potato Marketing Improvement Fund, referred to in this section as "the fund." The fund must be deposited with and maintained by the authority to be used solely for investment in the Maine potato industry. The fund must be administered by the Maine Potato Board, established in Title 36, section 4603 and referred to in this section as "the board," and the Potato Marketing Improvement Fund Committee, established in Title 5, section 12004-H, subsection 10-A. All money received by the authority from any source for the development and implementation of improved storage, packing and marketing and programs and activities that improve the economic viability of the potato industry must be credited to the fund. Any money credited to the fund from the issuance of bonds on behalf of the State for agricultural development may be used only for the purposes of state loans as prescribed by Title 7, section 974-A to provide assistance to potato farmers for the design, construction, improvement, support and operation of storage, packing and marketing facilities; for programs and activities that improve the economic viability of the potato industry; and to pay the administrative costs of processing loan applications and servicing and administering the fund and loans and grants made therein, to the extent that the costs exceed the fee for administrative costs established by Title 7, section 974-A, subsection 2-A. At the discretion of the Commissioner of Agriculture, Conservation and Forestry, the authority shall make payments directly to the board, which shall use those payments to implement the requirements of this section. During any period that the commissioner has authorized direct payments from the authority to the board, the authority shall make written annual reports to the commissioner and the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters detailing the amounts of payments to the board and the dates payments were made and detailing the expenditure of those payments. Repayment of the loans and interest on the loans must be credited to the fund to be available for making additional state loans for the same purposes, except that any interest earned on the cash balance of the fund may be used for the grants authorized by Title 7, section 975-A. In order to provide additional amounts for loans, the commissioner, upon consultation with the board, may take such actions and enter into such agreements as may be necessary to sell or assign up to \$2,000,000 in the aggregate principal amount of loans and undivided interests in a pool of loans and assign or pledge any mortgage or other security to the authority, under the terms and conditions the

commissioner considers advisable upon consultation with the board. The assignment and related transactions may not result in indebtedness of the State. The proceeds of the sale or assignment must be credited to the fund and used for the purposes authorized in this section.

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

Effective April 7, 2021.

**CHAPTER 32
H.P. 10 - L.D. 44**

**An Act To Require the
Department of Education To
Report Annually on Summer
Educational Programs**

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

Sec. 1. 20-A MRSA §8803 is enacted to read:

§8803. Report

The department shall report by November 15, 2021 and annually thereafter to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs on school administrative unit summer educational programs, including but not limited to summer school and extended school year programs. The report must include the number of school administrative units administering such programs, the nature of the programs, the number of participants in the programs, any partnerships with community-based organizations to provide the programs and the sources of funding for the programs. The report must also include recommendations, and any suggested legislation, on improving summer educational programs and identification of any additional funding needed to ensure the success of summer educational programs.

See title page for effective date.

**CHAPTER 33
H.P. 31 - L.D. 65**

**An Act To Invest in the
Stewardship and Management
of Properties Acquired with the
Proceeds from the Land for
Maine's Future Fund or the
Public Access to Maine Waters
Fund**

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

Sec. 1. 5 MRSA §6203, sub-§3, as amended by PL 2009, c. 178, §§1 and 2, is further amended to read:

3. Fund proceeds. The proceeds of the Land for Maine's Future Fund may be applied and expended to:

A. Acquire property or an interest in property that is determined by the board to be of state significance under the guidelines of this chapter;

B. When interest in land is acquired with proceeds from the Land for Maine's Future Fund, fund minor capital improvements on such lands and on adjoining lands in the same ownership or under the same management to improve accessibility, as long as these improvements do not exceed 5% of the appraised value of the acquired property; ~~and~~

C. When interest in farmland is acquired with proceeds from the Land for Maine's Future Fund, fund the development of a business plan and capital improvements to provide for the land's continuing use as a working farm, as long as these improvements do not exceed 5% of the appraised value of the acquired property. Capital improvements under this paragraph may also be made on adjoining farmland in the same ownership or under the same management; ~~and~~

D. When land or interest in land is acquired with proceeds from the Land for Maine's Future Fund, fund minor capital investments in the stewardship and management of that land. Stewardship and management investments under this paragraph must be held in a dedicated stewardship endowment and identified for use on the funded property. Stewardship and management investments may not exceed 5% of the appraised value of the acquired property.

Sec. 2. 5 MRSA §6203-A, sub-§3, as enacted by PL 1993, c. 728, §5, is amended to read:

3. Fund proceeds. The proceeds of the Public Access to Maine Waters Fund may be applied and expended to:

A. Acquire property or interests in property abutting fresh or coastal waters when public access to those waters does not exist or when the board determines that existing points of public access are not sufficient; ~~and~~

B. Provide minor capital improvements on lands acquired by proceeds from the Public Access to Maine Waters Fund to provide public access or improve accessibility, as long as these improvements do not exceed 5% of the appraised value of the acquired property; ~~and~~

C. When land or interest in land is acquired with proceeds from the Public Access to Maine Waters Fund, fund minor capital investments in the stewardship and management of that land. Stewardship

and management investments under this paragraph must be held in a dedicated stewardship endowment and identified for use on the funded property. Stewardship and management investments may not exceed 5% of the appraised value of the acquired property.

See title page for effective date.

CHAPTER 34

H.P. 56 - L.D. 90

An Act To Amend the Removal Process Applicable to the Position of State Supervisor of the Forest Protection Unit of the Bureau of Forestry

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

Sec. 1. 12 MRSA §8901, sub-§1, ¶B is enacted to read:

B. The state supervisor of the forest protection unit of the Bureau of Forestry, as Chief Forest Ranger, must be appointed from among the forest rangers of the department and must be qualified by training and experience in wildfire protection and law enforcement. In the event that the Chief Forest Ranger is not reappointed, the Chief Forest Ranger has the right to be restored to the position from which the Chief Forest Ranger was promoted or to a position equivalent in salary grade, without impairment of personnel status or the loss of seniority, retirement or other rights to which uninterrupted service in the previous position would have entitled the former Chief Forest Ranger. If service as Chief Forest Ranger is terminated for cause, the right to be restored to that previous or an equivalent position must be determined by the State Civil Service Appeals Board.

See title page for effective date.

CHAPTER 35

H.P. 64 - L.D. 98

An Act To Clarify Maine's Statutes Related to the Licensing of Child Care Providers

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

Sec. 1. 22 MRSA §1319-C, sub-§3, as amended by PL 2005, c. 530, §3, is further amended to read:

3. Approval dependent on compliance. As of July 1, 1998, a family child care provider, child care facility or nursery school may not be licensed, registered, ~~certified~~ or otherwise approved or receive any state funds unless it is in compliance with this section.

Sec. 2. 22 MRSA §2662, sub-§5, as amended by PL 2007, c. 631, §4, is further amended to read:

5. Residential swimming pool. "Residential swimming pool" means any constructed pool that is used for swimming in connection with a single or multifamily residence, used by tenants of apartment buildings, owners of condominiums and members of property owners associations and available only to these residents and their private guests. A pool on the premises of a family child care provider who is ~~certified~~ licensed or required to be ~~certified~~ licensed under section 8301-A is a residential swimming pool.

Sec. 3. 22 MRSA §7702-A, sub-§2, as repealed and replaced by PL 2003, c. 452, Pt. K, §27 and affected by Pt. X, §2, is amended to read:

2. Civil penalties. The following penalties apply to the following violations:

A. A person who violates section 7703 or 8603 or rules adopted pursuant to those sections commits a civil violation for which a fine of not more than \$500 may be adjudged.

B. A person who violates rules governing child-to-staff ratios adopted under section 8302-A, subsection 1, paragraph A or subsection 2, paragraph G commits a civil violation for which a fine of not more than \$500 per incident or \$500 per number of children above the limitation set by rule, or both, may be adjudged.

C. A person who violates the following sections or rules adopted pursuant to those sections commits a civil violation for which a fine of not more than \$500 per incident may be adjudged:

- (1) Section 7801, subsection 1, paragraph A;
- (2) Section 8301-A; or
- (3) Section 8302-A, subsection 1, paragraphs B to J and subsection 2, paragraphs A to F and H to K.

A civil violation under this subsection must be enforced pursuant to Title 17-A, section 4-B.

Sec. 4. 22 MRSA §7702-A, sub-§3, as amended by PL 2015, c. 497, §1, is repealed.

Sec. 5. 22 MRSA §7702-B, as enacted by PL 2007, c. 324, §5, is amended by amending the section headnote to read:

§7702-B. Operating without a license ~~or certificate~~; violations; penalties

Sec. 6. 22 MRSA §7702-B, sub-§1, as enacted by PL 2007, c. 324, §5, is amended to read:

1. License ~~or certificate~~ required. A person, firm, partnership, association, corporation or other entity may not, without first obtaining a license:

A. Manage or operate a long-term care facility as defined in chapter 1666-B;

B. Operate a child care facility as defined in section 8301-A, subsection 1-A, paragraph B; or

C. Operate as a family child care provider as defined in section 8301-A, subsection 1-A, paragraph C.

Sec. 7. 22 MRSA §7702-B, sub-§7, as enacted by PL 2007, c. 324, §5, is amended to read:

7. Right of entry. To inspect the premises of a long-term care facility, child care facility or family child care provider that the department knows or believes is being operated without a license ~~or certificate~~, the department may enter only with the permission of the owner or person in charge or with an administrative inspection warrant issued pursuant to the Maine Rules of Civil Procedure, Rule 80E by the District Court, authorizing entry and inspection.

Sec. 8. 22 MRSA §7702-B, sub-§8, as enacted by PL 2007, c. 324, §5, is amended to read:

8. Administrative inspection warrant. The department and a duly designated officer or employee of the department have the right to enter upon and into the premises of an unlicensed long-term care facility ~~or~~, child care facility or ~~an unlicensed~~ family child care provider with an administrative inspection warrant issued pursuant to the Maine Rules of Civil Procedure, Rule 80E by the District Court at a reasonable time and, upon demand, have the right to inspect and copy any books, accounts, papers, records and other documents in order to determine the state of compliance with subsection 1. Pursuant to the Maine Rules of Civil Procedure, Rule 80E the department's right of entry and inspection may extend to any premises and documents of a person, firm, partnership, association, corporation or other entity that the department has reason to believe is operating without a license ~~or a certificate~~.

Sec. 9. 22 MRSA §7702-B, sub-§9, as enacted by PL 2007, c. 324, §5, is amended to read:

9. Noninterference. An owner or person in charge of an unlicensed long-term care facility ~~or~~, child care facility or ~~an unlicensed~~ family child care provider may not interfere with or prohibit the interviewing by the department of residents or consumers of services.

Sec. 10. 22 MRSA §7707, sub-§1, as enacted by PL 2015, c. 278, §2, is amended to read:

1. Reporting requirements. A child care facility licensed pursuant to section 8301-A, subsection 2; a

family child care provider ~~certified~~ licensed pursuant to section 8301-A, subsection 3; and a nursery school licensed pursuant to section 8402 shall report reportable incidents in accordance with this section.

Sec. 11. 22 MRSA §7801, sub-§1, ¶E, as amended by PL 2001, c. 645, §3, is further amended to read:

E. A child care facility licensed under section 8301-A, subsection 2; ~~or~~

Sec. 12. 22 MRSA §7801, sub-§1, ¶G, as enacted by PL 1987, c. 389, §4, is amended to read:

G. An adult day care program; or

Sec. 13. 22 MRSA §7801, sub-§1, ¶H is enacted to read:

H. A family child care provider licensed under section 8301-A, subsection 3.

Sec. 14. 22 MRSA §7802, sub-§2, ¶B, as amended by PL 2015, c. 267, Pt. RR, §1, is further amended by amending subparagraph (6) to read:

(6) The term of a ~~home-day family child care certificate~~ provider license issued under section 8301-A, subsection 3 is for 2 years.

Sec. 15. 22 MRSA §7802, sub-§6, as enacted by PL 2007, c. 324, §9, is amended to read:

6. Time limit on reapplication after denial or revocation. The following time limit applies to a reapplication after denial or revocation.

A. When a license ~~or certificate~~ for a child care facility or a family child care provider has been denied or revoked on one occasion, the applicant or licensee may not reapply for a license ~~or certificate~~ for a child care facility or a family child care provider for a period of one year from the effective date of the denial or revocation decision if not appealed, or, if appealed, from the effective date of the commissioner's final decision or the reviewing court's order, whichever is later.

B. If a license ~~or certificate~~ for a child care facility or a family child care provider has been denied or revoked on 2 occasions, the applicant or licensee may not reapply for a license ~~or certificate~~ for a child care facility or a family child care provider for a period of 2 years from the effective date of the second denial or revocation decision if the decision is not appealed or, if appealed, from the effective date of the commissioner's final decision or the reviewing court's order, whichever is later.

C. If a license ~~or certificate~~ for a child care facility or a family child care provider has been denied or revoked on 3 occasions, the applicant or licensee may not receive another license ~~or certificate~~ for the care of children.

Sec. 16. 22 MRSA §8301-A, as amended by PL 2009, c. 211, Pt. B, §§20 and 21, is further amended by amending the section headnote to read:

§8301-A. Licensure of child care facilities; ~~certification of~~ and family child care providers

Sec. 17. 22 MRSA §8301-A, sub-§1-A, ¶C, as amended by PL 2005, c. 530, §7, is further amended to read:

C. "Family child care provider" means a person who provides day care in that person's home on a regular basis, for consideration, for 3 to 12 children under 13 years of age who are not the children of the provider or who are not residing in the provider's home. If a provider is caring for children living in that provider's home and is caring for no more than 2 other children, the provider is not required to be ~~certified~~ licensed as a family child care provider.

Sec. 18. 22 MRSA §8301-A, sub-§3, as amended by PL 2005, c. 640, §3, is further amended to read:

3. Family child care provider ~~certification~~ licensure. A family child care provider shall pay the ~~certification~~ licensing fee required under section 8303-A. A family child care provider must be ~~certified~~ licensed under this chapter and shall comply with the rules adopted by the commissioner under section 8302-A and the fire safety requirements of section 8304-A. The department shall make at least one unannounced inspection of a family child care provider ~~certified~~ licensed under this chapter during the term of the ~~certificate~~ license. The inspection must take place between 6 and 18 months after the issuance of the ~~certificate~~ license.

Sec. 19. 22 MRSA §8301-A, sub-§4, as amended by PL 2005, c. 530, §7, is further amended to read:

4. Complaints. Upon receipt of a complaint about a licensed child care facility or a ~~certified~~ family child care provider and if the department has reasonable cause to suspect that a violation of the licensure ~~or certification~~ requirements has occurred, the department may investigate the complaint and enter the premises at any reasonable time for the purposes of the investigation.

Sec. 20. 22 MRSA §8301-A, sub-§5, as amended by PL 2005, c. 530, §7, is further amended to read:

5. Administrative suspension. Whenever conditions exist that immediately jeopardize the health and safety of children, the commissioner may issue an order of closure, which suspends the ~~certification~~ license of the family child care provider or ~~the~~ child care facility ~~license~~ for up to 10 days, pending further investigation or prior to obtaining an order of emergency suspension

from the court. The department shall require that an order of closure be posted at the facility and made public as it determines to be most appropriate for parents and other potential customers.

Sec. 21. 22 MRSA §8301-A, sub-§6, as amended by PL 2005, c. 530, §7, is further amended to read:

6. Temporary license. Whenever a ~~certified family child care provider~~ or licensed child care facility or family child care provider moves to a new location the department may issue a temporary ~~certificate or~~ license, valid pending final action on the application for the new location by the department, when:

- A. All applicable standards have been met except a requirement that is dependent on the action of an agency of State Government or a contractor of that agency; and
- B. Through no action by the applicant that causes a significant delay, timely issuance of a provisional or full license has been delayed by the agency or contractor.

Sec. 22. 22 MRSA §8302-A, sub-§2, ¶D-1 is enacted to read:

D-1. The quality of the program of child care that is provided;

Sec. 23. 22 MRSA §8302-A, sub-§2, ¶D-2 is enacted to read:

D-2. The administration of medication;

Sec. 24. 22 MRSA §8302-A, sub-§2, ¶I, as amended by PL 2017, c. 457, §3, is further amended to read:

I. Procedures for waivers of rules and for suspension and revocation of ~~certification~~ licensure; and

Sec. 25. 22 MRSA §8302-B, first ¶, as amended by PL 2005, c. 530, §9, is further amended to read:

A person who provides day care in that person's home for one or 2 children whose care is paid for by state or federal funds is not required to be ~~certified licensed~~ as a family child care provider pursuant to section 8301-A but is subject to the provisions of this section.

Sec. 26. 22 MRSA §8303-A, sub-§1, as enacted by PL 2009, c. 590, §6, is amended to read:

1. Child care facilities and ~~certified~~ family child care providers. The department shall adopt rules to establish reasonable fees for both initial licensure ~~or certification~~ and license ~~or certification~~ renewals for child care facilities and ~~certified~~ family child care providers. Rules adopted pursuant to this subsection are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 27. 22 MRSA §8304-A, sub-§1, as amended by PL 2005, c. 530, §11, is further amended to read:

1. Inspection required. As an ongoing condition of licensure ~~or certification~~, the Commissioner of Public Safety must provide at least biennially to the department a written statement that the child care facility or ~~certified~~ family child care provider complies with applicable fire safety rules adopted pursuant to Title 25, section 2452. The Commissioner of Public Safety shall adopt rules in accordance with the Maine Administrative Procedure Act to implement this subsection. The rules must provide for at least the following.

- A. The Commissioner of Public Safety shall issue a fire safety technician certificate to any person who successfully completes a training course established by the Department of Public Safety. A person who receives a fire safety technician certificate pursuant to this paragraph may perform fire safety inspections under this section.
- B. In addition to ongoing license ~~or certification~~ requirements, inspection ~~and certification~~ are is required under this section whenever a child care facility or ~~certified~~ family child care provider changes or augments a heating system or makes major structural alterations to the facility or home.

Sec. 28. 22 MRSA §8353, sub-§3, as enacted by PL 2015, c. 283, §3, is amended to read:

3. Addition of relevant professionals. The investigation team shall include, as appropriate, relevant professionals to participate as members of the investigation team for investigations of residential treatment centers, group homes, ~~certified~~ family child care providers or child care facilities.

Sec. 29. 22 MRSA §8356, sub-§1, ¶B, as enacted by PL 2015, c. 283, §3, is amended to read:

B. A family child care provider ~~certified~~ licensed pursuant to section 8301-A, subsection 3;

Sec. 30. 22 MRSA §8356, sub-§2, as enacted by PL 2015, c. 283, §3, is amended to read:

2. Unlicensed person or facilities. The investigation team may investigate a person or facility described in subsection 1 if the person or facility is not licensed ~~or certified~~.

Sec. 31. 24-A MRSA §3060, sub-§1, as enacted by PL 2009, c. 185, §1, is amended to read:

1. Evidence of business liability insurance. An insurer may not refuse to issue or renew a policy covering the primary residence of a family child care provider ~~certified~~ licensed under Title 22, section 8301-A, subsection 3 or cancel such policy within the first 90 days of coverage unless the denial of coverage or cancellation is based solely on underwriting factors other than the presence of a family child care business on the

premises if the family child care provider has demonstrated satisfactory evidence that the child care business is covered by separate insurance coverage for business liability, including medical payments coverage equivalent to coverage in the policy. For purposes of cancellation or nonrenewal under section 3049 or 3051, an insurer may not treat the presence of the family child care business activity as a factor related to the insurability of the primary residence of a family child care provider ~~certified licensed~~ under Title 22, section 8301-A, subsection 3 if the family child care provider has demonstrated satisfactory evidence that the child care business is covered by separate insurance coverage for business liability in accordance with this subsection.

Sec. 32. 24-A MRSA §3060, sub-§2, as enacted by PL 2009, c. 185, §1, is amended to read:

2. No liability under property insurance policy.

An insurer has no duty to defend or indemnify a family child care provider ~~certified licensed~~ under Title 22, section 8301-A, subsection 3 under a policy covering the primary residence of a family child care provider issued by the insurer if:

- A. The loss or damage for which the family child care provider is liable or alleged to be liable arises in whole or in part from the family child care business activity;
- B. The policy issued by the insurer expressly excludes that loss or damage arising from the family child care business activity;
- C. The family child care provider has demonstrated satisfactory evidence of separate insurance coverage for child care business liability in accordance with subsection 1; and
- D. The insurer issuing the policy covering the primary residence has disclosed to the family child care provider that failure to maintain separate insurance coverage for child care business liability might result in cancellation or nonrenewal of the policy covering the primary residence and that the child care business activity is excluded under the policy.

See title page for effective date.

CHAPTER 36

H.P. 114 - L.D. 158

An Act To Eliminate Inactive Boards and Commissions

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

Sec. 1. 5 MRSA §55-A, as enacted by PL 2003, c. 238, §1 and affected by §2, is repealed.

Sec. 2. 5 MRSA §90-T, as enacted by PL 2011, c. 304, Pt. D, §2, is repealed.

Sec. 3. 5 MRSA §1547, sub-§7, as enacted by PL 2003, c. 451, Pt. F, §2 and amended by c. 600, §4, is amended to read:

7. Other related organizations. All legislatively created public instrumentalities and related organizations for which the State is financially accountable or that have a significant relationship with the State as defined by a governmental accounting standards board that are not included in subsection 3, ~~including but not limited to eligible institutions as defined in section 13103~~, that receive funds from bond issues must comply with the fiscal reporting policies established by the State Controller. The fiscal and reporting policies must include:

- A. Internal control standards required by section 1541, subsection 10-A;
- B. Quarterly reporting to the State Controller that includes a detail of transactions and reconciliation of all accounts;
- C. No later than October 15th annually, submission to the Department of Administrative and Financial Services, Office of the State Controller of all financial statements and schedules of expenditures of federal awards;
- D. Financial statements that are prepared in accordance with the standards and requirements established by a governmental accounting standards board; and
- E. Submission annually to the Department of Administrative and Financial Services, Office of the State Controller of a copy of the independent auditor's report, including any findings, recommendations and management letter comments, and any other materials considered necessary by the State Controller.

Legislatively created public instrumentalities and other related organizations required to comply under this subsection ~~who that~~ must also comply with the federal Office of Management and Budget circulars, regulations issued by a governmental accounting standards board or other accounting, auditing and reporting requirements may submit that information to the State Controller to satisfy the requirements of this subsection.

Sec. 4. 5 MRSA §12004-G, sub-§4-B, as enacted by PL 2001, c. 196, §1, is repealed.

Sec. 5. 5 MRSA §12004-I, sub-§2-G, as amended by PL 2011, c. 304, Pt. D, §3, is repealed.

Sec. 6. 5 MRSA §12004-I, sub-§4-B, as enacted by PL 2007, c. 503, §1, is repealed.

Sec. 7. 5 MRSA §12004-I, sub-§22-B, as amended by PL 2011, c. 206, §1, is repealed.

Sec. 8. 5 MRSA §12004-K, sub-§12, as enacted by PL 1987, c. 786, §5, is repealed.

Sec. 9. 5 MRSA §12004-L, sub-§10, as enacted by PL 1993, c. 381, §9, is repealed.

Sec. 10. 5 MRSA c. 383, sub-c. 5-A, as amended, is repealed.

Sec. 11. 5 MRSA §15303, sub-§6-B, as enacted by PL 2001, c. 196, §10, is repealed.

Sec. 12. 10 MRSA §949, sub-§2, ¶B, as enacted by PL 2007, c. 420, §7, is amended by amending subparagraph (3) to read:

(3) Four representatives of the ~~Maine Biomedical Research Board established pursuant to Title 5, section 12004-G, subsection 4-B~~ from bioscience research laboratories;

Sec. 13. 25 MRSA §2952, sub-§4, as enacted by PL 1991, c. 837, Pt. B, §11 and c. 841, §8, is repealed.

Sec. 14. 25 MRSA §2954, as repealed and replaced by PL 1993, c. 680, Pt. B, §2, is repealed.

Sec. 15. 25 MRSA §2955, first ¶, as repealed and replaced by PL 1993, c. 680, Pt. B, §3, is amended to read:

The commissioner shall establish and operate within the Maine Drug Enforcement Agency such regional investigative task forces as the commissioner determines, ~~in consultation with the board~~, are required for effective drug law enforcement throughout the State.

Sec. 16. 25 MRSA §2955, 2nd ¶, as repealed and replaced by PL 1993, c. 680, Pt. B, §3, is amended to read:

The investigative component of each task force is comprised of law enforcement officers drawn from municipal, county and state law enforcement agencies, who, during the period in which they serve in the task force, must be placed on a temporary assignment by their employing law enforcement agencies and in the nonclassified positions within the agency as established. All agency investigative personnel may not be state employees, for the purposes of Title 26, chapter 9-B. All agency investigative personnel shall act in accordance with rules, policies and procedures established by the commissioner. In determining the number, areas of responsibility and investigative complement of these task forces, the commissioner shall take into account geography, population, and the need for service ~~and the advice provided by the board~~.

Sec. 17. 25 MRSA §2955, sub-§1, as repealed and replaced by PL 1993, c. 680, Pt. B, §3, is amended to read:

1. Director. The agency is managed by a director who reports to the commissioner. The director must be

an experienced law enforcement officer. The Chief of the State Police, the Maine Sheriffs' Association and the Maine Chiefs of Police Association may each nominate one candidate as director for submission to the ~~Maine Drug Enforcement Agency Advisory Board~~. ~~The advisory board shall submit one of the 3 nominations to the commissioner, who may appoint that person one of the candidates with the approval of the Governor. If the commissioner or the Governor does not approve of the candidate 3 candidates submitted, each of the nominating groups is requested to submit an additional nomination. The director serves at the pleasure of the commissioner. Eligibility for this appointment is not dependent upon the parent law enforcement agency, if any, of the person selected. If the person selected is currently an employee of any state, county or local law enforcement agency, the person must be placed on a temporary assignment by the person's employing agency. The director reports directly to the commissioner, notwithstanding any existing command structure of the person's employing agency. Notwithstanding any other provision of law to the contrary, the person retains and continues to accrue seniority and retirement rights and benefits within the person's employing agency for the time in which the person serves as director.~~

Sec. 18. 25 MRSA §2956, sub-§1, as repealed and replaced by PL 1999, c. 790, Pt. A, §32, is amended to read:

1. Rules. The commissioner shall, ~~with the advice of the board~~, adopt rules, practices and policies respecting the administration of the agency. The rules, practices and policies of the agency must be in conformity with state law and must accomplish the goal of an integrated drug enforcement effort. These rules, practices and policies may include:

- A. The qualifications, hiring, term of service and disciplinary standards for commanders, supervisors and agents;
- B. Protection as to financial and employment security for any law enforcement officer selected as any official of the agency with respect to the person's position with any municipal, county or state law enforcement policy or political subdivision;
- C. Standard operating procedures for the agency;
- D. Procurement procedures; or
- E. Procedures for dissemination of records.

Sec. 19. 25 MRSA §2957, as amended by PL 2011, c. 662, §17, is further amended to read:

§2957. Confidentiality

Notwithstanding any ~~other provisions~~ provision of law to the contrary, the investigative records of the agency are confidential ~~and all meetings of the board are subject to Title 1, chapter 13, subchapter 1, except that those meetings may be held in executive session to~~

~~discuss any case investigations or any disciplinary actions.~~

Sec. 20. 25 MRSA §2958, as repealed and replaced by PL 1999, c. 790, Pt. D, §8, is amended to read:

§2958. Prosecution protocol

The Attorney General, after consultation with the 8 district attorneys, the United States Attorney for the District of Maine and the ~~board~~ agency, shall establish by rule a protocol that governs the selection of the state or federal court system for prosecution of drug cases investigated by the agency.

Sec. 21. 34-A MRSA §3002-B, as enacted by PL 2007, c. 503, §2, is repealed.

Sec. 22. 38 MRSA §343-D, as amended by PL 2011, c. 206, §5 and 6 and affected by §37, is repealed.

Sec. 23. 38 MRSA §353-A, sub-§4, as amended by PL 1993, c. 500, §3 and affected by §5, is further amended to read:

4. Maximum and minimum fees. The minimum annual fee is \$250 per year. The maximum annual fee is \$150,000 per year. Beginning November 1, 1994, the minimum annual fee surcharge is \$100 per year and the maximum annual fee surcharge is \$50,000 per year. The commissioner may reduce any fee required under the federal Clean Air Act Amendments of 1990 to take into account the financial resources of a small business stationary source ~~as defined in section 343-D, subsection 4~~, which for the purposes of this subsection means a source that meets the eligibility requirements of 42 United States Code, Section 7661f.

See title page for effective date.

CHAPTER 37

H.P. 126 - L.D. 173

An Act To Restore Honor to Certain Service Members

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

Sec. 1. 37-B MRSA §503, sub-§9 is enacted to read:

9. Change in treatment of certain discharges. The director, in accordance with this subsection, shall establish a process for a veteran who separated from service without an honorable discharge due solely to the veteran's sexual orientation or gender identity or to statements, consensual sexual conduct or consensual acts relating to sexual orientation or gender identity to have that discharge treated as an honorable discharge for purposes of determining the veteran's eligibility for rights, privileges and benefits granted to veterans under state law.

A. If the director determines that a veteran qualifies to have that veteran's discharge treated as an honorable discharge for purposes of state law, the director shall record this information in the records management system maintained pursuant to subsection 8 and shall provide the veteran with a written certificate verifying the upgraded discharge status for state law purposes. The director shall assist a veteran to whom a certificate is issued under this paragraph in applying for an upgrade of that veteran's discharge status under federal law, if such an upgrade would entitle the veteran to receive federal benefits.

B. All state and municipal departments and agencies shall accept a certificate issued by the director under paragraph A as evidence that the veteran who is the subject of the certificate qualifies as a veteran with an honorable discharge for purposes of determining whether the veteran qualifies for rights, privileges or benefits granted to veterans under state law. The director shall publish and distribute written materials describing the process established under this subsection and the duties of state and municipal departments and agencies under this paragraph.

C. The director shall implement an outreach program to inform veterans of the process established under this subsection and to inform veterans that, through this process, they may be able to receive privileges and benefits that were previously denied under state law.

D. For purposes of this subsection, "gender identity" has the same meaning as in Title 5, section 4553, subsection 5-C; "sexual orientation" has the same meaning as in Title 5, section 4553, subsection 9-C; and "veteran" means a person who served in the United States Armed Forces, the reserve components of the United States Armed Forces, the Maine National Guard or the Active Guard Reserve.

Sec. 2. 37-B MRSA §504, sub-§4, ¶A-1, as amended by PL 2019, c. 601, §1, is further amended by enacting a new subparagraph (3) to read:

(3) "Program of general amnesty" does not include the process for upgrading a discharge for state law purposes under section 503, subsection 9.

Sec. 3. Report. The Director of the Maine Bureau of Veterans' Services within the Department of Defense, Veterans and Emergency Management shall explore whether other states have established processes for reviewing and potentially upgrading the discharge status, for state law purposes, of veterans who have been diagnosed with post-traumatic stress disorder or traumatic brain injury or who have been diagnosed with psychological trauma resulting from sexual assault or

sexual harassment during military service as described in 38 United States Code, Section 1720D and who separated from service without an honorable discharge. By January 15, 2022, the director shall report to the Joint Standing Committee on Veterans and Legal Affairs on both the potential for implementing such a process in the State and the resources that would be required to implement the process. The Joint Standing Committee on Veterans and Legal Affairs may report out legislation based upon the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 38

H.P. 162 - L.D. 232

An Act To Recognize "My Sweet Maine" as Maine's Song of the 21st Century

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

Sec. 1. 1 MRSA §210-C is enacted to read:

§210-C. State song of 21st century

The official song of the State of the 21st century is the song entitled "My Sweet Maine," written by Terry Swett.

See title page for effective date.

CHAPTER 39

H.P. 175 - L.D. 254

An Act To Allow Certified Registered Nurse Anesthetists To Bill for Their Services

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

Sec. 1. 24-A MRSA §4320-P is enacted to read:

§4320-P. Coverage for services provided by a certified registered nurse anesthetist

1. Services provided by a certified registered nurse anesthetist. A carrier offering a health plan in this State shall provide coverage for health care services performed by a certified registered nurse anesthetist licensed under Title 32, chapter 31 when those services are covered services under the health plan when performed by any other health care provider and when those services are within the lawful scope of practice of the certified registered nurse anesthetist.

2. Limits; deductible; copayment; coinsurance. A carrier may offer a health plan containing a provision for a deductible, copayment or coinsurance requirement

for a health care service provided by a certified registered nurse anesthetist as long as the deductible, copayment or coinsurance does not exceed the deductible, copayment or coinsurance applicable to the same service provided by other health care providers.

3. Network participation. A carrier may not prohibit a certified registered nurse anesthetist from participating in the carrier's provider network or billing the carrier directly solely because the provider is a certified registered nurse anesthetist as long as the provider is willing to meet the same terms and conditions as other participating providers. This subsection does not require a carrier to contract with all certified registered nurse anesthetists or require a carrier to provide coverage under a health plan for any service provided by a participating certified registered nurse anesthetist that is not a covered service under the plan.

4. Claim submission. Services billed by a certified registered nurse anesthetist must be submitted using the current standardized claim form for professional services approved by the Federal Government and submitted electronically.

Sec. 2. Application. This Act applies to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2022. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

Sec. 3. Exemption from review. Notwithstanding the Maine Revised Statutes, Title 24-A, section 2752, this Act is enacted without review and evaluation by the Department of Professional and Financial Regulation, Bureau of Insurance.

See title page for effective date.

CHAPTER 40

H.P. 218 - L.D. 314

An Act To Continue the Green Power Electricity Offer

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

Sec. 1. 35-A MRSA §3212-B is enacted to read:

§3212-B. Green power options

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

A. "Green power supply" means electricity or renewable energy credits for electricity generated from renewable capacity resources as defined in section 3210, subsection 2, paragraph B-3, includ-

ing electricity generated by community-based renewable energy projects as defined in section 3602, subsection 1.

B. "Renewable energy credit" has the same meaning as in section 3210, subsection 2, paragraph B-2.

1-A. Green power offer. The commission shall arrange for a green power offer that is composed of green power supply in accordance with this subsection. Except as provided in this subsection, the commission shall ensure that the green power offer is available to all residential and small commercial electricity customers, as defined by the commission by rule, and shall administer a competitive bid process to select a green power offer provider or providers for the service territory of a transmission and distribution utility.

A. The green power offer must be in addition to existing standard-offer service under section 3212.

B. The commission shall, to the maximum extent possible:

(1) Incorporate green power supply from community-based renewable energy projects, as defined in section 3602, subsection 1, into the green power offer; and

(2) Encourage entities based in this State to provide green power supply from community-based renewable energy projects, as defined in section 3602, subsection 1, for the green power offer pursuant to this subsection.

C. The green power offer may include incidental amounts of electricity supply that do not meet the definition of green power supply, if the commission determines that including such electricity supply is necessary to ensure that a green power offer provider can meet its retail load obligation.

D. The commission shall, in accordance with section 3210, subsection 7, inform residential and small commercial consumers of electricity in this State of the opportunity to purchase the green power offer.

E. The commission is not required to arrange for a green power offer in the event that the commission receives no bids to provide the green power offer in a transmission and distribution utility's territory, determines that the bids it receives are inadequate or unacceptable or determines, based on prior experience arranging for a green power offer in a utility's territory, that it is reasonably likely that it will not receive any adequate or acceptable bids.

F. The commission is not required to arrange for a green power offer for the territory of a consumer-owned transmission and distribution utility. If the commission arranges standard-offer service for a consumer-owned transmission and distribution

utility, the consumer-owned transmission and distribution utility may elect to have the commission arrange a green power offer in accordance with this subsection. A consumer-owned transmission and distribution utility may establish a green power offer through a competitive bidding process conducted in accordance with the commission's rules governing the selection of a green power offer provider under this subsection.

The commission shall adopt rules to implement this subsection. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

2. Certification; information in bill inserts. Information regarding the availability of the green power offer and of green power supply products and renewable energy credit products that are certified by the commission may, at the option of the provider of the offer or the product and with the cooperation of the transmission and distribution utility, be presented through inserts in customer bills issued by transmission and distribution utilities. The costs of the inserts, including but not limited to printing and postage costs, are the responsibility of the provider of the offer or product. The commission may define the criteria for certification of green power supply products and renewable energy credit products by order or by rule, and the commission may limit the criteria for certification for consumer protection and eligibility verification purposes. Rules adopted to implement this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 41

H.P. 304 - L.D. 420

An Act To Amend the Maine Revised Unclaimed Property Act

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

Sec. 1. 33 MRSA §2066, sub-§3, as enacted by PL 2019, c. 498, §22, is amended to read:

3. No period of limitation, limited charges or fees; exceptions, disclosure. Notwithstanding section 2112, fees, charges or a period of limitation may not be imposed on stored-value obligations, except that the issuer may charge a transaction fee for the initial issuance and for each occurrence of adding value to an existing stored-value obligation. These fees must be disclosed in a separate writing prior to the initial issuance or referenced on the stored-value obligation. Fee restrictions do not apply to any stored-value obligation that enables the holder to transfer the underlying funds to multiple

unaffiliated merchants at the merchants' point-of-sale terminals or online or at an automated teller machine.

Sec. 2. 33 MRSA §2070, sub-§2, ¶E, as enacted by PL 2019, c. 498, §22, is amended to read:

E. A deposit into or withdrawal from an account at a financial organization by the apparent owner, including an automatic withdrawal previously authorized ~~or~~ but not including an automatic reinvestment of dividends or interest or an automatic withdrawal of disclosed fees;

See title page for effective date.

PRIVATE AND SPECIAL LAWS OF THE STATE OF MAINE
AS PASSED AT
THE FIRST REGULAR SESSION OF THE
ONE HUNDRED AND THIRTIETH LEGISLATURE
2021

CHAPTER 1
S.P. 27 - L.D. 20

**An Act To Provide for the 2021
and 2022 Allocations of the
State Ceiling on Private
Activity Bonds**

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

Whereas, the Maine Revised Statutes, Title 10, section 363 and Public Law 2019, chapter 572 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 2021 but leave a portion of the state ceiling unallocated and do not provide sufficient allocations for certain types of private activity bonds that may require an allocation prior to the effective date of this Act if not enacted on an emergency basis; and

Whereas, if these bond issues must be delayed due to the lack of available state ceiling, the rates and terms under which these bonds may be issued may be adversely affected, resulting in increased costs to beneficiaries or even unavailability of financing for certain projects; 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:

Sec. 1. Allocation to the Treasurer of State. The \$5,000,000 of the state ceiling on private activity bonds for calendar year 2021 previously allocated to the Treasurer of State remains allocated to the Treasurer of State to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 5 for calendar year 2021. Five million dollars of the state ceiling for calendar year 2022 is allocated to the Treasurer of State to be used or reallocated in accordance with Title 10, section 363, subsection 5.

Sec. 2. Allocation to the Finance Authority of Maine. The \$40,000,000 of the state ceiling on private activity bonds for calendar year 2021 previously

allocated to the Finance Authority of Maine remains allocated to the Finance Authority of Maine to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 6 for calendar year 2021. An additional \$100,000,000 of the state ceiling on private activity bonds for calendar year 2021, previously unallocated, is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6. Forty million dollars of the state ceiling for calendar year 2022 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6.

Sec. 3. Allocation to the Maine Municipal Bond Bank. The \$10,000,000 of the state ceiling on private activity bonds for calendar year 2021 previously allocated to the Maine Municipal Bond Bank remains allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 7 for calendar year 2021. Ten million dollars of the state ceiling for calendar year 2022 is allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with Title 10, section 363, subsection 7.

Sec. 4. Allocation to the Finance Authority of Maine as successor to the Maine Educational Loan Authority. The \$15,000,000 of the state ceiling on private activity bonds for calendar year 2021 previously allocated to the Finance Authority of Maine as successor to the Maine Educational Loan Authority remains allocated to the Finance Authority of Maine to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 8 for calendar year 2021. An additional \$5,000,000 of the state ceiling on private activity bonds for calendar year 2021, previously unallocated, is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 8. Fifteen million dollars of the state ceiling for calendar year 2022 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 8.

Sec. 5. Allocation to the Maine State Housing Authority. The \$50,000,000 of the state ceiling on private activity bonds for calendar year 2021 previously allocated to the Maine State Housing Authority remains allocated to the Maine State Housing Authority to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 4 for calendar year 2021. Fifty million dollars of the state

ceiling for calendar year 2022 is allocated to the Maine State Housing Authority to be used or reallocated in accordance with Title 10, section 363, subsection 4.

Sec. 6. Unallocated state ceiling. Ninety-nine million nine hundred ninety-five thousand dollars of the state ceiling on private activity bonds for calendar year 2021 is unallocated and must be reserved for future allocation in accordance with applicable laws. Two hundred one million seven hundred seventy-five thousand dollars of the state ceiling for calendar year 2022 is unallocated and must be reserved for future allocation in accordance with applicable laws.

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

Effective March 17, 2021.

**RESOLVES OF THE STATE OF MAINE
AS PASSED AT
THE FIRST REGULAR SESSION OF THE
ONE HUNDRED AND THIRTIETH LEGISLATURE
2021**

**CHAPTER 1
H.P. 6 - L.D. 40**

**Resolve, Regarding Legislative
Review of Portions of Chapter
305: Rules and Regulations
Pertaining to Traffic
Movement Permits, a Major
Substantive Rule of the
Department of Transportation**

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, a major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 305: Rules and Regulations Pertaining to Traffic Movement Permits, a provisionally adopted major substantive rule of the Department of Transportation that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective March 17, 2021.

**CHAPTER 2
S.P. 107 - L.D. 246**

**Resolve, To Direct Funds to the
Tourism Marketing Promotion
Fund**

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 COVID-19 pandemic has severely impacted Maine's tourism economy; and

Whereas, Maine's tourism industry brought in significantly less revenue in the past year as compared to prior years; and

Whereas, the Department of Economic and Community Development, Office of Tourism has available unspent unobligated funds that are needed for the Tourism Marketing Promotion Fund in the upcoming fiscal year; and

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

Sec. 1. Transfer. Resolved: That, notwithstanding any provision of law to the contrary, at the end of fiscal year 2020-21, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Department of Economic and Community Development, Office of Tourism account, Other Special Revenue Funds, to the Tourism Marketing Promotion Fund.

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

Effective March 17, 2021.

**CHAPTER 3
H.P. 94 - L.D. 138**

Resolve, Regarding Reading Proficiency Data Analysis

Sec. 1. Reading data analysis. Resolved: That the Department of Education shall conduct an analysis of reading assessment measures, locally established benchmarks for reading proficiency, reading achievement data available between spring of 2021 and fall of 2022 and reading instructional programs and resources being used by school administrative units. The analysis must focus on which measures, programs, resources, evidence-based practices and educator supports are yielding student growth.

Sec. 2. Reports. Resolved: That the Department of Education shall submit 2 reports to the Joint Standing Committee on Education and Cultural Affairs. The reports must include the Department of Education's analysis and findings in section 1 and a set of recommendations for improving student outcomes in reading. The Department of Education shall submit the first report no later than January 1, 2022, and the committee is authorized to submit legislation related to the report to the Second Regular Session of the 130th Legislature. The Department of Education shall submit the 2nd report no later than December 1, 2022.

See title page for effective date.

**CHAPTER 4
H.P. 110 - L.D. 154**

Resolve, To Name Bridge 2267 in the Town of Embden and the Town of Solon the Jotham and Emma Stevens Bridge

Sec. 1. Bridge in Embden and Solon named. Resolved: That the Department of Transportation shall designate Bridge 2267, which crosses the Kennebec River between the Town of Embden and the Town of Solon, the Jotham and Emma Stevens Bridge.

See title page for effective date.

**CHAPTER 5
H.P. 416 - L.D. 571**

Resolve, To Name a Bridge in the Town of Veazie the Hayward Carl Spencer Memorial Bridge

Sec. 1. Main Street bridge in Veazie re-named. Resolved: That the Department of Transportation shall designate Bridge 3684 on Main Street in the Town of Veazie, currently known as the County Road Crossing Bridge, the Hayward Carl Spencer Memorial Bridge.

See title page for effective date.

**CHAPTER 6
S.P. 38 - L.D. 30**

Resolve, Authorizing the Director of the Bureau of Parks and Lands To Convey a Parcel of Land in Augusta to the Maine Veterans' Homes

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

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

Whereas, title to the parcel of land underlying the veterans' home in Augusta was conveyed by the former Department of Conservation, Bureau of Public Lands to the Maine Veterans' Homes in order to provide security for the issuance of bonds to finance the construction of a veterans' home in Aroostook County and in southern Maine and the legislation and deed related to that conveyance requires that the parcel revert back to the State when all bonds described in subsection 1 of the deed conveying the property to the Maine Veterans' Homes mature and all outstanding principal, interest and premium, if any, on the bonds has been paid to the bondholders and any indenture mortgage securing the bonds has been defeased; and

Whereas, once the parcel reverts, the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry is required to enter into a lease with the Maine Veterans' Homes under the same terms as the previous lease as long as the property is used for the purposes associated with the maintenance of a veterans' home in Augusta; and

Whereas, the Maine Veterans' Homes are constructing a new facility in Augusta and will not require the use of the existing veterans' home or require a lease for the existing veterans' home and operation of the existing veterans' home will cease and the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry would then be authorized to sell the land to the Maine Veterans' Homes, upon legislative authorization, to allow the Maine Veterans' Homes to sell the structure and the land it is on to a future buyer; and

Whereas, the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may sell, lease or exchange lands with the approval of the Legislature in accordance with the Maine Revised Statutes, Title 12, sections 1814, 1837 and 1851; now, therefore, be it

Sec. 1. Director of the Bureau of Parks and Lands is authorized, but not directed, to convey certain land occupied by the Maine Veterans' Home located at the corner of Cony Road and Piggery Road in Augusta, Maine. Resolved: That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may, subject to the requirements of subsection 2, convey, by quitclaim deed without covenant for an appraised fair market value that is the higher of 2 appraisals or the highest of more than 2 appraisals, one appraisal paid for the Bureau of Parks and Lands and the second paid for by the Maine Veterans' Homes, and on such other terms and conditions as the director may direct, a certain parcel of land with a total of approximately 8.9 acres, being the property that the veterans' home was constructed on, referred to in this resolve as "the property," situated at the corner of Cony Road and Piggery Road in Augusta, County of Kennebec, together with all appurtenant rights and easements located on that property, to the Maine Veterans' Homes. In addition, the Director of the Bureau of Parks and Lands may grant approval, as required by Resolve 1989, chapter 29 and the deed conveying the property to the Maine Veterans' Homes, dated October 3, 1989 and recorded in the Kennebec County Registry of Deeds in Book 3626, page 281, to the Maine Veterans' Homes to sell its structure with the land it is located on at the corner of Cony Road and Piggery Road in Augusta, County of Kennebec.

Sec. 2. Conditions precedent. The authorization provided in section 1 may be exercised only if the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry first gives notice of the proposed conveyance under section 1 and, if a public hearing is requested by any party, the director holds a public hearing on the proposed conveyance as required in the Maine Revised Statutes, Title 12, section 1837, subsection 2.

See title page for effective date.

CHAPTER 7 H.P. 95 - L.D. 139

Resolve, Regarding Legislative Review of Chapters 33 to 43, Concerning the Regulation of Fantasy Contests, Major Substantive Rules of the Department of Public Safety, Gambling Control Unit

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, major substantive rules have been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rules; and

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

Sec. 1. Adoption. Resolved: That final adoption of Chapter 33: Introduction; Chapter 34: Definitions; Chapter 35: License Application; Chapter 36: License Fee and Renewal; Chapter 37: Fantasy Contest Monitoring; Chapter 38: Fantasy Contest Account Activity; Chapter 39: Registration of Fantasy Contestants; Chapter 40: Fantasy Contestant Funds and Required Reserves; Chapter 41: Licensee Records, Annual Reporting and Audits; Chapter 42: Collection of Payments; and Chapter 43: Complaints and Disciplinary Actions, provisionally adopted major substantive rules of the Department of Public Safety, Gambling Control Unit that have been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made:

1. The rules must be amended in Chapter 37, Section 3(3) and Section 3(4) to clarify that fantasy contest operators must include in all advertising and promotions a statement explaining that individuals under 18 years of age may not participate in fantasy contests and that fantasy contest operators may not state or imply an endorsement by a minor in any advertising or promotions;

2. The rules must be amended in Chapter 37, Section 3(3) and Section 3(5) to clarify that fantasy contest operators must include a link to a local, state or federal hotline for assistance with problem gambling in all advertising and promotions and that fantasy contest operators may not target fantasy contestants who have a gambling addiction, including fantasy contestants who have requested to be restricted from play on a fantasy contest operator's platform, in any advertising or promotions;

3. The rules must be amended to substitute the phrase "fantasy contestant account" for the phrase "fantasy contest account" in the title of Chapter 38, in Chapter 38, Section 1 and in any other relevant sections;

4. The rules must be amended in Chapter 38, Section 1(14) and any other relevant sections to clarify that fantasy contest operators must implement methods to prevent cheating and improper manipulation of fantasy contests to the greatest extent possible;

5. The rules must be amended to relocate the provisions of Chapter 38, Sections 1(10) to 1(18) to Chapter 37 or another appropriate location;

6. The rules must be amended in Chapter 42, in the 2nd occurrence of Section 1, to clarify whether the director of the Gambling Control Unit will calculate a licensed fantasy contest operator's gross fantasy contest revenues over the calendar year, over the 12-month term of the license or over another specified 12-month period for purposes of Title 8, section 1105, subsection 2;

7. All necessary grammatical, formatting, punctuation and other technical nonsubstantive editing changes must be made to the rules, including, but not limited to, the amendment of incorrect cross-references, the correction of nonsequential section, subsection, paragraph and subparagraph numbering or lettering in the rules and the replacement of gender-specific terms with gender-neutral terms; and

8. All other necessary changes must be made to the rules to ensure conformity throughout the rules and consistency with the provisions of this section.

The Department of Public Safety, Gambling Control Unit is not required to hold hearings or undertake further proceedings prior to final adoption of the rules in accordance with this section.

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

Effective April 7, 2021.

**CHAPTER 8
H.P. 102 - L.D. 146**

Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

Sec. 1. State Tax Assessor authorized to convey real estate. Resolved: That the State Tax Assessor is authorized to convey by sale the interest of the State in real estate in the Unorganized Territory as indicated in this resolve. Except as otherwise directed in this resolve, the sale must be made to the highest bidder subject to the following provisions.

1. Notice of the sale must be published 3 times prior to the sale, once each week for 3 consecutive weeks, in a newspaper in the county where the real estate lies, except in those cases in which the sale is to be made to a specific individual or individuals as authorized in this resolve, in which case notice need not be published.

2. A parcel may not be sold for less than the amount authorized in this resolve. If identical high bids are received, the bid postmarked with the earliest date is considered the highest bid.

If bids in the minimum amount recommended in this resolve are not received after the notice, the State Tax Assessor may sell the property for not less than the minimum amount without again asking for bids if the property is sold on or before April 1, 2022.

Employees of the Department of Administrative and Financial Services, Bureau of Revenue Services and spouses, siblings, parents and children of employees of the Bureau of Revenue Services are barred from acquiring from the State any of the real property subject to this resolve.

Upon receipt of payment as specified in this resolve, the State Tax Assessor shall record the deed in the appropriate registry at no additional charge to the purchaser before sending the deed to the purchaser.

Abbreviations and plan and lot references are identified in the 2018 Unorganized Territory valuation book. Parcel descriptions are as follows:

2018 MATURED TAX LIENS

TA R5 WELS, Aroostook County

Map AR022, Plan 01, Lot 4.2	038060067-2
McGovern, Edith	0.80 acre

TAX LIABILITY	
2016	\$223.71
2017	\$221.61
2018	\$247.60
2019	\$262.00
2020	\$441.19
2021 (estimated)	\$441.19
Estimated Total	<u>\$1,837.30</u>
Taxes	
Interest	\$31.25
Costs	\$38.00
Deed	\$19.00
Total	<u>\$1,925.55</u>

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$1,925.55. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$1,950.00.

Cross Lake TWP, Aroostook County

Map AR031, Plan 01, Lot 108 038990138-2

Bouchard, Dwayne M. Jr. building on leased land

TAX LIABILITY	
2018	\$90.17
2019	\$95.41
2020	\$142.14
2021 (estimated)	\$142.14
Estimated Total	<u>\$469.86</u>
Taxes	
Interest	\$10.98
Costs	\$38.00
Deed	\$19.00
Total	<u>\$537.84</u>

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$537.84. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$550.00.

Connor TWP, Aroostook County

Map AR105, Plan 03, Lot 118.5 038020465-1

Ouellette, Scott G. 3.40 acres

TAX LIABILITY	
2018	\$53.02
2019	\$56.10
2020	\$70.38

2021 (estimated)	\$70.38
Estimated Total	<u>\$249.88</u>
Taxes	
Interest	\$6.45
Costs	\$38.00
Deed	\$19.00
Total	<u>\$313.33</u>

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$313.33. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$325.00.

Benedicta TWP, Aroostook County

Map AR107, Plan 03, Lot 20 030500007-4

Burpee, Marilyn J. 12.20 acres with building

TAX LIABILITY	
2018	\$381.63
2019	\$614.48
2020	\$675.99
2021 (estimated)	\$675.99
Estimated Total	<u>\$2,348.09</u>
Taxes	
Interest	\$58.75
Costs	\$38.00
Deed	\$19.00
Total	<u>\$2,463.84</u>

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$2,463.84. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$2,475.00.

E TWP, Aroostook County

Map AR108, Plan 03, Lot 13.1 031600078-2

Durost, Charles E., Avis R. 10.00 acres with building and Troy

TAX LIABILITY	
2018	\$41.00
2019	\$138.16
2020	\$191.48
2021 (estimated)	\$191.48
Estimated Total	<u>\$562.12</u>
Taxes	
Interest	\$17.56

Costs	\$38.00
Deed	\$19.00
Total	\$636.68

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$636.68. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$650.00.

Bancroft TWP, Aroostook County

Map AR110, Plan 01, Lot 29,5 030400073-1

Gardiner, Josephine 2.80 acres with building

TAX LIABILITY

2018	\$294.41
2019	\$311.53
2020	\$419.11
2021 (estimated)	\$419.11
Estimated Total	\$1,444.16
Taxes	
Interest	\$35.85
Costs	\$38.00
Deed	\$19.00
Total	\$1,537.01

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$1,537.01. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$1,550.00.

Bancroft TWP, Aroostook County

Map AR110, Plan 01, Lot 6 030400192-1

Worster, Ramona A. 0.50 acre with building

TAX LIABILITY

2018	\$187.95
2019	\$198.88
2020	\$294.08
2021 (estimated)	\$294.08
Estimated Total	\$974.99
Taxes	
Interest	\$22.89
Costs	\$38.00
Deed	\$19.00
Total	\$1,054.88

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$1,054.88. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$1,075.00.

Bancroft TWP, Aroostook County

Map AR110, Plan 03, Lot 7.1 030400085-1

Hanington Timberlands 12.50 acres with building

TAX LIABILITY

2017	\$141.53
2018	\$158.13
2019	\$167.33
2020	\$203.62
2021 (estimated)	\$203.62
Estimated Total	\$874.23
Taxes	
Interest	\$44.02
Costs	\$57.00
Deed	\$19.00
Total	\$994.25

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$994.25. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$1,000.00.

T4 R3 BKP WKR, Franklin County

Map FR004, Plan 02, Lot 100 078280048-2

Cullen, Brian S. and Patrick M. 0.23 acre

TAX LIABILITY

2018	\$116.84
2019	\$121.55
2020	\$179.76
2021 (estimated)	\$179.76
Estimated Total	\$597.91
Taxes	
Interest	\$14.17
Costs	\$38.00
Deed	\$19.00
Total	\$669.08

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$669.08. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$675.00.

T4 R3 BKP WKR, Franklin County
 Map FR004, Plan 02, Lot 88 078280030-1
 Cail, Robert G. et al. 0.21 acre

TAX LIABILITY	
2018	\$105.12
2019	\$109.36
2020	\$161.78
2021 (estimated)	\$161.78
Estimated Total	\$538.04
Taxes	
Interest	\$12.74
Costs	\$38.00
Deed	\$19.00
Total	\$607.78

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$607.78. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$625.00.

T2 R3 WBKP, Franklin County
 Map FR006, Plan 01, Lot 9 078130063-3
 Ferrer, Alyce Bell 56.76 acres with building

TAX LIABILITY	
2018	\$1,502.32
2019	\$1,579.21
2020	\$1,916.16
2021 (estimated)	\$1,916.16
Estimated Total	\$6,913.85
Taxes	
Interest	\$182.59
Costs	\$38.00
Deed	\$19.00
Total	\$7,153.44

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$7,153.44. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$7,175.00.

Argyle TWP, Penobscot County

Map PE035, Plan 01, Lot 24 198010135-1
 Knorr, Carl L. et al. 15.82 acres

TAX LIABILITY	
2018	\$102.11
2019	\$102.93
2020	\$154.24
2021 (estimated)	\$154.24
Estimated Total	\$513.52
Taxes	
Interest	\$12.28
Costs	\$38.00
Deed	\$19.00
Total	\$582.80

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$582.80. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$600.00.

Argyle TWP, Penobscot County

Map PE035, Plan 02, Lot 12 198010224-1
 White, Laura 16.00 acres

TAX LIABILITY	
2018	\$120.16
2019	\$121.13
2020	\$155.13
2021 (estimated)	\$155.13
Estimated Total	\$551.55
Taxes	
Interest	\$14.44
Costs	\$38.00
Deed	\$19.00
Total	\$622.99

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$622.99. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$625.00.

Prentiss TWP, Penobscot County

Map PE038, Plan 02, Lot 32.7 195400001-4
 Martin, August J. 49.00 acres

TAX LIABILITY	
2018	\$212.07
2019	\$213.77
2020	\$279.50
2021 (estimated)	\$279.50
Estimated Total	<u>\$984.84</u>
Taxes	
Interest	\$25.50
Costs	\$38.00
Deed	\$19.00
Total	<u>\$1,067.34</u>

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$1,067.34. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$1,075.00.

Greenfield TWP, Penobscot County

Map PE039, Plan 07, Lot 20 192700234-2
Moon, Scott 1.00 acre with building

TAX LIABILITY	
2018	\$276.51
2019	\$272.49
2020	\$318.62
2021 (estimated)	\$318.62
Estimated Total	<u>\$1,186.24</u>
Taxes	
Interest	\$33.06
Costs	\$38.00
Deed	\$19.00
Total	<u>\$1,276.30</u>

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$1,276.30. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$1,300.00.

Orneville TWP, Piscataquis County

Map PI082, Plan 01, Lot 15.3 218210227-2
Pearl, Mauri R. 1.00 acre with building

TAX LIABILITY	
2017	\$219.38
2018	\$230.67
2019	\$237.96
2020	\$201.09
2021 (estimated)	\$201.09

Estimated Total	<u>\$1,090.19</u>
Taxes	
Interest	\$66.29
Costs	\$57.00
Deed	\$19.00
Total	<u>\$1,232.48</u>

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$1,232.48. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$1,250.00.

Elliottsville TWP, Piscataquis County

Map PI084, Plan 02, Lot 22 210800102-4
Dawes, William R.; Dawes, Sherry L.; and Blake, Dale 0.90 acre with building

TAX LIABILITY	
2018	\$59.25
2019	\$65.23
2020	\$80.89
2021 (estimated)	\$80.89
Estimated Total	<u>\$286.26</u>
Taxes	
Interest	\$7.29
Costs	\$38.00
Deed	\$19.00
Total	<u>\$350.55</u>

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$350.55. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$375.00.

Elliottsville TWP, Piscataquis County

Map PI084, Plan 03, Lot 34 210800168-1
Michel-Veon, Susan 0.98 acre

TAX LIABILITY	
2018	\$594.81
2019	\$654.84
2020	\$536.70
2021 (estimated)	\$536.70
Estimated Total	<u>\$2,323.05</u>
Taxes	
Interest	\$73.18
Costs	\$38.00
Deed	\$19.00

Total \$2,453.23

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$2,453.23. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$2,475.00.

Elliottsville TWP, Piscataquis County

Map PI084, Plan 03, Lot 40 210800171-1

Veon, Robert L. and Susan J. 2.20 acres with building

TAX LIABILITY

2018	\$1,821.85
2019	\$2,005.70
2020	\$1,936.62
2021 (estimated)	\$1,936.62
Estimated Total	<u>\$7,700.79</u>
Taxes	
Interest	\$224.14
Costs	\$38.00
Deed	\$19.00
Total	<u>\$7,981.93</u>

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$7,981.93. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$8,000.00.

T2 R1 BKP WKR, Somerset County

Map SO001, Plan 01, Lot 43.2 258310141-1

Hewett, Esther B. 2.25 acres with building

TAX LIABILITY

2017	\$182.09
2018	\$190.23
2019	\$197.69
2020	\$144.54
2021 (estimated)	\$144.54
Estimated Total	<u>\$859.09</u>
Taxes	
Interest	\$6.37
Costs	\$38.00
Deed	\$19.00
Total	<u>\$922.46</u>

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$922.46. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$925.00.

T2 R1 BKP WKR, Somerset County

Map SO001, Plan 01, Lots 27 and 28 258310144-1

Hewett, Esther B. 50.00 acres

TAX LIABILITY

2018	\$89.51
2019	\$99.42
2020	\$77.55
2021 (estimated)	\$77.55
Estimated Total	<u>\$344.03</u>
Taxes	
Interest	\$11.04
Costs	\$38.00
Deed	\$19.00
Total	<u>\$412.07</u>

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$412.07. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$425.00.

T3 R6 BKP WKR, Somerset County

Map SO015, Plan 07, Lot 66 258580174-2

Dawes, Bobbie J. and Randall A. 55.00 acres with building

TAX LIABILITY

2017	\$585.94
2018	\$610.41
2019	\$629.21
2020	\$759.63
2021 (estimated)	\$759.63
Estimated Total	<u>\$3,344.82</u>
Taxes	
Interest	\$176.36
Costs	\$57.00
Deed	\$19.00
Total	<u>\$3,597.18</u>

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Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$3,597.18. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$3,600.00.

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$787.73. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$800.00.

T3 R6 BKP WKR, Somerset County

Concord TWP, Somerset County

Map SO015, Plan 09, Lot 158 258582016-2

Map SO081, Plan 05, Lot 23 258180318-2

Stratton, Basil and Raeann 41.20 acres with building

Etienne, Harriet 43.50 acres

TAX LIABILITY	
2017	\$4,781.00
2018	\$4,724.40
2019	\$493.55
2020	\$506.93
2021 (estimated)	\$506.93
Estimated Total	<u>\$11,012.81</u>
Taxes	
Interest	\$845.22
Costs	\$76.00
Deed	\$19.00
Total	<u>\$11,953.03</u>

TAX LIABILITY	
2018	\$355.32
2019	\$369.27
2020	\$309.64
2021 (estimated)	\$309.64
Estimated Total	<u>\$1,343.87</u>
Taxes	
Interest	\$43.06
Costs	\$38.00
Deed	\$19.00
Total	<u>\$1,443.93</u>

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$11,953.03. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$11,975.00.

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$1,443.93. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$1,450.00.

T3 R1 NBKP, Somerset County

Brookton TWP, Washington County

Map SO034, Plan 04, Lot 12 258330062-1

Map WA028, Plan 01, Lot 6.3 298010136-1

Knoll, Henry O. III 0.30 acre with building

Cropley, Steven W. 2.00 acres

TAX LIABILITY	
2018	\$175.43
2019	\$182.32
2020	\$175.86
2021 (estimated)	\$175.86
Estimated Total	<u>\$709.47</u>
Taxes	
Interest	\$21.26
Costs	\$38.00
Deed	\$19.00
Total	<u>\$787.73</u>

TAX LIABILITY	
2018	\$129.67
2019	\$134.06
2020	\$87.07
2021 (estimated)	\$87.07
Estimated Total	<u>\$437.87</u>
Taxes	
Interest	\$15.69
Costs	\$38.00
Deed	\$19.00
Total	<u>\$510.56</u>

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$510.56. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$525.00.

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$891.86. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$900.00.

Trescott TWP, Washington County

See title page for effective date.

Map WA032, Plan 01, Lot 47.10 298112020-4

Prum, Matthew N. and Savan 2.00 acres

TAX LIABILITY	
2018	\$81.54
2019	\$84.30
2020	\$56.41
2021 (estimated)	\$56.41
Estimated Total	\$278.66
Taxes	
Interest	\$9.87
Costs	\$38.00
Deed	\$19.00
Total	\$345.53

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$345.53. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$350.00.

Trescott TWP, Washington County

Map WA032, Plan 01, Lot 47.9 298110133-7

Prum, Matthew N. and Savan 2.04 acres with building

TAX LIABILITY	
2018	\$183.84
2019	\$190.07
2020	\$219.35
2021 (estimated)	\$219.35
Estimated Total	\$812.61
Taxes	
Interest	\$22.25
Costs	\$38.00
Deed	\$19.00
Total	\$891.86

CHAPTER 9 H.P. 125 - L.D. 172

Resolve, Directing the Maine Board of Pharmacy To Evaluate Existing Accommodations Available to Persons Who Are Visually Impaired To Access Prescription Information

Sec. 1. Evaluation of existing accommodations available to persons who are visually impaired to access prescription information. Resolved: That the Maine Board of Pharmacy shall survey all pharmacies in the State to determine the existing accommodations available to persons who are visually impaired to access prescription information, including labeling information and ways to distinguish between prescription medication containers of eye drops or other medications. The board shall gather information from pharmacies, including the number of persons who are visually impaired served by that pharmacy, the accommodations currently provided by that pharmacy and any barriers for a pharmacy to provide accommodations requested by a person who is visually impaired. The board shall also evaluate the extent to which pharmacies are providing accommodations that meet the best practices for accessible prescription drug labeling recommended by the National Council on Disability and the United States Access Board.

Sec. 2. Report. Resolved: That, by January 15, 2022, the Maine Board of Pharmacy shall submit a report, including suggested legislation, based on its evaluation under section 1 to the Joint Standing Committee on Health Coverage, Insurance and Financial Services. The Joint Standing Committee on Health Coverage, Insurance and Financial Services is authorized to submit legislation related to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

**CONSTITUTIONAL RESOLUTIONS OF THE STATE OF MAINE
AS PASSED AT
THE FIRST REGULAR SESSION OF THE
ONE HUNDRED AND THIRTIETH LEGISLATURE
2021**

(There were none.)

PUBLIC LAWS OF THE STATE OF MAINE
AS PASSED AT
THE FIRST SPECIAL SESSION OF THE
ONE HUNDRED AND THIRTIETH LEGISLATURE
2021

CHAPTER 42
H.P. 239 - L.D. 335

**An Act To Clarify
Requirements for Criminal
History Record Checks
Pursuant to the Federal Family
First Prevention Services Act**

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

Whereas, amendment of the Maine Revised Statutes, Title 22, section 8110 is required in order to conform to the federal Family First Prevention Services Act in 2021;

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:

Sec. 1. 22 MRSA §8110, as enacted by PL 2019, c. 399, §1, is amended by amending the section headnote to read:

§8110. Criminal history record checks for employees of children's residential care facilities, emergency children's shelters, shelters for homeless children and any group home that provides care for children

Sec. 2. 22 MRSA §8110, sub-§2, as enacted by PL 2019, c. 399, §1, is amended to read:

2. Criminal history; information about criminal records and data obtained. The department shall obtain, in print or electronic format, criminal history record information containing a record of public criminal history record information as defined in Title 16, section 703, subsection 8, from the Maine Criminal Justice Information System, established pursuant to Title 16, section 631, and the Federal Bureau of Investigation, for any staff member of a children's residential care facility, an emergency children's shelter, a shelter for homeless children or any group home that provides care for children in order to comply with the federal ~~family first prevention services legislation~~ Family First Prevention Services Act. For purposes of this section,

"staff member" means an individual who is employed by, or has applied for and may be offered employment at, a children's residential care facility, an emergency children's shelter, a shelter for homeless children or any group home that provides care for children, including a contract employee or self-employed individual, whether or not the individual has direct contact with children. "Staff member" does not include a contractor performing maintenance or repairs at the children's residential care facility, emergency children's shelter, shelter for homeless children or group home that provides care for children who does not have unsupervised access to children at the facility, shelter or group home.

Sec. 3. 22 MRSA §8110, sub-§3, as enacted by PL 2019, c. 399, §1, is amended to read:

3. Fingerprint-based criminal history obtained. A staff member shall consent to and have the staff member's fingerprints taken. The State Police shall take or cause to be taken the fingerprints of a staff member who has consented under this subsection and shall forward the fingerprints to the Department of Public Safety so that the Department of Public Safety may conduct a state and national criminal history record check on the person. The Department of Public Safety shall forward the results obtained to the department. The State Police shall assess a fee set annually by the Department of Public Safety to be paid by the children's residential care facility, emergency children's shelter, shelter for homeless children or group home that provides care for children or the staff member for each criminal history record check required to be performed under this section. Except for the portion of the payment that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the State Police under this subsection must be paid to the Treasurer of State, who shall apply the money to the expenses of administration of this section by the Department of Public Safety.

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

Effective May 5, 2021.

**CHAPTER 43
H.P. 300 - L.D. 416**

**An Act Regarding the
Production and Sale of Birch
Syrup and Birch Syrup
Products**

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

Whereas, it is imperative that this legislation take effect for the upcoming birch syrup season; 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:

Sec. 1. 7 MRSA c. 103, sub-c. 8-C is enacted to read:

**SUBCHAPTER 8-C
BIRCH SYRUP PRODUCTS**

§901. Exposed for sale

For purposes of this subchapter, any birch syrup products governed by this subchapter that are packed in any type or kind of container and found in any place in the State, whether a warehouse, packing house or place where birch syrup products are stored, are deemed to be exposed for sale.

§902. Labeling of birch syrup

All containers of birch syrup sold or offered for sale for human consumption must be labeled with the volume, name and address of the producer or packer, together with the producer's or packer's seal in a manner approved by the commissioner on the cap of the container, which must be affixed so that the container cannot be opened until the seal is broken. Any marking that indicates pure Maine birch syrup must be used exclusively for pure birch syrup produced in this State that has not been bleached or lightened in color by artificial means.

The words "Maine Birch" may not be used alone or in combination with other words on a label or container to designate the flavor of the contents unless all of the birch flavoring of the contents is a pure birch produced in this State.

§903. Labeling containers

A person may not sell or offer for sale in any place or serve in any hotel, restaurant or other public eating place any birch sugar, birch confection or candy or birch

syrup or any product labeled or represented as such that is in any way combined, interfused or diluted with cane or other sugars or other substance without distinctly marking, stamping or labeling the article or the package containing cane or other sugars or other substance or the advertisement of or menu statement with an accurate and descriptive name of the article and, in the case of birch sugar and birch syrup, the percentage in which birch sugar or birch syrup enters into its composition. In the case of birch confection or candy, the ingredients must be listed in the order of the volume of each ingredient with the ingredient of greatest volume listed first. The words "birch," "birched" and "birching" and words of similar import, except as printed in the percentage statement, may not appear in any manner on the article in which a product of birch syrup is combined, interfused or diluted, unless the word "blend" appears immediately before, after, above or below and in equal prominence with the word "birch" or words of similar import, or unless the term "birch flavored" appears in similar fashion on the label.

§904. Enforcement; jurisdiction

The commissioner shall enforce this subchapter. The commissioner or the commissioner's designee must have free access to any place or building, store, gift shop or any other building where birch syrup or birch syrup products are packed, stored, transported, sold or offered or exposed for sale or for transportation. The commissioner or the commissioner's designee may open any container and may upon tendering the market price take samples. The commissioner may recover fines imposed for a violation under this subchapter in a civil action and if the commissioner prevails in that action may recover full costs.

All fines for violations under this subchapter must be paid to the Treasurer of State and appropriated for enforcing this subchapter.

The commissioner shall adopt rules to implement this subchapter. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

§905. Violations

A person who violates any of the provisions of this subchapter commits a civil violation for which the following fines may be adjudged:

1. First violation. For the first violation, a fine not to exceed \$100; and

2. Subsequent violations. For each subsequent violation, a fine not to exceed \$200.

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

Effective May 5, 2021.

**CHAPTER 44
H.P. 451 - L.D. 615**

**An Act To Remove the
Advanced Cardiac Life
Support Certification
Requirement for Dental
Therapists**

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

Whereas, current law requires a dental hygienist who is a dental therapist to provide verification of a current advanced cardiac life support certification; and

Whereas, this certification, which is not required for a dentist, is a barrier to licensing dental therapists seeking to work in the State and should be eliminated as soon as possible; 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:

Sec. 1. 32 MRSA §18345, sub-§2, ¶C, as amended by PL 2019, c. 388, §7, is further amended in subparagraph (4) by amending the first blocked paragraph to read:

For purposes of meeting the clinical requirements of this subparagraph, an applicant's hours of supervised clinical experience completed under the supervision of a dentist licensed in another state or a Canadian province may be included, as long as the applicant was operating lawfully under the laws and rules of that state or province; and

Sec. 2. 32 MRSA §18345, sub-§2, ¶C, as amended by PL 2019, c. 388, §7, is further amended by amending subparagraph (5) to read:

(5) A copy of the written practice agreement and standing orders required by section 18377, subsection 3; ~~and~~

Sec. 3. 32 MRSA §18345, sub-§2, ¶C, as amended by PL 2019, c. 388, §7, is further amended by repealing subparagraph (6).

Sec. 4. 32 MRSA §18345, sub-§2, ¶F, as amended by PL 2019, c. 388, §7, is further amended by amending subparagraph (1) to read:

(1) Verification of meeting the requirements of paragraph C, subparagraphs (2); and (3) ~~and~~ (6); and

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

Effective May 5, 2021.

**CHAPTER 45
S.P. 484 - L.D. 1507**

**An Act To Establish a Local
Fiscal Recovery Funds
Program and Allocation**

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 federal American Rescue Plan Act of 2021, Public Law 117-2, provides, through the Coronavirus Local Fiscal Recovery Fund, funding for 3 categories: metropolitan cities, counties and nonentitlement units of local government; and

Whereas, amounts identified for nonentitlement units of local government will be provided to the State for distribution; and

Whereas, while it is expected that metropolitan and county funds will be provided directly to those entities by the Federal Government, it may be possible these funds will also be provided to the State for distribution; and

Whereas, according to the American Rescue Plan Act of 2021, the funds must be distributed to the local governments after receipt by the State within 30 days; 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:

Sec. 1. Legislative intent regarding allocations to the Department of Administrative and Financial Services, American Rescue Plan Act of 2021 - Local Fiscal Recovery Funds program. It is the intent of the Legislature that the total combined allocation in section 2 of \$493,973,030 for fiscal years 2020-21 and 2021-22 represents the estimated maximum total amount to be distributed to the 3 categories of local government, which are county, metropolitan and other units of local government, scheduled for re-

cept of local fiscal recovery funds in the federal American Rescue Plan Act of 2021. While the Legislature expects that county and metropolitan funds will be provided directly to those entities by the Federal Government, the Legislature understands that federal regulations may require distribution of the local fiscal recovery fund portion of the funds from the federal American Rescue Plan Act of 2021 through the State to those entities and has allocated the combined total to provide for that possibility. The allocation in fiscal year 2022-23 allows for the expenditure of any remaining funds that may carry into that fiscal year. The Department of Administrative and Financial Services may adjust allotments by financial order to conform to guidance put forth by the Federal Government regarding the local fiscal recovery funds.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

American Rescue Plan Act of 2021 - Local Fiscal Recovery Funds N359

Initiative: Provides one-time allocations necessary to distribute the local fiscal recovery funds authorized in the federal American Rescue Plan Act of 2021.

FEDERAL EXPENDITURES FUND - ARP	2020-21	2021-22	2022-23
All Other	\$246,986,515	\$246,986,515	\$500
FEDERAL EXPENDITURES FUND - ARP TOTAL	\$246,986,515	\$246,986,515	\$500

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

Effective May 5, 2021.

**CHAPTER 46
S.P. 14 - L.D. 7**

An Act To Expand the Membership of the Board of Directors of the Maine International Trade Center

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

Sec. 1. 10 MRSA §945-C, first ¶, as enacted by PL 1995, c. 648, §5, is amended to read:

The Board of Directors of the Maine International Trade Center, referred to in this chapter as the "board of directors," consists of 7 11 directors elected from the membership ~~and~~ 5 directors appointed by the Governor

and the president of the center, serving in an ex officio capacity. Each director is entitled to one vote. Board members' terms must be staggered as determined in the bylaws of the center.

Sec. 2. 10 MRSA §945-C, sub-§1, as enacted by PL 1995, c. 648, §5, is amended to read:

1. Elected directors. The members shall elect 7 11 directors from among the center's dues-paying membership.

Sec. 3. 10 MRSA §945-C, sub-§2, as enacted by PL 1995, c. 648, §5, is amended to read:

2. Governor-selected directors. The Governor shall select 5 directors, ~~one of whom must be the International Trade Director at the Department of Economic and Community Development.~~ The other 4 directors each of whom must have international business or professional experience.

Sec. 4. 10 MRSA §945-C, sub-§4, as enacted by PL 1995, c. 648, §5, is amended to read:

4. President. The International Trade Director at the Department of Economic and Community Development shall serve as the president of the center upon confirmation by a majority of the board of directors. Once every 2 years, the Governor shall submit the International Trade Director's name to the board of directors for reappointment. Reappointment is subject to confirmation by a majority of the board of directors. The president shall serve as an ex officio voting member of the board of directors.

See title page for effective date.

**CHAPTER 47
S.P. 18 - L.D. 11**

An Act To Clarify the Laws Regarding Reciprocity for Licensure of Professional Engineers

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

Sec. 1. 32 MRSA §1352-A, sub-§1, ¶A-1 is enacted to read:

A-1. An applicant for licensure by endorsement or comity who provides proof that the applicant has been a licensed professional engineer, in good standing, in another state, territory or possession of the United States, the District of Columbia or any foreign country for a minimum of 8 years and whose licensure qualifications are, in the opinion of the board, substantially equivalent to the requirements in this chapter and who has never been subject to disciplinary action as a professional engineer may be licensed as a professional engineer.

The board, giving due consideration to the protection of the public, may waive additional qualifications.

See title page for effective date.

CHAPTER 48
S.P. 25 - L.D. 18

**An Act To Clarify the
American Sign Language
Interpreters Licensing Laws**

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

Sec. 1. 32 MRSA §1521, sub-§1-D, as enacted by PL 2019, c. 284, §4, is amended to read:

1-D. Conditional license. "Conditional license" means a license granted to an applicant who has ~~completed the educational met~~ met the requirements under of section 1524-C, passed a national interpreter certification knowledge exam and passed an American Sign Language proficiency interview but who is not certified with the Registry of Interpreters for the Deaf, Inc. or a comparable or successor organization recognized by the director.

Sec. 2. 32 MRSA §1521, sub-§7, as enacted by PL 2019, c. 284, §7, is repealed.

Sec. 3. 32 MRSA §1524-C, sub-§1, as enacted by PL 2019, c. 284, §12, is amended to read:

1. Proof of proficiency in American Sign Language. Documented proof of a ~~qualifying score of 3.5 or higher~~ qualifying score of 3.5 or higher on an American Sign Language proficiency interview as determined by the director by rule adopted under section 1522; and

Sec. 4. 32 MRSA §1524-C, sub-§2, as enacted by PL 2019, c. 284, §12, is repealed.

Sec. 5. 32 MRSA §1524-C, sub-§3 is enacted to read:

3. Proof of education and training in the interpreting process. Documented proof of the following:

- A. At least one of the following:
 - (1) An associate degree or higher in American Sign Language, American Sign Language interpreting or deaf studies from an accredited college or university; or
 - (2) For persons holding a limited license that is current on the effective date of this section, an alternative pathway approved by the Registry of Interpreters for the Deaf, Inc. or a comparable or successor organization recognized by the director; and

B. A passing score on a knowledge exam administered by the Registry of Interpreters for the Deaf, Inc. or a comparable or successor organization recognized by the director.

Sec. 6. Standards until rules adopted. Until rules are adopted under the Maine Revised Statutes, Title 32, section 1524-C, subsection 1 defining a qualifying score on an American Sign Language proficiency interview, a person with a score of 3+ or higher on an American Sign Language proficiency interview is deemed to have met the requirements of that subsection.

See title page for effective date.

CHAPTER 49
S.P. 32 - L.D. 24

**An Act Regarding Certificates
of Birth, Marriage and Death**

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

Sec. 1. 19-A MRSA §651, sub-§2, as amended by PL 2019, c. 82, §1 and c. 340, §5, is repealed and the following enacted in its place:

2. Application. The parties wishing to record notice of their intentions of marriage shall submit an application for recording notice of their intentions of marriage. The application may be issued to any 2 persons otherwise qualified under this chapter regardless of the sex of each person if the clerk or State Registrar of Vital Statistics is satisfied as to the identity of the applicants. The application must include a signed certification that the information recorded on the application is correct and that the applicant is free to marry according to the laws of this State. If either party intends to change that party's name upon marriage, the application must include the proposed new name of that party. The applicant's signature must be acknowledged before an official authorized to take oaths. An application recording notice of intention to marry is not open for public inspection for 50 years from the date of the application except that:

- A. The names of the parties for whom intentions to marry are filed and the intended date of marriage are public records and open for public inspection; and
- B. A person with a researcher identification card under Title 22, section 2706, subsection 8 is permitted to inspect records and may be issued a non-certified copy of an application.

Sec. 2. 19-A MRSA §656, sub-§2, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

2. Completed license; ceremony performed. Each marriage license issued must be completed and the certification statement signed by both parties to the intended marriage. The parties' signatures may be obtained at issuance or at the time the marriage is solemnized. The completed license or licenses must be delivered by the parties to the person solemnizing the marriage. Upon completion of the solemnization, which must be performed in the presence of at least 2 witnesses other than the person officiating, the person officiating and the 2 witnesses shall sign the license or licenses, which are then known as the marriage certificate or certificates.

Sec. 3. 22 MRSA §2703, as amended by PL 2011, c. 511, §3, is further amended to read:

§2703. Birth, marriage or death in unincorporated place

When a birth, marriage or death occurs in an unincorporated place, it must be reported to a municipal clerk as specified by the state registrar and must be recorded, or registered in the electronic ~~birth~~ registration system, by the municipal clerk to whom the report is made. All such reports and records must be forwarded to the state registrar.

Sec. 4. 22 MRSA §2705, sub-§6, as amended by PL 2017, c. 5, §1, is further amended to read:

6. Amendment of birth certificate of adult. Amendment of a birth certificate of a person 18 years of age or older born in this State for the purpose of identifying or replacing a ~~biological genetic~~ parent who was not known or listed at the time of birth is governed by section 2767-A.

Sec. 5. 22 MRSA §2706-A, as amended by PL 1989, c. 818, §4-7, is further amended to read:

§2706-A. Adoption contact files

1. File. The state registrar shall maintain files of the names and addresses of adopted persons and their adoptive and ~~biological genetic~~ parents, who have registered under this section.

2. Registration. This subsection governs participation in the adoption registry.

A. The following persons may register their names and addresses with the state registrar and request contact:

- (1) A person who is 18 years of age or older and:
 - (a) Who was adopted;
 - (b) Whose adoption was annulled;
 - (c) Whose adoptive parents surrendered and released parental rights to that person or had their parental rights terminated; or

- (d) Who was freed for adoption but was never subsequently adopted;

- (2) An adoptive parent if:
 - (a) The adopted person is under 18 years of age;
 - (b) The adopted person is deceased; or
 - (c) The adopted person is at least 18 years of age and is determined by a court to be incapacitated; and
- (3) The legal custodian or guardian of:
 - (a) A person whose adoption was annulled, who was surrendered and released by that person's adoptive parents or whose adoptive parents' parental rights were terminated;
 - (b) An adopted person under 18 years of age who:
 - (i) Has been removed from the custody or guardianship of that person's adoptive parents by order of a court; or
 - (ii) Was freed for adoption but was never subsequently adopted; or
 - (c) An adopted person who is at least 18 years of age and has been determined by a court to be incapacitated.

B. The following persons may register their names and addresses with the state registrar and request contact with an adopted person or a person freed for adoption as specified in paragraph A:

- (1) A ~~biological genetic~~ parent of an adopted person or of a person freed for adoption but not subsequently adopted;
- (2) The legal custodian or guardian of a person under 18 years of age whose full sibling or half-sibling is an adopted person or a person freed for adoption;
- (3) If a ~~biological genetic~~ parent of an adopted person or a person freed for adoption is deceased, a ~~biological genetic~~ mother, legal father, grandparent, sibling, half-sibling, aunt, uncle or first cousin of the deceased ~~biological genetic~~ parent; and
- (4) A ~~biological genetic~~ sibling or half-sibling, who is at least 18 years of age, of an adopted person or a person freed for adoption.

C. At the time of registration, each registrant shall indicate with which of the persons specified in paragraphs A and B contact is desired.

D. A registrant may withdraw from the adoption registry at any time by submitting a written request to the state registrar.

E. When an adopted person reaches 18 years of age and has not been determined by a court to be incapacitated, the state registrar, after mailing notice to the registrant, shall delete from the adoption registry any prior registration under paragraph A, subparagraph (2), division (a), or subparagraph (3), division (b).

3. Certification of identity and relationship.

The state registrar shall require each person registering or requesting contact to provide certification of the registrant's identity and relationship to the person with whom contact is desired and any additional information that is necessary to ensure accurate identification of the registrant and assist in identifying the other party.

3-A. Providing information about available counseling. The state registrar shall provide information about sources of counseling to any person registering or requesting contact.

4. Reviewing departmental files. The state registrar may review both public and confidential departmental files to assist in identifying or verifying the identification of the other party. If both parties have registered, ~~he~~ the state registrar may release those names and addresses even if the relationship was identified or verified by the use of confidential departmental files. ~~He~~ The state registrar may charge a fee for the assistance, which ~~shall~~ must reasonably reflect the cost of providing it.

5. Request for contact. When the state registrar has requests for contact from a person specified in subsection 2, paragraph A; and a person specified in subsection 2, paragraph B; that are related to the same adoption and both persons indicated at the time of registration that contact with the other person was desired, the state registrar shall notify each party of the name and address of the other party and of sources of counseling. If a ~~biological~~ genetic parent, an adoptive parent or an adopted person registered under this section has made a request for contact and the party being sought died in the State, the state registrar shall disclose to the requesting party the fact that the ~~biological~~ genetic parent, adoptive parent or the adopted person has died.

6. Confidentiality. Except as provided in subsection 5, the files established under this section ~~shall be~~ are confidential and not open to public inspection.

7. Public information. The state registrar shall, by appropriate means, make known to the public the existence of the adoption contact files, the assistance the department may offer and the purposes of those files.

Sec. 6. 22 MRSA §2767-A, as enacted by PL 2017, c. 5, §3, is amended to read:

§2767-A. Amendment of birth certificate of adult

1. Amendment of birth certificate. The State Registrar of Vital Statistics shall amend the birth certificate of a person 18 years of age or older born in this State for the purpose of identifying or replacing a genetic parent who was not known or listed at the time of birth when the state registrar has received the following:

A. A signed, notarized request from the subject of the birth certificate that the birth certificate be amended;

B. Either the written, notarized consent of the genetic parent to be named on the amended birth certificate or a certified copy of the death certificate of the genetic parent to be named on the amended birth certificate; and

C. Evidence of genetic parentage based on testing of deoxyribonucleic acid, DNA, that includes:

(1) A notarized report of the results of the DNA testing; and

(2) Notarized documentation of the chain of custody of the blood and tissue samples examined in the testing.

The testing must be of a type generally acknowledged as reliable by accreditation bodies designated by the federal Secretary of Health and Human Services, and it must be performed by a laboratory approved by an accreditation body designated by the federal Secretary of Health and Human Services.

2. Effect. If the request submitted pursuant to subsection 1 does not contain the written, notarized consent of the genetic parent to be named on the amended birth certificate, amendment of the birth certificate pursuant to this section does not affect the rights of inheritance and descent. A birth certificate amended without the written, notarized consent of the genetic parent to be named on the amended birth certificate must contain the following words in a conspicuous place: "This birth certificate has been amended to identify or replace a genetic parent not known or listed at the time of birth. This amendment does not affect the rights of inheritance or descent of the subject of the birth certificate."

See title page for effective date.

CHAPTER 50

H.P. 33 - L.D. 67

**An Act To Assist in the
Restoration of Atlantic Salmon**

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

Sec. 1. 38 MRSA §465, sub-§1, ¶C, as amended by PL 2013, c. 193, §2, is further amended by repealing subparagraph (2), division (a).

Sec. 2. 38 MRSA §465, sub-§1, ¶C, as amended by PL 2013, c. 193, §2, is further amended by repealing subparagraph (2), division (b).

Sec. 3. 38 MRSA §465, sub-§2, ¶C, as amended by PL 2013, c. 193, §3, is further amended by repealing subparagraph (2), division (a).

Sec. 4. 38 MRSA §465, sub-§2, ¶C, as amended by PL 2013, c. 193, §3, is further amended by repealing subparagraph (2), division (b).

See title page for effective date.

CHAPTER 51

H.P. 35 - L.D. 69

An Act To Reduce Duplicative Permitting Review for Projects under the Site Location of Development Laws

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

Sec. 1. 38 MRSA §488, sub-§19, as amended by PL 2015, c. 28, §1, is further amended to read:

19. Municipal capacity. A structure, as defined in section 482, subsection 6, that is from 3 acres up to and including ~~7~~ 10 acres or a subdivision, as defined in section 482, subsection 5, that is made up of 15 or more lots for single-family, detached, residential housing, common areas or open space with an aggregate area of from 30 acres up to and including 100 acres is exempt from review under this article if it is located wholly within a municipality or municipalities meeting the criteria in paragraphs A to D as determined by the department and it is located wholly within a designated growth area as identified in a comprehensive plan adopted pursuant to Title 30-A, chapter 187, subchapter 2. The planning board of the municipality in which the development is located or an adjacent municipality may petition the commissioner to review such a structure or subdivision if it has regional environmental impacts. This petition must be filed within 20 days of the receipt of the application by the municipality. State jurisdiction must be exerted, if at all, within 30 days of receipt of the completed project application by the commissioner from the municipality or within 30 days of receipt of any modification to that application from the municipality. Review by the department is limited to the identified regional environmental impacts. The criteria are as follows:

A. A municipal planning board or reviewing authority is established and the municipality has adequate resources to administer and enforce the provisions of its ordinances. In determining whether

this criterion is met, the commissioner may consider any specific and adequate technical assistance that is provided by a regional council;

B. The municipality has adopted a site plan review ordinance. In determining the adequacy of the ordinance, the commissioner may consider model site plan review ordinances commonly used by municipalities in this State that address the issues reviewed under applicable provisions of this article prior to July 1, 1997;

C. The municipality has adopted subdivision regulations. In determining the adequacy of these regulations, the commissioner may consider model subdivision regulations commonly used by municipalities in this State; and

D. The former State Planning Office or the Department of Agriculture, Conservation and Forestry has determined that the municipality has a comprehensive land use plan and land use ordinances or zoning ordinances that are consistent with Title 30-A, chapter 187 in providing for the protection of wildlife habitat, fisheries, unusual natural areas and archaeological and historic sites.

The department, in consultation with the Department of Agriculture, Conservation and Forestry, shall publish a list of those municipalities determined to have capacity pursuant to this subsection. This list need not be established by rule and must be published by January 1st of each year. The list must specify whether a municipality has capacity to review structures or subdivisions of lots for single-family, detached, residential housing, common areas or open space or both types of development. The department may recognize joint arrangements among municipalities and regional organizations in determining whether the requirements of this subsection are met. The department may review municipalities that are determined to have capacity pursuant to this subsection for compliance with the criteria in paragraphs A to D, and if the department determines that a municipality does not meet the criteria, the department may modify or remove the determination of capacity.

A modification to a development that was reviewed by a municipality and exempted pursuant to this subsection or was reviewed by the department prior to a determination that a municipality has capacity pursuant to this subsection is exempt as long as the modification will not cause the total area of the development to exceed the maximum acreage specified in this subsection for that type of development or, based upon information submitted by the municipality concerning the development and modification, the department determines that the modification may be adequately reviewed by the municipality.

Sec. 2. 38 MRSA §489-A, sub-§1, ¶H, as enacted by PL 1999, c. 243, §17, is amended to read:

H. Structures as described in section 482, subsection 6 in excess of 3 acres but less than 7 10 acres.

See title page for effective date.

CHAPTER 52

H.P. 72 - L.D. 106

**An Act To Amend Maine's
Aquaculture Leasing and
Licensing Statutes**

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

Sec. 1. 12 MRSA §6072, sub-§6, ¶A, as amended by PL 1987, c. 453, §1, is further amended to read:

A. Notwithstanding the provisions of Title 5, section 9052, subsection 1, paragraph A, personal notice of the hearing ~~shall be~~ is required to be given only to the lessee and the known riparian owners, the municipal ~~officials~~ officers of the municipality or municipalities in which or adjacent to which the lease is located and any interested parties that have provided a written request for notification.

Sec. 2. 12 MRSA §6072, sub-§6, ¶B, as enacted by PL 1977, c. 661, §5, is amended to read:

B. Under the provisions of Title 5, section 9052, the leasing procedure ~~shall~~ must require notice to the general public. The commissioner may require the applicant to reimburse the department for costs incurred by the department in providing public notice under this paragraph.

Sec. 3. 12 MRSA §6072, sub-§6, ¶C, as amended by PL 1997, c. 138, §5 and PL 2011, c. 657, Pt. W, §5, is further amended to read:

C. The Department of Environmental Protection, ~~the~~ must be notified of all lease applications that involve activities that have a discharge into the waters of the State. The Department of Agriculture, Conservation and Forestry and the Department of Inland Fisheries and Wildlife must be notified of all lease applications.

Sec. 4. 12 MRSA §6072, sub-§11, as amended by PL 2003, c. 247, §7, is further amended to read:

11. Monitoring and revocation of leases. The department shall monitor a lease under this section on an annual basis. If aquaculture has been conducted in a manner substantially injurious to marine organisms or public health, if no substantial aquaculture or research has been conducted over the course of the lease or if any condition of the lease or any minimum lease maintenance standard adopted pursuant to subsection 13, paragraph A has been violated, the commissioner may initiate revocation proceedings and revoke the lease. A

lease revocation is an adjudicatory proceeding under Title 5, chapter 375, subchapter 4. The department shall hold a hearing with public notice prior to revoking any lease.

Sec. 5. 12 MRSA §6072, sub-§12, as amended by PL 2011, c. 93, §3, is further amended to read:

12. Renewal. The commissioner shall renew a lease if:

A. The commissioner receives, at least ~~90~~ 30 days prior to the expiration of a lease, an application for renewal that includes information on the type and amount of aquaculture to be conducted during the new lease term;

B. The lessee has complied with the lease agreement during the term of the lease;

C. The commissioner determines that renewal of the lease is in the best interest of the State;

D. Except as provided in subsection 13-A, the renewal will not cause the lessee to become a tenant of any kind in leases covering an aggregate of more than 500 acres; and

E. The lease is not being held for speculative purposes.

If a person who holds a lease pursuant to this section applies to renew the lease, the lease remains in effect until the commissioner makes a decision on the renewal application. If the renewal is denied, the lease expires 30 days after the date of the commissioner's decision.

When aquaculture has not been routinely or substantially conducted on a lease that is proposed for renewal, the commissioner may renew the lease, as long as the proposed renewal will continue to meet the criteria for approval in subsection 7-A.

A lease renewal is an adjudicatory proceeding under Title 5, chapter 375, subchapter 4. Public notice must be given ~~as required under subsection 6 and a~~ to the entities required to receive notice under subsection 6. A person may provide to the commissioner comments on the proposed lease renewal within 30 days of receipt of notice or within 30 days of publication of the proposed renewal. A hearing must be held if it is requested in writing by 5 persons within the 30 days. The commissioner may review multiple leases concurrently during the lease renewal process.

A lease renewal application must include a nonrefundable application fee of no more than \$1,500, the amount to be set by the commissioner depending on the type of aquaculture permitted by the lease.

Sec. 6. 12 MRSA §6072, sub-§12-A, ¶C, as amended by PL 2009, c. 229, §2, is further amended to read:

C. The commissioner shall establish by rule the fee for transferring a lease under this subsection, which

may not exceed \$5,000, based on the type of aquaculture conducted and the size of the lease. The transferee must pay the fee ~~prior to the execution of the lease~~ at the time application for the transfer is made. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 7. 12 MRSA §6072, sub-§12-C, as enacted by PL 2017, c. 159, §4, is amended to read:

12-C. Expansion of lease. A person who ~~holds~~ has held a lease under this section for at least 2 years from the date the lease was originally executed may apply to the commissioner to expand the contiguous area of the lease by up to 25%, but may not expand by more than 4 acres, once during the duration of the term of the lease pursuant to this subsection.

A. The lease holder shall submit an application written on forms supplied by the commissioner:

- (1) Describing the location of the proposed lease expansion area by coordinates or metes and bounds;
- (2) Characterizing the physical and ecological impact of the lease expansion on existing uses of the site and any adverse effects on existing uses of the area, as defined by rules adopted by the commissioner;
- (3) Including the written permission of every riparian owner whose land to the low-water mark will be used;
- (4) Including a map of the lease area and its proposed expansion, and its adjoining waters and shorelands, with the names and addresses of the known riparian owners as listed in the municipal tax records ~~and documentation showing that the lease holder has informed each of those riparian owners of the application and the opportunity for comment as provided in paragraph B;~~
- (5) Including an environmental evaluation of the site upon which the decision to seek an expansion of the lease was made. The evaluation must include, but is not limited to, bottom characteristics, resident flora and fauna and hydrography of the site if appropriate for the proposed lease; and
- (6) Including a nonrefundable application fee of at least \$100, but not more than \$2,000, the amount to be set by the commissioner depending on the proposed acreage, type of aquaculture proposed and complexity of the expansion application.

B. The commissioner shall review the application. When the commissioner has determined that the application for the lease expansion is complete, the

commissioner shall provide notice to the known riparian owners and to the municipal officers of the municipality or municipalities in which or adjacent to which the lease expansion is proposed. The ~~commissioner~~ applicant shall publish in a newspaper of general circulation in the municipality or municipalities in which the lease expansion is proposed a summary of the application and notice of the opportunity to submit comments regarding the proposed lease expansion to the commissioner during a period of at least 30 days following the date of publication of the lease expansion summary.

C. The commissioner may conduct an assessment of the proposed lease expansion area to determine possible effects of the lease on commercially and ecologically significant flora and fauna.

D. The commissioner shall consider comments received during the period for comments set pursuant to paragraph B.

E. If the commissioner determines that, based upon the application and comments received, the lease expansion meets the requirements of subsection 7-A, the commissioner may approve the request for the lease expansion.

Sec. 8. 12 MRSA §6072, sub-§13, as amended by PL 2017, c. 159, §5, is further amended to read:

13. Regulations Rules. The commissioner may adopt or amend ~~regulations~~ rules:

- A. Establishing minimum standards for maintaining leases;
- B. For procedures to issue, transfer, review, assign, expand or revoke leases;
- C. For notices and hearings to the extent that those procedures are not established by this section or the Maine Administrative Procedure Act, Title 5, chapter 375;
- D. For regulating the harvest of wild organisms to be cultured on aquaculture leases;
- E. For establishing and revaluing fees and rents related to aquaculture;
- F. For defining application requirements, an application review process and decision criteria;
- G. For adding or deleting authorization for the holder of an aquaculture lease to grow specific species ~~and~~ or to use specific gear on the lease site and for a modification to operations as a result of a change in species or gear authorization. A change in authorization or a resultant modification to operations is not an adjudicatory proceeding. The commissioner shall establish by rule the fee for modifying a lease under this paragraph, which may not exceed \$200. The ~~regulations~~ rules must provide

for notice of proposed changes in gear authorization to the public, riparian landowners and the municipality in which the lease is located and an opportunity to submit written comments on the proposal. Authorization to add species or gear must be consistent with the findings made under subsection 7-A when the lease was approved; ~~and~~

H. For establishing following requirements and procedures;

I. For establishing fees for services provided by the department to a lease holder if the lease holder requests testing or location-specific studies to ensure the lease holder's products are safe for human consumption. Fees collected pursuant to this paragraph must be deposited into the Shellfish Fund under section 6651; and

J. For defining seed size or seed management and harvest seasons.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 9. 12 MRSA §6072, sub-§15, as enacted by PL 1987, c. 453, §1, is repealed.

Sec. 10. 12 MRSA §6072-A, sub-§5, as amended by PL 2003, c. 247, §10, is further amended to read:

5. Notice of application. Upon determining that an application is complete, the commissioner shall provide notice of a limited-purpose lease application to owners of riparian land within 1,000 feet of the proposed location of the lease and to the municipal officers of the municipality in which the limited-purpose lease activity would take place. The applicant shall provide the names and addresses of known riparian landowners within 1,000 feet of the proposed location of the lease. The names and addresses must be taken from the current property tax roster on file at the local municipal office or with the Department of Administrative and Financial Services, Bureau of Revenue Services for an unorganized territory. The commissioner shall publish a summary of the application in a newspaper of general circulation in the area proposed for a limited-purpose lease. The commissioner may require the applicant to reimburse the department for costs incurred by the department in providing public notice under this subsection. A person may provide, within 30 days of receipt of notice or within 30 days of publication of a limited-purpose lease summary, to the commissioner comments on the proposed limited-purpose lease.

Sec. 11. 12 MRSA §6072-A, sub-§7, as amended by PL 2003, c. 247, §11, is further amended to read:

7. Notice of public hearing. The commissioner shall provide notice of a public hearing to owners of riparian land within 1,000 feet of the proposed location

of the lease and to the municipal officers of the municipality in which the limited-purpose lease activity would take place. The commissioner shall publish notice of a public hearing in a newspaper of general circulation in the area proposed for a limited-purpose lease at least 30 days before the hearing. The commissioner may require the applicant to reimburse the department for costs incurred by the department in providing public notice under this subsection.

Sec. 12. 12 MRSA §6072-A, sub-§8, as amended by PL 2013, c. 509, §4, is further amended to read:

8. Rules; general and lease application. The commissioner may adopt rules to implement the provisions of this section. Within 180 days of the effective date of this section, the commissioner shall adopt rules regarding a limited-purpose lease application. The rules must require an applicant to, at a minimum, meet the requirements of section 6072, subsection 2, paragraph E and section 6072, subsection 4, paragraphs A, B, C, E, F, G and J. The rules must also require an applicant to provide to the department proof of access to the lease area. If access will be across riparian land, the applicant shall provide to the department the written permission of every riparian owner whose land will be used to access the lease area. ~~The commissioner may adopt rules to add or delete authorization for the holder of an aquaculture lease to grow specific species and to use specific gear on the lease site. A change in authorization is not an adjudicatory proceeding. The rules must provide for notice of proposed changes in gear authorization to the public, riparian landowners and the municipality in which the lease is located and an opportunity to submit written comments on the proposal. Authorization to add species or gear must be consistent with the findings made under subsection 13 when the lease was approved.~~

Sec. 13. 12 MRSA §6072-C, sub-§2, as amended by PL 2017, c. 159, §6, is further amended to read:

2. Licensed activities. The holder of a limited-purpose aquaculture license may place marine organisms on the ocean bottom without gear or utilize approved aquaculture gear in a site in the coastal waters of the State to engage in certain aquaculture activities that meet the criteria established in subsection 2-A and in rules adopted by the commissioner. Except as provided in subsection 2-C, the license also authorizes unlicensed individuals to assist the license holder in the licensed activities with the written permission only with the direct supervision of the license holder.

Sec. 14. 12 MRSA §6072-C, sub-§2-B is enacted to read:

2-B. Exceptions. Upon request, the commissioner may grant the holder of a limited-purpose aquaculture license an exception to the requirement in subsection 2

that the license holder provide direct supervision of unlicensed individuals assisting the license holder in the licensed activities at the license holder's limited-purpose aquaculture license site. The commissioner may grant exceptions to:

A. A license holder who is also the holder of or has an ownership interest in an entity, including as a shareholder in a corporation, that holds a lease issued pursuant to section 6072, 6072-A or 6072-B;

B. A license holder using specific gear types as specified in rule; or

C. A license holder who has applied for a lease under section 6072 or 6072-A for an area that includes the area authorized by the license holder's existing limited-purpose aquaculture license.

The commissioner may adopt rules to implement this subsection, including, but not limited to, establishing requirements for an application for an exception and the reasons for which an exception may be granted.

Sec. 15. 12 MRSA §6072-C, sub-§2-C is enacted to read:

2-C. Primary assistant. The holder of a limited-purpose aquaculture license may designate one unlicensed individual as a primary assistant. Notwithstanding subsection 2, a primary assistant may conduct the licensed activities without the direct supervision of the license holder. If an individual is designated by the license holder as a primary assistant, the limited-purpose aquaculture license on which the individual is designated a primary assistant counts against the total number of licenses the primary assistant may hold under subsection 2-A, paragraph G. An individual may be the primary assistant on no more than 4 limited-purpose aquaculture licenses.

Sec. 16. 12 MRSA §6072-C, sub-§6, as amended by PL 2009, c. 229, §7, is further amended to read:

6. Fee. The application fee for a resident limited-purpose aquaculture license is \$50 \$100 and \$300 for a nonresident limited-purpose aquaculture license is \$400. The application fee is nonrefundable. All fees collected under this subsection must be deposited in the Aquaculture Research Fund established in section 6081.

Sec. 17. 12 MRSA §6072-C, sub-§8, as amended by PL 2017, c. 159, §6, is further amended to read:

8. Rules. The commissioner shall adopt rules to implement this section, including, but not limited to, rules establishing the type of gear that is approved aquaculture gear for the purposes of a limited-purpose aquaculture license, minimum standards for maintaining gear, methods of gear identification and license application and review procedures. The commissioner may adopt rules to limit the period of the year during which

license applications may be submitted. Rules adopted under this section are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 18. 12 MRSA §6085, sub-§7 is enacted to read:

7. Rules. The commissioner may adopt rules establishing procedures to implement the issuance, renewal and amendment of licenses under this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 19. 12 MRSA §6651, sub-§1-A is enacted to read:

1-A. Additional fees to be paid into fund. Any fees collected pursuant to section 6072, subsection 13, paragraph I must be deposited into the Shellfish Fund.

Sec. 20. Appropriations and allocations. The following appropriations and allocations are made.

MARINE RESOURCES, DEPARTMENT OF Bureau of Policy and Management 0258

Initiative: Provides ongoing allocations for expenditure of funds to develop and manage effective and cost-efficient water quality licensing and monitoring criteria, analyze and evaluate monitoring data, process lease applications and make information about aquaculture available to the public.

Table with 3 columns: OTHER SPECIAL REVENUE FUNDS, 2021-22, 2022-23. Rows include All Other, OTHER SPECIAL REVENUE FUNDS TOTAL.

Sec. 21. Effective dates. That section of this Act that amends the Maine Revised Statutes, Title 12, section 6072-C, subsection 6 takes effect January 1, 2022. Those sections of this Act that amend Title 12, section 6072-C, subsection 2 and enact Title 12, section 6072-C, subsection 2-B take effect January 1, 2024.

See title page for effective date, unless otherwise indicated.

CHAPTER 53 H.P. 108 - L.D. 152

An Act To Address Training Requirements for Harbor Masters

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

Sec. 1. 38 MRSA §1-A, as amended by PL 2017, c. 54, §1, is further amended to read:

§1-A. Training

The following provisions govern the training of harbor masters and deputy harbor masters appointed pursuant to section 1 or 2.

1. Basic training course. A person appointed or reappointed a harbor master or a deputy harbor master after August 31, 2006 must complete a basic harbor master training course offered by a statewide harbor masters association that represents Maine harbor masters within one year after being appointed or reappointed unless that person has previously completed such a course. ~~The person appointed or reappointed a harbor master or deputy harbor master shall pay the cost of the training required under this subsection.~~ If a person has not held the position of harbor master or deputy harbor master within the last 5 years prior to being appointed or reappointed, that person upon appointment or reappointment must complete the basic harbor master training course.

1-A. Continuing education. A person appointed or reappointed a harbor master or deputy harbor master who has completed the basic training course under subsection 1 shall complete, at a minimum, 8 hours of training every 3 years to maintain certification as a harbor master or deputy harbor master. The training requirement of this subsection may be met by completing continuing education training offered or approved by a statewide harbor masters association that represents Maine harbor masters.

2. Reimbursement Payment; reimbursement. Nothing in this section may be construed to prohibit a municipality, at its sole discretion, from paying for or reimbursing a harbor master or deputy harbor master for the cost of training under this section.

3. Additional training. Nothing in this section may be construed to prohibit a municipality from requiring a harbor master or deputy harbor master to obtain training beyond that required by this section.

4. Training format. During any 3-year period, the training courses offered by the statewide harbor masters association must include, at a minimum, in-person, remote and online options.

See title page for effective date.

CHAPTER 54

S.P. 88 - L.D. 199

An Act To Amend Certain Fish and Wildlife Laws and Related Provisions

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

Sec. 1. 12 MRSA §10001, sub-§67-B is enacted to read:

67-B. Upland game species. "Upland game species" includes bobwhite quail, gray squirrel, porcupine, ring-necked pheasant, ruffed grouse, snowshoe hare, spruce grouse and woodchuck.

Sec. 2. 12 MRSA §10652, as amended by PL 2017, c. 50, §1, is further amended to read:

§10652. Abuse of another person's property while fishing, hunting or trapping

1. Prohibitions. Prohibitions on the abuse of another person's property ~~while fishing, hunting or trapping~~ are as follows.

A. A person may not ~~while fishing~~:

(1) Tear down or destroy any fence or wall on another person's land;

(2) Leave open any gate or bars on another person's land; ~~or~~

(3) Trample or destroy any crop on another person's land;

(4) ~~Damage or destroy a tree on another person's land by inserting into that tree any metallic or ceramic object to be used as, or as part of, a ladder or observation stand unless the person has the permission of the landowner;~~

(5) Erect or use either a portable or permanent ladder or observation stand on the land of another person unless:

(a) That person has obtained oral or written authorization to erect and use a ladder or observation stand from the landowner or the landowner's representative; and

(b) The ladder or observation stand is plainly labeled with a 2-inch by 4-inch tag identifying the name and address of the person or persons authorized by the landowner to use the ladder or observation stand.

This subparagraph does not apply to a portable ladder or observation stand that is located on land within the jurisdiction of the Maine Land Use Planning Commission and attended by the person who owns the ladder or observation stand. For purposes of this subparagraph, "observation stand" does not include a portable blind utilized at ground level that remains in the physical possession of the hunter; or

(6) Destroy, tear down, deface or otherwise damage a property posting sign under Title 17-A, section 402, subsection 4.

B. A person may not ~~while hunting any wild animal or wild bird~~:

~~(1) Damage or destroy a tree on another person's land by inserting into that tree any metallic or ceramic object to be used as, or as part of, a ladder or observation stand unless the person has the permission of the landowner;~~

~~(2) Except as provided in this paragraph, erect or use either a portable or permanent ladder or observation stand on the land of another person unless:~~

~~(a) That person has obtained oral or written authorization to erect and use a ladder or observation stand from the landowner or the landowner's representative; and~~

~~(b) The ladder or observation stand is plainly labeled with a 2 inch by 4 inch tag identifying the name and address of the person or persons authorized by the landowner to use the stand or observation ladder.~~

~~This subparagraph does not apply to a portable ladder or observation stand that is located on land within the jurisdiction of the Maine Land Use Planning Commission and attended by the person who owns the ladder or observation stand. For purposes of this subparagraph, "observation stand" does not include a portable blind utilized at ground level that remains in the physical possession of the hunter;~~

~~(3) Tear down or destroy any fence or wall on another person's land;~~

~~(4) Leave open any gate or bars on another person's land;~~

~~(5) Trample or destroy any crop on another person's land; or~~

~~(6) Destroy, tear down, deface or otherwise damage a property posting sign under Title 17 A, section 402, subsection 4.~~

~~C. A person may not while trapping a wild animal:~~

~~(1) Tear down or destroy any fence or wall on another person's land;~~

~~(2) Leave open any gate or bars on another person's land; or~~

~~(3) Trample or destroy any crop on another person's land.~~

Except as otherwise provided, a person may not possess any wild animal or wild bird taken by hunting or trapping in violation of this subsection.

2. Penalty. A person who violates this section commits a Class E crime and may be ordered to pay restitution to the landowner for damages.

Sec. 3. 12 MRSA §10902, sub-§6, ¶G, as amended by PL 2013, c. 280, §3, is further amended to read:

G. Buying or selling moose, unlawfully hunting moose or unlawfully possessing moose, in violation of section 11154, 11217, 11601, 11651-A, 11652, 12302-A, ~~12304-A~~ 12304-B, 12305 or 12403;

Sec. 4. 12 MRSA §10902, sub-§7-A, as enacted by PL 2003, c. 592, §2 and affected by §5 and c. 655, Pt. C, §§5 and 6, is amended to read:

7-A. Hunting with night vision equipment or thermal imaging device. A hunting license of a person convicted of night hunting in violation of section 11206, subsection 1 and found to have been in possession of night vision equipment or a thermal imaging device at the time of the offense must be revoked, and that person is ineligible to obtain a hunting license for a period of 5 years from the date of conviction.

Sec. 5. 12 MRSA §10902, sub-§7-B, as enacted by PL 2017, c. 50, §2, is amended to read:

7-B. Destroying or defacing property posting signs. The hunting and fishing licenses of A license, permit or registration issued by the department in effect at the time a person is convicted of destroying, tearing down, defacing or otherwise damaging a property posting sign in violation of section 10652, subsection 1, paragraph ~~B~~ A must be revoked, and that person is ineligible to obtain a hunting or fishing any license, permit or registration issued by the department for a period of one year from the date of conviction.

Sec. 6. 12 MRSA §11103, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §112 and affected by §422, is further amended to read:

§11103. Convicted felon Prohibition for convicted felons, domestic violence offenders and certain nonviolent juvenile offenders

A person who is prohibited from possessing a firearm under Title 15, section 393, subsection 1, ~~1-A or 1-B~~ is ineligible to obtain or possess any license or permit issued by the department that authorizes a person to hunt with a firearm unless that person possesses a valid permit in accordance with Title 15, section 393, subsection 2.

Sec. 7. 12 MRSA §11217, sub-§2, as repealed and replaced by PL 2013, c. 333, §4, is amended to read:

2. Exception. This subsection provides for exceptions to the prohibitions against the purchase, sale, offer for sale or barter of wild animals and wild birds under this section.

A. A person who has lawfully killed or trapped and registered a bear may sell, without a hide dealer's

license, only the hide, head, teeth, claws not attached to the paws, fat not attached to the meat and gall bladder ~~gallbladder~~ of that animal.

B. A person who has lawfully killed and registered a deer may sell, without a hide dealer's license, only the hide, head, antlers and feet of that animal.

C. A person may sell the head, hide, feet and antlers of a domesticated deer and the meat of a domesticated deer for use as food only in accordance with Title 7, chapter 202.

D. A person who has lawfully killed and registered a moose may sell, without a hide dealer's license, only the hide, head, bones, antlers and feet of that animal.

E. A person may buy or sell, without a hide dealer's license, naturally shed antlers from deer or moose.

F. A person may buy or sell, without a taxidermy license or a hide dealer's license, legally obtained finished wildlife products, excluding federally protected wild animals and wild birds except in accordance with federal law.

G. A person may buy, without a hide dealer's license, for that person's personal use and not for resale, only the teeth, claws not attached to paws, fat not attached to the meat, skull or head and hide of a bear; only the bones, feet and hide of a moose; the skull or head of a deer or moose, excluding antlers; and all other parts of wild animals and wild birds not prohibited from being bought, sold, offered for sale or bartered under subsections 1 and 3.

H. A person who possesses a valid hide dealer's license may lawfully buy, sell, barter and trade for profit the parts of wild animals under paragraphs A, B and D, lawfully obtained raw, untanned animal hides and any parts of wild animals and wild birds not prohibited from being bought, sold, offered for sale or bartered under subsections 1 and 3.

Parts permitted to be bought or sold under this subsection may not be attached to any other parts of the wild animals or wild birds that are prohibited from being bought, sold, offered for sale or bartered under subsections 1 and 3. Bear ~~gall bladders~~ ~~gallbladders~~ and raw, unfinished deer and moose antlers must be tagged or accompanied with documentation containing the name and address of the person who lawfully killed the animal.

As used in this subsection, "hide dealer's license" means a license issued pursuant to section 12954.

Sec. 8. 12 MRSA §11857, as amended by PL 2013, c. 538, §29, is repealed.

Sec. 9. 12 MRSA c. 915, sub-c. 9-A is enacted to read:

SUBCHAPTER 9-A

UPLAND GAME SPECIES HUNTING

§11871. Unlawful possession of upland game species

1. Daily bag limit. On any given day, a person may not take more than the daily bag limit of an upland game species as established by the commissioner.

2. Possession limit. A person may not possess more than the possession limit of an upland game species as established by the commissioner.

3. Penalty. A person who violates this section commits a Class E crime for which a fine of not less than \$200 plus \$50 for each upland game species taken in violation may be adjudged.

Sec. 10. 12 MRSA §12159, sub-§1, as amended by PL 2011, c. 253, §23, is further amended to read:

1. Prohibition; penalties. Except as provided in this section, a person may not take ~~and~~ or possess reptiles or amphibians from the wild for export, sale or commercial purposes.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

Sec. 11. 12 MRSA §12303-A, sub-§1, as enacted by PL 2003, c. 655, Pt. B, §230 and affected by §422, is amended to read:

1. Time limits. Except as provided in subsection 1-A, a person may not keep any of the following unregistered wild animals ~~at home or any place of storage~~ for more than 18 hours after the animal was harvested:

- A. Bear;
- B. Deer;
- C. Moose; or
- D. Wild turkey.

Sec. 12. 12 MRSA §12304-A, as enacted by PL 2003, c. 655, Pt. B, §232 and affected by §422, is repealed.

Sec. 13. 12 MRSA §12304-B is enacted to read:

§12304-B. Condition of animal presented for registration

1. Wild turkey. A person must present a wild turkey in its entirety for registration, except that the viscera may be removed in a manner that permits determination of the sex of the animal.

2. Bear, deer and moose. A person must present a bear, deer or moose for registration as follows.

A. A person shall present a bear, deer or moose in its entirety, including, but not limited to, all edible meat and the head for registration, except that the viscera, hide, lower legs and rib cage, including the ribs, spine and pelvis, are not required to be presented for registration.

B. A bear, deer or moose may be dismembered for ease of transportation.

C. A person shall present evidence of the sex of a bear, deer or moose for registration.

3. Biological samples. The commissioner may require hunters to submit biological samples from wild turkey, bear, deer or moose at the time of registration. The commissioner shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

4. Disposal of parts not presented for registration. A person may not dispose of the parts of a bear, deer or moose not presented for registration where they are visible to a person traveling on a public or private way.

5. Penalty. A person who violates this section commits a Class E crime.

Sec. 14. 12 MRSA §12954, sub-§2, ¶A, as repealed and replaced by PL 2013, c. 333, §6, is amended to read:

A. Buy, sell, barter or trade any lawfully obtained bear gall bladders gallbladders, raw unfinished moose antlers or raw unfinished deer antlers;

Sec. 15. 12 MRSA §12954, sub-§4-A, ¶A, as amended by PL 2017, c. 288, Pt. A, §15, is further amended by amending subparagraph (1) to read:

(1) Keep a true and complete record, in such form as is required by the commissioner, to include the names and addresses of persons buying or selling heads, hides, bear fat and bear gall bladders gallbladders; and

Sec. 16. 12 MRSA §12954, sub-§6-A, ¶C, as enacted by PL 2013, c. 333, §9, is amended to read:

C. A person who has lawfully killed or trapped and registered a bear may sell, without a hide dealer's license, only the hide, head, teeth, claws not attached to the paws, fat not attached to the meat and gallbladder of that animal.

Sec. 17. 12 MRSA §12954, sub-§6-A, ¶G, as enacted by PL 2013, c. 333, §9, is amended to read:

G. A person may buy, without a hide dealer's license, for that person's own personal use and not for resale, only the teeth, claws not attached to

paws, fat not attached to the meat, skull or head and hide of a bear; only the bones, feet and hide of a moose; the skull or head of a deer or moose, excluding antlers; and all other parts of wild animals and wild birds not prohibited from being bought, sold, offered for sale or bartered under section 11217, subsections 1 and 3.

Sec. 18. 12 MRSA §12955, sub-§2, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

2. Issuance. The commissioner may issue a special hide dealer's license to any person who maintains a place of business for the butchering of wild animals within this State. The special hide dealer's license permits a holder ~~commercially~~ to commercially sell or barter the heads or untanned hides of deer or moose or bear that are butchered in the license holder's place of business.

Sec. 19. 12 MRSA §12955, sub-§3, as amended by PL 2005, c. 477, §24, is further amended to read:

3. Expiration. All licenses issued under this section are valid for a period of one year commencing ~~August~~ January 1st and ending December 31st ~~of the year in which the license is issued.~~

Sec. 20. 12 MRSA §13001, sub-§21, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

21. Owner. "Owner" means:

A. For the purpose of registration of a snowmobile, a person holding title to a snowmobile or having ~~exclusive right to the use of a snowmobile for a period greater than 30 days~~ equitable interest in a snowmobile that entitles the person to possession of the snowmobile;

B. ~~With respect to~~ For the purpose of registration of a watercraft, a person who claims lawful possession of the holding title to a watercraft by virtue of legal title or having equitable interest therein in a watercraft that entitles the person to possession of the watercraft; or

C. For the purposes of registration of an ATV, a person holding title to an ATV or having equitable interest in an ATV that entitles the person to possession of the ATV.

See title page for effective date.

CHAPTER 55

S.P. 104 - L.D. 243

An Act To Amend the Composition of the Piscataquis County Budget Committee

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

Sec. 1. 30-A MRSA §823, sub-§1, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

1. Membership. The budget committee shall consist consists of 9 members, 3 members from each commissioner district selected at least 90 days before the end of the fiscal year as provided for in this section and in a manner established by the county commissioners.

A. Of the 3 members from each commissioner district, one must be a municipal official and one must be a representative of the general public. All 3 members shall must be appointed by the county commissioners.

~~One member of the general public on the committee must be a resident of the unorganized territories. No other member of the general public on the committee may be a resident of the unorganized territories.~~ The county commissioners shall appoint one member who is a resident of the unorganized territories as a member of the committee and may appoint up to one additional resident of the unorganized territories to be a member of the committee.

B. It is the responsibility of the county budget committee to review the budget and estimates, including the budget for municipal services in the unorganized territory prepared by the county commissioners, and to make recommendations concerning the budget and estimates.

C. The term of office is as follows:

- (1) The member who is a municipal officer, appointed by the county commissioners, has an initial term of one year;
- (2) The member who is a representative of the general public, appointed by the county commissioners, has an initial term of 2 years; and
- (3) The 3rd member has an initial term of 3 years.

The terms of the respective members shall increase by one year at the time of reappointment, except the 3-year term, which shall become becomes a one-year term.

D. A vacancy occurring on the budget committee shall must be filled in the same manner as the original appointment for the balance of the unexpired term. The person appointed to fill the vacant office must have the same qualifications as the person vacating the office.

E. Members shall serve without compensation.

Sec. 2. Transition provision. The initial appointment pursuant to this Act of a member of the Piscataquis County Budget Committee who is a resident of an unorganized territory must occur in the manner established by the county commissioners.

See title page for effective date.

CHAPTER 56

S.P. 115 - L.D. 266

An Act To Create the Maine Lighthouse Trust Registration Plate

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

Sec. 1. 29-A MRSA §456-I is enacted to read:

§456-I. Maine Lighthouse Trust registration plates

1. Maine Lighthouse Trust registration plates.

The Secretary of State, upon receiving an application and evidence of payment of the excise tax required by Title 36, section 1482, the annual motor vehicle registration fee required by section 501 or 504 and the contribution provided for in subsection 3, shall issue a registration certificate and a set of Maine Lighthouse Trust special registration plates to be used in lieu of regular registration plates.

2. Design; review; vanity plates.

The Secretary of State, in consultation with the Maine Lighthouse Trust, shall determine a design for the Maine Lighthouse Trust special registration plates. The joint standing committee of the Legislature having jurisdiction over transportation matters shall review the final design prior to manufacture of the plates. The Secretary of State shall issue upon request Maine Lighthouse Trust special registration plates that are also vanity plates. Maine Lighthouse Trust special registration plates are issued in accordance with the provisions of this section and section 453.

3. Contribution; credit to funds.

In addition to the regular motor vehicle registration fee prescribed by law for the particular class of vehicle registered, the initial contribution for Maine Lighthouse Trust special registration plates is \$20, which must be deposited with the Treasurer of State and credited as follows:

A. Ten dollars to the Maine Lighthouse Trust to support lighthouse restoration and preservation efforts;

B. Nine dollars to the Highway Fund for administrative and production costs; and

C. One dollar to the Specialty License Plate Fund established under section 469.

4. Renewal fee. In addition to the regular motor vehicle registration fee prescribed by law, the annual renewal contribution for Maine Lighthouse Trust special registration plates is \$15, which must be deposited with the Treasurer of State and credited as follows:

A. Ten dollars to the Maine Lighthouse Trust to support lighthouse restoration and preservation efforts;

B. Four dollars to the Highway Fund for administrative and production costs; and

C. One dollar to the Specialty License Plate Fund established under section 469.

5. Payment for costs associated with the production and issuance of the first 2,000 plates. The sponsor of the Maine Lighthouse Trust special registration plates shall provide \$50,000 to the Secretary of State for costs associated with the production and issuance of Maine Lighthouse Trust special registration plates. The Secretary of State shall deposit these funds in the Specialty License Plate Fund established under section 469. In accordance with section 468, subsection 3-A, the Secretary of State shall provide 2,000 credit receipts to the sponsor.

6. Transfer of fees. On a quarterly basis, the Secretary of State shall transfer the revenue from the issuance and renewal of Maine Lighthouse Trust special registration plates to the Treasurer of State for deposit and crediting pursuant to subsections 3 and 4.

7. Duplicate plates prohibited. The Secretary of State shall issue a Maine Lighthouse Trust special registration plate in a unique 3-number and 3-letter combination sequence. Vanity plates may not duplicate vanity plates issued in another class of plate.

8. Date of first issue. The Secretary of State shall issue the first Maine Lighthouse Trust special registration plate by October 1, 2022.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

**SECRETARY OF STATE, DEPARTMENT OF
Administration - Motor Vehicles 0077**

Initiative: Allocates funds for the Maine Lighthouse Trust from registration and renewal fees for the Maine Lighthouse Trust special registration plates.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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All Other	\$11,500	\$32,671
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,500	\$32,671

Administration - Motor Vehicles 0077

Initiative: Allocates funds for the costs of manufacturing the Maine Lighthouse Trust special registration plates.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$52,287	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$52,287	\$0

SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS	\$63,787	\$32,671
DEPARTMENT TOTAL - ALL FUNDS	\$63,787	\$32,671

See title page for effective date.

**CHAPTER 57
S.P. 120 - L.D. 269**

**An Act To Prohibit Smoking in
Bus Shelters**

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

Sec. 1. 22 MRSA §1542, sub-§1, as amended by PL 2009, c. 140, §1, is further amended to read:

1. Prohibition. Smoking is prohibited in all enclosed areas of public places, including bus shelters, in outdoor eating areas as provided in section 1550 and in all rest rooms made available to the public. In the case of a child care facility that is not home-based, smoking is also prohibited in a facility-designated motor vehicle within 12 hours before transporting a child who is in the care of the child care facility, and whenever such a child is present in the vehicle. Smoking is also prohibited in outdoor areas of the facility where children may be present.

See title page for effective date.

**CHAPTER 58
S.P. 145 - L.D. 338**

**An Act To Amend the Law
Governing the Maine Lobster
Marketing Collaborative**

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

Sec. 1. 12 MRSA §6455, sub-§5-A, ¶A, as enacted by PL 2013, c. 309, §2, is repealed.

Sec. 2. 12 MRSA §6455, sub-§5-A, ¶B, as amended by PL 2013, c. 492, §5, is repealed.

Sec. 3. 12 MRSA §6455, sub-§5-A, ¶C, as amended by PL 2013, c. 492, §5, is repealed.

Sec. 4. 12 MRSA §6455, sub-§5-A, ¶D, as amended by PL 2017, c. 368, §3, is further amended to read:

D. ~~For the years 2016 to 2021 the~~ The surcharges are, for:

- (1) Class I lobster and crab fishing licenses for persons 18 to 69 years of age, \$165.25;
- (2) Class II lobster and crab fishing licenses, \$330.50, except that for license holders 70 years of age or older the surcharge is \$165;
- (3) Class III lobster and crab fishing licenses, \$480.75, except that for license holders 70 years of age or older the surcharge is \$240;
- (4) Nonresident lobster and crab landing permits, \$480.75;
- (5) Wholesale seafood licenses with lobster permits if the license holders hold no supplemental wholesale seafood licenses with lobster permits, or lobster transportation licenses if the license holders hold no supplemental lobster transportation licenses, \$1,200;
- (6) Supplemental wholesale seafood licenses with lobster permits or supplemental lobster transportation licenses as follows:
 - (a) One thousand eight hundred dollars for up to 2 supplemental wholesale seafood licenses with lobster permits or supplemental lobster transportation licenses;
 - (b) Two thousand four hundred dollars for 3 to 5 supplemental wholesale seafood licenses with lobster permits or supplemental lobster transportation licenses; and
 - (c) Three thousand dollars for 6 or more supplemental wholesale seafood licenses with lobster permits or supplementary lobster transportation licenses; and

(7) Lobster processor licenses, \$1,000 if less than 1,000,000 pounds of raw product is processed, and \$4,000 if 1,000,000 pounds or more of raw product is processed.

Sec. 5. 12 MRSA §6455, sub-§9, as enacted by PL 2017, c. 368, §5, is amended to read:

9. Repeal. This section is repealed October 1, ~~2021~~ 2026.

See title page for effective date.

**CHAPTER 59
H.P. 330 - L.D. 454**

**An Act To Ensure Equity in
the Shellfish Depuration
Compensation Process for
Municipalities by Increasing
the Rate of Reimbursement
Paid to Municipalities**

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

Sec. 1. 12 MRSA §6856, sub-§3-D, ¶D, as enacted by PL 2011, c. 175, §5, is amended to read:

D. A depuration certificate holder shall pay each municipality an amount equal to ~~50¢~~ one dollar for each bushel of soft-shelled clams taken in that municipality under the depuration certificate. When submitting payment to a municipality under this paragraph, the depuration certificate holder shall include a summary of reports submitted to the department pursuant to rules adopted under subsection 4.

See title page for effective date.

**CHAPTER 60
H.P. 392 - L.D. 547**

**An Act Regarding Nuisance
Beavers**

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

Whereas, this legislation must take effect in time for the 2021 growing season; 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:

Sec. 1. 12 MRSA §12404, sub-§2, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §242 and affected by §422, is further amended to read:

2. Beaver. A Except as provided in paragraph A, a person may not take or kill beaver under sections 12401 and 12402. ~~The commissioner may cause agents of the department to take nuisance beaver at any time.~~

A. In accordance with section 10105, subsection 1, the commissioner may at any time authorize a landowner, a person on behalf of the landowner or an agent of the department to take or kill nuisance beaver.

A person who violates this subsection commits a Class E crime.

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

Effective May 25, 2021.

CHAPTER 61

H.P. 229 - L.D. 325

An Act To Allow Students Who Experienced Significant Education Interruption as a Result of the COVID-19 Pandemic To Be Eligible for a Department of Education Diploma

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

Whereas, as a result of the COVID-19 pandemic and resulting state of emergency, many students have been unable to access on-site education on a consistent basis; and

Whereas, this legislation allows students who have had limited access to on-site education to become eligible for a Department of Education diploma if that student cannot meet the additional requirements necessary for a local diploma; and

Whereas, this legislation is necessary to support students who are currently in their 4th year of secondary school with anticipated graduation in May 2021; 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:

Sec. 1. 20-A MRSA §257-A, sub-§1-A is enacted to read:

1-A. Eligibility for students impacted by COVID-19 pandemic. Notwithstanding the eligibility requirements in subsection 1, a student is eligible to apply for a Department of Education diploma if that student is a 4th year secondary school student and is unable to satisfy the requirements for a diploma from a school administrative unit because the student experienced a significant interruption to the student's education as a result of the COVID-19 pandemic and civil emergency during the student's secondary school education history.

This subsection is repealed on September 1, 2023.

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

Effective May 25, 2021.

CHAPTER 62

S.P. 36 - L.D. 28

An Act To Update the Silver Alert Program To Include Missing Endangered Persons

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

Sec. 1. 25 MRSA §2201, as enacted by PL 2009, c. 583, §1, is amended to read:

§2201. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Department. "Department" means the Department of Public Safety.

~~2. Missing senior citizen. "Missing senior citizen" means a person:~~

~~A. Who at the time the person is first reported missing is 60 years of age or older or, under extraordinary circumstances, a person 18 to 59 years of age who also meets the criteria in paragraphs B and C;~~

~~B. With respect to whom there is a clear indication that the person has an irreversible deterioration of intellectual faculties such as dementia, as determined by a local law enforcement agency; and~~

~~C. Whose disappearance poses a credible threat to the safety and health of the person as determined by a local law enforcement agency.~~

3. **Media.** "Media" means print, radio, Internet-based communication systems or other methods of communicating information to the public.

3-A. Missing endangered person. "Missing endangered person" means a person who is believed to be in danger because of the person's age, mental or physical health or intellectual or developmental disability, because of environmental or weather conditions or because the person is missing in dangerous, unexplained, involuntary or suspicious circumstances as determined by a local law enforcement agency.

4. **Silver Alert.** "Silver Alert" means a notice provided under this chapter to the public through law enforcement agencies and the media.

5. **Silver Alert Program.** "Silver Alert Program" means the statewide alert program for missing ~~senior citizens~~ endangered persons developed and implemented under this chapter.

Sec. 2. 25 MRSA §2202, as enacted by PL 2009, c. 583, §1, is amended to read:

§2202. Silver Alert Program

In accordance with this chapter and with the cooperation of the Department of Transportation, the Maine Turnpike Authority, a statewide organization representing broadcast groups in the State, the Office of the Governor and appropriate law enforcement agencies, the department shall develop and implement the Silver Alert Program to be activated on behalf of missing ~~senior citizens~~ endangered persons. The program must include standards of procedure for local law enforcement agencies to determine that a missing person is a missing ~~senior citizen~~ endangered person, to determine information to be released regarding the missing endangered person or the circumstances of the person's disappearance and to appropriately activate a Silver Alert to local or statewide law enforcement agencies and to the media, a plan for providing relevant information to the public through an existing system of dynamic message signs located across the State when necessary and training for all law enforcement officers. The Silver Alert Program must be developed and implemented using existing resources.

See title page for effective date.

**CHAPTER 63
S.P. 42 - L.D. 34**

**An Act To Create the Maine
Forestry Operations Cleanup
and Response Fund**

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

Sec. 1. 12 MRSA §8869-B is enacted to read:

§8869-B. Maine Forestry Operations Cleanup and Response Fund

The Maine Forestry Operations Cleanup and Response Fund, referred to in this section as "the fund," is established to be used by the bureau as a nonlapsing, revolving fund for carrying out the purposes of this subchapter. The balance in the fund is limited to \$20,000. To this fund are credited permit fees, civil penalties and other fees and charges related to this subchapter. To this fund are charged expenses of the bureau incurred to mitigate and remediate damages or potential damages to waters of the State created by violations of this subchapter, including but not limited to costs of cleanup of discharges of pollutants to waters of the State and the restoration of water supplies.

1. Disbursements from and use of fund. Money in the fund may be used by the department and disbursed only to pay the costs, including without limitation payments to contractors undertaking physical mitigation and remediation activities and equipment expenses, involved in the control of sediment and water flow, the abatement of pollution and the implementation of remediation activities, including restoration of water supplies, related to the discharge of sediment and other pollutants discharged or at risk of discharging to waters of the State by timber harvesting activities.

Prior to undertaking mitigation or remediation activities that will result in the use of the fund, the director shall use all reasonable efforts to notify the responsible party of the mitigation and remediation activities needed and to provide a reasonable time frame for the responsible party to implement those activities. The director shall notify the responsible party that a lien may be imposed on real estate owned by the responsible party in accordance with subsection 3 if the department undertakes mitigation and remediation activities that will result in the use of the fund.

2. Reimbursements to the fund. The following provisions govern reimbursements to the fund.

A. The director shall seek recovery of all costs paid from the fund from the responsible party, unless the bureau finds the amount involved too small, the likelihood of success too uncertain or that recovery of costs is unlikely due to the inability of the responsible party to pay those costs.

B. Requests by the department for reimbursement of costs paid from the fund, if not paid by the responsible party within 30 days of the request, may be turned over to the Attorney General for collection or may be submitted to a collection agency or agent or an attorney retained by the department with the approval of the Attorney General in conformance with Title 5, section 191, or the bureau may file an appropriate action in District Court for recovery of the costs paid from the fund.

3. Lien. All costs incurred by the State to mitigate and remediate damages or potential damages to waters of the State created by violations of this subchapter under subsection 1 and interest on those costs are a lien against the real estate of the responsible party. A certificate of lien signed by the director must be sent by certified mail to the responsible party prior to being recorded and may be filed in the office of the clerk of the municipality in which the real estate is located. The lien is effective when the certificate is recorded with the registry of deeds for the county in which the real estate is located. The certificate of lien must include a description of the real estate, the amount of the lien and the name of the owner as grantor.

When the amount for which a lien has been recorded under this subsection has been paid or reduced, the director, upon request by any person of record holding interest in the real estate that is the subject of the lien, shall issue a certificate discharging or partially discharging the lien. The certificate must be recorded in the registry in which the lien was recorded. Any action of foreclosure of the lien must be brought by the Attorney General in the name of the State in the Superior Court for the judicial district in which the real estate subject to the lien is located.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Maine Forestry Operations Cleanup and Response Fund N357

Initiative: Provides an ongoing allocation to allow for the expenditure of funds for the cost of undertaking physical mitigation and remediation activities and equipment expenses involved in the control of sediment and water flow, the abatement of pollution and the implementation of remedial measures, including restoration of water supplies, related to the discharge of sediment and other pollutants discharged or at risk of discharging into state waters by timber harvesting activities.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$20,000	\$20,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,000	\$20,000

See title page for effective date.

**CHAPTER 64
H.P. 32 - L.D. 66**

An Act To Improve Livestock and Poultry Preparation

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

Sec. 1. 7 MRSA §285, as enacted by PL 2017, c. 314, §1, is amended to read:

§285. Departmental authority; livestock and poultry

Notwithstanding any provision in this chapter to the contrary, the department shall implement and enforce all provisions of Title 22, chapter 562-A and the rules adopted thereunder that are necessary to ensure that the requirements of the State's meat and poultry products inspection, registration and licensing program are at least equal to the applicable requirements specified under applicable federal acts, as defined by the United States Department of Agriculture or other federal agencies, without exception.

Sec. 2. 22 MRSA §2163, as amended by PL 1979, c. 731, §19 and PL 2011, c. 657, Pt. W, §6, is further amended to read:

§2163. Sale of horsemeat prohibited

~~No~~ A person, firm, corporation or officer, agent or employee thereof within the State ~~shall~~ may not transport, receive for transportation, sell or offer for sale or distribution any equine meat or food products thereof ~~unless said equine meat is plainly and conspicuously labeled, marked, branded and tagged "horsemeat" or "horsemeat products"; or shall serve, expose or offer for sale or distribution, either in any public place or elsewhere, any equine meat or products containing equine meat unless such equine meat is conspicuously branded and labeled and a notice containing the words "horsemeat and horsemeat products sold here" is conspicuously displayed in said place of business to the end that the purchaser may have knowledge of the facts of the article purchased.~~

~~Whenever any person, firm or corporation within the State sells, ships or delivers to a purchaser within the State any equine meat or food products thereof, such person, firm or corporation shall deliver to the purchaser an invoice or bill showing thereon the character of such meat. This paragraph shall not apply to sales made at retail.~~

The Commissioner of Agriculture, Conservation and Forestry shall by adequate inspection see that the requirements of this section are carried out.

~~Any~~ A person, firm or corporation ~~who shall violate that violates~~ any of the provisions of this section ~~shall be punished by~~ commits a civil violation for which a fine of not more than \$100 for the first offense and ~~by~~

a fine of not more than \$200 for each subsequent offense must be adjudged, and the District and Superior Courts ~~shall~~ have concurrent jurisdiction of the offense.

Sec. 3. 22 MRSA §2511, sub-§1-A is enacted to read:

1-A. Amenable species. "Amenable species" means a species of exotic animal, as defined by the federal acts, the anatomy and biology of which are substantially the same as an animal that is currently inspected.

Sec. 4. 22 MRSA §2511, sub-§10, as enacted by PL 1999, c. 777, §1, is amended to read:

10. Custom processor. "Custom processor" means a person who maintains a ~~licensed~~ registered establishment under this chapter for the purpose of processing livestock, meat, meat food products, poultry or poultry products exclusively for use in the household of the owner of the commodity by the owner and members of the owner's household and the owner's nonpaying guests and employees.

Sec. 5. 22 MRSA §2511, sub-§11, as amended by PL 2013, c. 252, §1, is further amended to read:

11. Custom slaughterhouse. "Custom slaughterhouse" means a person who maintains a ~~slaughtering facility that is a licensed establishment or a~~ registered establishment under this chapter for the purposes of slaughtering livestock or poultry for another person's exclusive use by that person and members of that person's household and that person's nonpaying guests and employees, and who is not engaged in the business of buying or selling carcasses, parts of carcasses, meat or meat food products or any cattle, ~~domesticated deer, sheep, swine, goats, domestic rabbits, equines, poultry or other designated animals useable as human food.~~

Sec. 6. 22 MRSA §2511, sub-§14, as enacted by PL 1999, c. 777, §1, is amended to read:

14. Federal acts. "Federal acts" means the Federal Meat Inspection Act and the ~~Federal~~ Poultry Products Inspection Act.

Sec. 7. 22 MRSA §2511, sub-§17, as enacted by PL 1999, c. 777, §1, is amended to read:

17. Federal Poultry Products Inspection Act. "~~Federal~~ Poultry Products Inspection Act" means the federal Act so entitled, approved August 28, 1957, 71 Stat. 441, as amended by the ~~Federal~~ federal Wholesale Poultry Products Act, 82 Stat. 791.

Sec. 8. 22 MRSA §2511, sub-§19, ¶G, as enacted by PL 1999, c. 777, §1, is amended to read:

G. Any of the conditions for which livestock or poultry are required to be condemned on ante mortem inspection in accordance with the requirements of this chapter and the rules adopted pursuant to this chapter.

Sec. 9. 22 MRSA §2511, sub-§25, as enacted by PL 1999, c. 777, §1, is amended to read:

25. Livestock. "Livestock" means cattle, ~~domesticated deer, sheep, swine, goats, domestic rabbits, horses, mules, other equines or other designated animals, whether live or dead.~~

Sec. 10. 22 MRSA §2511, sub-§27, as enacted by PL 1999, c. 777, §1, is amended to read:

27. Meat. "Meat" means ~~the part of the muscle of cattle, domesticated deer, sheep, swine, goats, horses, mules, other equines or other designated animals~~ muscle of livestock, an amenable species or an exotic animal as defined by the federal acts that is skeletal or that is found in the tongue, diaphragm, heart or esophagus, with or without the accompanying and overlying fat, and the portions of bone, skin, sinew, nerve and blood vessels that normally accompany the muscle tissue but does not include the muscle found in the lips, snout or ears.

Sec. 11. 22 MRSA §2511, sub-§28, as enacted by PL 1999, c. 777, §1, is amended to read:

28. Meat food product or meat product. "Meat food product" or "meat product" means a product useable as human food that is made wholly or in part from any meat or other portion of a carcass of ~~cattle, domesticated deer, sheep, swine, domestic rabbits or goats~~ livestock, an amenable species or an exotic animal as defined by the federal acts, excepting products that are exempted from definition as a meat food product by the commissioner under conditions that the commissioner may prescribe to ensure that the meat or other portions of carcass contained in products are unadulterated and that products are not represented as meat food products. ~~This term, as applied to food products of equines or other designated animals, has a meaning comparable to that provided in this subsection with respect to cattle, domesticated deer, sheep, swine, domestic rabbits and goats.~~

Sec. 12. 22 MRSA §2512, sub-§2, ¶B, as enacted by PL 1999, c. 777, §1, is amended to read:

B. Refuse to provide inspection service under this chapter with respect to an official establishment for reasons specified in the Federal Meat Inspection Act, Section 401 or the ~~Federal~~ Poultry Products Inspection Act, Section 18 or for any other violation of this chapter or the rules adopted under it;

Sec. 13. 22 MRSA §2512, sub-§2, ¶D, as enacted by PL 1999, c. 777, §1, is repealed.

Sec. 14. 22 MRSA §2512, sub-§2, ¶E, as amended by PL 2003, c. 451, Pt. G, §1, is further amended to read:

E. Authorize inspection to continue at an official establishment on state holidays or beyond the regular work shift or workweek for state inspectors as

long as the necessary inspectors are available and the official establishment pays all overtime salaries for inspections necessary to keep the plant open and other expenses caused by the overtime employment. ~~Funds reimbursed under this chapter must be deposited into the General Fund as undedicated revenue;~~

Sec. 15. 22 MRSA §2512, sub-§2, ¶J, as enacted by PL 1999, c. 777, §1, is amended to read:

J. Serve as the representative of the Governor for consultation with the Secretary of Agriculture under the Federal Meat Inspection Act, Section 301, Subsection (c) and the Federal Poultry Products Inspection Act, Section 5, Subsection (c) unless the Governor selects another representative;

Sec. 16. 22 MRSA §2512, sub-§2, ¶P, as amended by PL 2019, c. 633, §2, is further amended to read:

P. Establish the method for providing voluntary inspection and withdrawal of voluntary inspection of exotic animals, wild game, domesticated deer and domestic rabbits and amenable species. These rules may also provide for the inspection of meat and meat food products derived from those animals. The commissioner shall provide voluntary inspection of bison, domesticated deer and ratite exotic animals, domesticated deer, domestic rabbits and amenable species produced in the State, including the inspection of meat and meat food products derived from bison, domesticated deer and ratite exotic animals, domesticated deer, domestic rabbits and amenable species, for which the commissioner shall charge a an hourly fee of \$35 per hour. The commissioner shall charge \$35 per hour per for inspection of meat and meat food products processed in the State but derived from bison, domesticated deer and ratite produced outside the State exotic animals, domesticated deer, domestic rabbits and amenable species; and

Sec. 17. 22 MRSA §2514, sub-§1, ¶B, as enacted by PL 1999, c. 777, §1, is repealed.

Sec. 18. 22 MRSA §2514, sub-§1, ¶D, as enacted by PL 1999, c. 777, §1, is repealed.

Sec. 19. 22 MRSA §2514-A, sub-§1, as amended by PL 2019, c. 73, §§3 and 4, is further amended to read:

1. Registration permitted required. A person that is not licensed under section 2514 ~~may engage in intrastate commerce in the business of buying, selling, preparing, processing, packing, storing, transporting or otherwise handling meat, meat food products or poultry products if that person is registered under this section. A person may~~ must register under this section if the person is a:

A. Custom slaughterer, except that itinerant custom slaughterers who slaughter solely at a customer's home or farm and who do not own, operate or work at a slaughtering plant are exempt from the registration provisions of this section;

B. Custom processor;

C. Poultry producer that processes fewer than 1,000 birds annually under section 2517-C;

C-1. Rabbit producer that processes fewer than 1,000 rabbits annually under section 2517-E; or

D. Person in any other category that the commissioner may by rule establish.

Sec. 20. 22 MRSA §2517, as enacted by PL 1999, c. 777, §1, is amended to read:

§2517. Ante mortem examination of animals to be slaughtered

For the purpose of preventing the use in commerce of meat and meat food products and poultry and poultry products that are adulterated, the commissioner shall appoint inspectors to examine and inspect all livestock and poultry before they are allowed to enter into a slaughtering, packing, meat-canning, rendering or similar official establishment in which they are to be slaughtered and the meat and meat food products and poultry and poultry products of which are to be used in commerce. All livestock and poultry found on such inspection to show symptoms of disease must be set apart and slaughtered separately from all other livestock or poultry and when so slaughtered the carcasses of the livestock and poultry are subject to a careful examination and inspection, as provided by the rules established by the commissioner and adopted pursuant to this chapter.

Sec. 21. 22 MRSA §2517-A, as enacted by PL 1999, c. 777, §1, is amended to read:

§2517-A. Post mortem examination of carcasses

The commissioner shall appoint inspectors to examine the carcasses and parts of carcasses of all livestock and poultry to be prepared at a slaughtering, meat-canning, salting, packing, rendering or similar official establishment in the State as articles of commerce that are useable as human food. The carcasses and parts of carcasses of all such animals found to be not adulterated must be marked, stamped, tagged or labeled as "Inspected and Passed" and the inspectors shall label, mark, stamp or tag as "Inspected and Condemned" all carcasses and parts of carcasses of animals found to be adulterated. All carcasses and parts thus inspected and condemned must be destroyed for food purposes by the official establishment in the presence of an inspector. The commissioner may remove inspectors from any such official establishment that fails to so destroy any condemned carcass or part of a carcass. The inspectors, after the first inspection, shall, when they consider it

necessary, reinspect the carcasses or parts of carcasses to determine whether, since the first inspection, the same have become adulterated and, if any carcass or any part of the carcass, upon examination and inspection subsequent to the first examination and inspection, is found to be adulterated, the carcass must be destroyed for food purposes by the official establishment in the presence of an inspector. The commissioner may remove inspectors from an official establishment that fails to so destroy any condemned carcass or part of a carcass.

Sec. 22. 22 MRSA §2517-C, sub-§1, ¶G, as repealed and replaced by PL 2015, c. 329, Pt. A, §10, is amended to read:

G. The poultry are sold in accordance with the restrictions in subsection 2; and

Sec. 23. 22 MRSA §2517-C, sub-§1, ¶H, as repealed and replaced by PL 2015, c. 329, Pt. A, §10, is repealed.

Sec. 24. 22 MRSA §2517-D, sub-§1, as enacted by PL 2013, c. 252, §5, is amended to read:

1. Contract slaughtering. A commercial slaughterhouse or ~~custom slaughterhouse~~ licensed under section 2514 or a custom slaughterhouse registered under section 2514-A, but not engaging in the custom slaughter of poultry, may enter into a contract with a poultry producer who otherwise meets the requirements of the exemption for poultry producers that slaughter or process 20,000 or fewer poultry under the ~~federal~~ Poultry Products Inspection Act, 21 United States Code, Section 464(c)(3) to rent that slaughterhouse to the poultry producer for the slaughter and processing of the poultry producer's poultry.

Poultry slaughtered and processed under the rental contract must be slaughtered and processed by the poultry producer.

A poultry producer that otherwise meets the requirements of the 20,000 or fewer poultry exemption, and having the intent to rent a slaughterhouse that is currently used by another poultry producer that meets the requirements of the exemption, must obtain approval from the ~~administrator of the~~ commissioner in accordance with the requirements of the federal Food Safety and Inspection Service within the United States Department of Agriculture prior to rental of the slaughterhouse Administrator.

Sec. 25. 22 MRSA §2519, as enacted by PL 1999, c. 777, §1, is amended to read:

§2519. Stop sale or use order

The inspector may issue a stop sale or use order for any violation of this chapter or of the rules adopted pursuant to this chapter. A person receiving a stop sale or use order shall immediately remove the meat, meat food product or poultry or poultry product from sale or shall

immediately cease to use any equipment or area as directed by the order until the order is lifted. The inspector may lift a stop sale or use order once the inspector has determined that the violation has been corrected. A person receiving a stop sale or use order may appeal the order to the commissioner within 5 days of receiving the order.

Sec. 26. 22 MRSA §2521-B, as enacted by PL 1999, c. 777, §1, is amended to read:

§2521-B. Inspection for use of humane slaughtering methods

For the purpose of preventing the inhumane slaughtering of livestock, the commissioner shall appoint inspectors to examine and inspect the method by which livestock are slaughtered and handled in connection with slaughter in the registered, licensed or official slaughtering establishments inspected under this chapter. The commissioner may refuse to license or ~~provide inspection to a new slaughtering establishment or may cause inspection to be temporarily suspended at an official register~~ a slaughtering establishment if the commissioner finds that livestock have been slaughtered or handled in connection with slaughter at ~~such the~~ establishment by a method not in accordance with the Humane Methods of Slaughter Act of 1978, 7 United States Code, Sections 1901 to 1906 or not as stated in this section and sections 2521, 2521-A and 2521-C until the establishment furnishes assurances satisfactory to the commissioner that all slaughtering and handling in connection with slaughter of livestock are in accordance with such a method.

Sec. 27. 22 MRSA §2523, sub-§1, ¶A, as enacted by PL 1999, c. 777, §1, is amended to read:

A. Slaughter any livestock or poultry or prepare products that are useable as human food at a registered, licensed or official establishment preparing the products solely for intrastate commerce, except in compliance with the requirements of this chapter and the rules adopted pursuant to this chapter;

Sec. 28. 22 MRSA §2523, sub-§3, as enacted by PL 1999, c. 777, §1, is amended to read:

3. Plainly identified Carcasses of horses, mules or other equines or parts of these carcasses. In intrastate commerce, a person may not sell, transport, offer for sale or transportation or receive for transportation any ~~carcass~~ carcasses of horses, mules or other equines or parts of these carcasses, or the meat or meat food products of these carcasses, ~~unless they are plainly and conspicuously marked or labeled or otherwise identified as required by rules established by the commissioner to show the kinds of animals from which they were derived.~~

Sec. 29. 22 MRSA §2524-A, as enacted by PL 1999, c. 777, §1, is amended to read:

§2524-A. Action upon violation

After discovery of a violation of this chapter or the rules adopted under this chapter, the commissioner may take any additional action against the registered, licensed or official establishment that the commissioner determines appropriate, including instituting a proceeding under section 2514, subsection 6 and causing a civil or criminal proceeding to be brought against the registered, licensed or official establishment.

See title page for effective date.

CHAPTER 65
H.P. 54 - L.D. 88

**An Act To Amend Maine's
Wildlife Laws Regarding
Species of Special Concern**

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

Sec. 1. 12 MRSA §10001, sub-§58-A is enacted to read:

58-A. Species of special concern. "Species of special concern" means a species of fish or wildlife that is not an endangered species or a threatened species but meets criteria for being of special concern as established by the commissioner by rule under section 10105, subsection 19.

Sec. 2. 12 MRSA §10105, sub-§19 is enacted to read:

19. Species of special concern. The commissioner by rule shall establish criteria for determining when a species of fish or wildlife that is not an endangered species or a threatened species is of special concern. The rules may include different criteria for categories of species of special concern, including a category for species that are rare. The rules must list the species that meet the criteria established in rule. The commissioner shall use the list in administering section 12152 and may also use the list in administering any other laws or programs or when providing advisory recommendations to other entities or agencies on fish and wildlife matters in accordance with applicable laws or rules.

Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. 12 MRSA §12152, sub-§1-B, as enacted by PL 2017, c. 205, §15, is amended to read:

1-B. Exemption. Notwithstanding subsection 1-A, a reptile, amphibian or invertebrate that is native to the State and not listed by the department as threatened, or endangered or as a species of special concern

may be captured from the wild in the State and possessed without a permit. Possession limits for each species are as follows:

- A. Amphibians, up to 5 specimens of each species;
- B. Reptiles, up to 2 specimens of each species; and
- C. Invertebrates, no specimen limits.

Animals captured under this subsection must be kept in a manner that does not permit contact between those animals and any other animal that is not naturally present in the wild in this State. If an animal captured under this subsection is released back into the wild, the animal must be released in or near the same location where the animal was captured. Importation into the State of a reptile, amphibian or invertebrate exempted under this subsection is prohibited without a permit. Exhibition, propagation or export or sale for commercial purposes is prohibited without a permit. A person may not export, sell or otherwise use for commercial purposes any animal captured under this subsection unless the person holds an applicable permit for that use.

Sec. 4. 12 MRSA §12152, sub-§3-D, ¶G, as enacted by PL 2017, c. 205, §18, is amended to read:

G. An educational and scientific collection permit, which allows the holder to hunt, trap, possess, band and transport wildlife from within the State for educational or scientific purposes. An educational and scientific permit is not required to hunt, trap, possess, band or transport an invertebrate that is not listed by the department as endangered, or threatened or as a species of special concern. An educational and scientific collection permit is available at no cost and expires one year from the date of issuance.

Sec. 5. 12 MRSA §12803, sub-§4, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

4. Process for recommendation; notice and hearings. Prior to recommending an addition, deletion or other change to the endangered and threatened species listed in subsection 3, the commissioner shall provide for public notice and at least one public hearings hearing on that proposed recommendation in accordance with the provisions of Title 5, chapter 375, subchapter 2.

See title page for effective date.

**CHAPTER 66
S.P. 63 - L.D. 128**

**An Act To Authorize the
Commissioner of
Transportation To Enter into
Agreements with the United
States Department of
Transportation**

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

Sec. 1. 23 MRSA §4206, sub-§1, ¶N, as amended by PL 2011, c. 302, §20, is further amended to read:

N. To make contracts and enter into agreements with and make assurances and certifications to the Maine Turnpike Authority, and other 3rd parties, necessary in connection with determination of department projects and the issuance of bonds or obligations pursuant to section 1968, subsection 2-A; ~~and~~

Sec. 2. 23 MRSA §4206, sub-§1, ¶O, as enacted by PL 2005, c. 277, §3, is amended to read:

O. To bring before the joint standing committee of the Legislature having jurisdiction over transportation matters for review and approval any proposal that would alter the current land use, ownership or jurisdiction of lands owned by the State within the Port of Searsport presently under the jurisdiction of the department; ~~and~~

Sec. 3. 23 MRSA §4206, sub-§1, ¶P is enacted to read:

P. To enter into agreements and cooperate with the United States Department of Transportation or any other appropriate federal agency as provided in 23 United States Code, Sections 325 to 327 and as authorized under the federal Moving Ahead for Progress in the 21st Century Act, the federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and the federal National Environmental Policy Act of 1969. Pursuant to such an agreement, the commissioner may assume certain responsibilities of the Secretary of the United States Department of Transportation and take any other actions as required by any such agreement or by such federal laws.

(1) The commissioner may adopt any rules necessary to implement an agreement pursuant to this paragraph and carry out any duties imposed under such an agreement. Rules adopted pursuant to this subparagraph are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

(2) The commissioner may make expenditures of money in connection with an agreement authorized under this paragraph from any funds of the department that are available to the commissioner.

(3) Notwithstanding Title 14, chapter 741, sovereign immunity from civil suit in federal court is waived consistent with 23 United States Code, Sections 326 and 327 and limited to the compliance, discharge or enforcement of a responsibility assumed by the department under this paragraph. This subparagraph applies only to actions that are authorized under this paragraph and does not create liability that exceeds the liability created under 23 United States Code, Sections 325 to 327.

See title page for effective date.

**CHAPTER 67
H.P. 93 - L.D. 137**

**An Act Regarding Absence
from Work for Emergency
Response**

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

Sec. 1. 26 MRSA §809, sub-§6, as amended by PL 2019, c. 218, §1, is further amended to read:

6. Designation as essential. Upon receiving notice of an employee's ~~firefighter~~ status as a firefighter or emergency medical services person, an employer may designate the employee essential to the employer's operations when the absence of the employee would cause significant disruption of the employer's business. This designation must be made in writing and signed by both the employee and employer.

Sec. 2. 26 MRSA §809, sub-§7, ¶B, as enacted by PL 2019, c. 218, §1, is amended to read:

B. The employee presents a copy of the policy described in paragraph A to the employer ~~upon~~ within 30 days of notifying the employer of the employee's status as a firefighter or emergency medical services person within 30 days of employment or within 180 days of the effective date of this subsection.

See title page for effective date.

CHAPTER 68
H.P. 124 - L.D. 171

An Act To Enable Out-of-state
Certified Public Accountancy
Firms To Provide Services in
Maine on the Basis of
Substantial Equivalency

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

Sec. 1. 32 MRSA §12232, sub-§4, as enacted by PL 2009, c. 242, §13, is amended to read:

4. **Additional services.** An individual who qualifies for the practice privilege under this section may perform any of the services listed in ~~this subsection~~ section 12201, subsection 3-A for any entity with its home office in the State as long as the individual does so through a firm that has obtained a license issued under section 12252; ~~or is exempt from the licensure requirement pursuant to section 12252, subsection 1, paragraph A, subparagraph (3) or section 12252, subsection 1, paragraph B.~~

~~A. A financial statement audit or other engagement to be performed in accordance with the Statements on Auditing Standards;~~

~~B. An examination of prospective financial information to be performed in accordance with Statements on Standards for Attestation Engagements; or~~

~~C. An engagement to be performed in accordance with auditing standards of the Public Company Accounting Oversight Board, established in 15 United States Code, Section 7211 (2007).~~

Sec. 2. 32 MRSA §12252, sub-§1, as amended by PL 2015, c. 110, §8, is further amended to read:

1. **Licensure.** The board shall grant or renew a license to accounting firms that submit the application required by the board, pay the fee as set under section 12203 and demonstrate their qualifications in accordance with this section.

A. A firm must hold a license issued under this section if it:

- (1) Has an office in this State performing any of the services described in section 12201, subsection 3-A, paragraphs A to D;
- (2) Has an office in this State that uses the title "CPA" or "CPA firm"; or
- (3) Does not have an office in this State but performs any of the services described in section 12201, subsection 3-A, ~~paragraphs~~ paragraph A, C or D for a client having its home office in this State; unless:

(a) It qualifies for a firm license pursuant to subsections 3 and 8 and it performs such services through an individual with practice privileges under section 12232; or

(b) It meets the requirements of section 12253.

B. A firm that does not have an office in this State may perform services described in section 12201, subsection 3-A, paragraph B or F for a client having its home office in this State and may use the title "CPA" or "CPA firm" without a license issued under this section only if:

(1) It qualifies for a firm license pursuant to subsections 3 and 8 and it performs such services through an individual with practice privileges under section 12232; and or

~~(2) It performs such services through an individual with practice privileges under section 12232.~~

(3) It meets the requirements of section 12253.

C. A firm that is not subject to the requirements of paragraphs A and B may perform professional services other than those described in section 12201, subsection 3-A while using the title "CPA" or "CPA firm" in this State without a license issued under this section only if the firm meets the requirements of section 12253 or:

(1) Performs such services through an individual with practice privileges under section 12232; and

(2) Has legal authority to perform such services in the state of that individual's principal place of business.

Sec. 3. 32 MRSA §12253 is enacted to read:

§12253. Accountancy firm practice without license on the basis of substantial equivalency

1. Substantial equivalency. A firm with a principal place of business outside the State is presumed to have qualifications substantially equivalent to the State's requirements and has all the privileges of licensees of the State and may provide professional services in the State without the requirement to obtain a license under this section or to otherwise notify or register with the board or pay any fee if the firm:

A. Holds a valid license as a certified public accountancy firm from a state that the board has verified to be in substantial equivalence with the certified public accountancy firm licensure requirements of a national association of state boards of accountancy and standards promulgated by the American Institute of Certified Public Accountants; or

B. Holds a valid license as a certified public accountancy firm from a state that is not in substantial equivalence with the certified public accountancy firm requirements under paragraph A, but the board determines that the certified public accountancy firm's qualifications are substantially equivalent to the certified public accountancy firm licensure requirements of a national association of state boards of accountancy and standards promulgated by the American Institute of Certified Public Accountants.

In determining substantial equivalence, the board may consult determinations and verifications from a national qualification appraisal service of a national association of state boards of accountancy.

2. No notice or other submission required. Notwithstanding any provision of law to the contrary, a firm that is eligible to practice in this State without a license in accordance with the requirements of this section may offer or render professional services in this State, whether in person or by mail, telephone or electronic means, without providing notice or making any submission to the board. Such a firm is subject to subsection 3.

3. Conditions. A licensee of another state exercising the practice privilege afforded under this section must consent, as a condition of the grant of the practice privilege:

A. To the personal and subject matter jurisdiction and disciplinary authority of the board;

B. To comply with the provisions of this chapter and the board's rules; and

C. To the stipulation that, in the event the license from the state of the firm's principal place of business is no longer valid, the firm will cease offering or rendering professional services in the State.

Sec. 4. 32 MRSA §12275, sub-§14, as amended by PL 2015, c. 110, §14, is further amended to read:

14. Substantial equivalency. For purposes of this section:

A. An individual practicing as a certified public accountant without a license on the basis of substantial equivalency pursuant to section 12232 and complying with the restrictions on the scope of such a practice is equivalent to an individual licensed as a certified public accountant under section 12230 or 12231 or a corresponding provision of prior law, and each reference in this section to a licensed certified public accountant is deemed to include, on an equal basis, such an individual;

B. A firm in compliance with section 12252, subsection 1 must, for the purposes of this section, be deemed to hold a valid license issued under section 12252; and

C. Notwithstanding any other provision of this section, it is not a violation of this section for a firm that does not hold a valid license under section 12252 and that does not maintain an office in this State to use the title "CPA" or "Certified Public Accountants" as part of the firm's name and to provide professional services in this State, and licensees and individuals with practice privileges may provide services on behalf of such a firm if the firm complies with the requirements of section 12252, subsection 1, paragraph A, subparagraph (3) or section 12252, subsection 1, paragraph B or C, whichever is applicable. An individual or firm authorized under this paragraph to use practice privileges in this State shall comply with the requirements otherwise applicable to licensees under this section.

See title page for effective date.

CHAPTER 69

S.P. 79 - L.D. 191

**An Act To Permit
Municipalities To Provide
Assistance to Veterans in
Paying Property Taxes**

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

Sec. 1. 36 MRSA §6234 is enacted to read:

§6234. Municipal authority; veterans

The legislative body of a municipality may by ordinance adopt a program to provide benefits to veterans with homesteads in the municipality.

1. Definitions. For the purposes of this section, the following terms have the following meanings.

A. "Homestead" has the same meaning as in section 681, subsection 2.

B. "Veteran" has the same meaning as in section 653, subsection 1, paragraph E and includes any family members eligible for an exemption under that subsection.

2. Conditions of program. A program adopted under this section must:

A. Require that the claimant has maintained a homestead in the municipality for a certain period of time, as determined by the municipality;

B. Provide benefits for both owners and renters of homesteads; and

C. Calculate benefits in a way that provides that:

(1) If the claimant is the owner of the property, the benefit is equal to the difference between

the reduction in property tax due to the exemptions provided in section 653 and the amount of property tax reduction that would have applied if the assessed value of the property was the same as the just value; and

(2) If the claimant is a renter, the benefit is equal to \$100.

3. Repeal of program. A municipality that has adopted a program under this section may repeal it through the same procedure by which the program was adopted.

See title page for effective date.

CHAPTER 70

H.P. 177 - L.D. 256

An Act To Adjust Sewer and Wastewater Lien Fees

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

Sec. 1. 38 MRSA §1208, 4th ¶, as enacted by PL 1987, c. 29, §2, is amended to read:

The costs to be paid by the owner of the real estate served ~~shall be~~ are the sum of the fees for receiving, recording and indexing the lien, or its discharge, as established by Title 33, section 751, ~~subsection 12,~~ plus ~~\$13~~ \$25, adjusted annually by the treasurer of the district for inflation based on the Consumer Price Index, as defined in Title 5, section 17001, subsection 9, plus all certified mail, return receipt requested, fees.

See title page for effective date.

CHAPTER 71

H.P. 240 - L.D. 342

An Act To Establish a Permanent Appointment of a Member of a Federally Recognized Indian Nation, Tribe or Band in the State to the Marine Resources Advisory Council

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

Sec. 1. 12 MRSA §6024, sub-§1-A, as amended by PL 2019, c. 225, §3, is further amended to read:

1-A. Appointment; composition; term; compensation. The Marine Resources Advisory Council, established by Title 5, section 12004-G, subsection 27,

consists of ~~45~~ 16 members. The chair of the Lobster Advisory Council, the chair of the Sea Urchin Zone Council and the chair of the Shellfish Advisory Council are ex officio members of the council. Each other member is appointed by the Governor and is subject to review by the joint standing committee of the Legislature having jurisdiction over marine resources matters and to confirmation by the Legislature. Five members must be persons who are licensed under this Part to engage in commercial harvesting activities. Those 5 members are selected by the Governor from names recommended to the Governor by groups representing commercial harvesting interests. Each member must represent a different commercial harvesting activity, except that none of those 5 members may represent lobster harvesters. The remaining ~~7~~ 8 members must include one public member, one member who is a member of a federally recognized Indian nation, tribe or band in the State, 4 persons who hold a nonharvesting-related license under this Part, one person representing recreational saltwater anglers and one person representing the aquaculture industry. The Governor shall select the person to represent the aquaculture industry from among the names recommended by the aquaculture industry. The Governor shall select the member who is a member of a federally recognized Indian nation, tribe or band in the State based on the joint recommendation of the tribal governments of the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe at Motahmikuk, the Passamaquoddy Tribe at Sipayik and the Penobscot Nation. If the tribal governments do not make a unanimous joint recommendation, the Governor shall appoint a member of a federally recognized Indian nation, tribe or band in the State and rotate the appointment among members of each federally recognized Indian nation, tribe or band in the State. The composition of the council must reflect a geographical distribution along the coast. All appointed members are appointed for a term of 3 years, except a vacancy must be filled in the same manner as an original member for the unexpired portion of the term. An appointed member may not serve for more than 2 consecutive terms. Appointed members serve until their successors are appointed. The chair of the Lobster Advisory Council, the chair of the Sea Urchin Zone Council and the chair of the Shellfish Advisory Council shall serve until a new chair of the Lobster Advisory Council, a new chair of the Sea Urchin Zone Council or a new chair of the Shellfish Advisory Council, respectively, is chosen. Members are compensated as provided in Title 5, chapter 379.

See title page for effective date.

**CHAPTER 72
H.P. 259 - L.D. 361**

**An Act To Establish a
Permanent Appointment of a
Member of the Wabanaki
Tribes to the Inland Fisheries
and Wildlife Advisory Council**

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

Sec. 1. 12 MRSA §10151, sub-§1, as amended by PL 2013, c. 375, §1, is further amended to read:

1. Appointment. The Inland Fisheries and Wildlife Advisory Council, established by Title 5, section 12004-G, subsection 20 and referred to in this Part as the "advisory council," consists of 11 members, with 10 members representing the 16 counties of the State in the following manner: one member representing Androscoggin County, Kennebec County and Sagadahoc County; one member representing Aroostook County; one member representing Cumberland County; one member representing Franklin County and Oxford County; one member representing Hancock County; one member representing Knox County, Lincoln County and Waldo County; one member representing Penobscot County; one member representing Piscataquis County and Somerset County; one member representing Washington County; and one member representing York County. The 11th member must be a member of a federally recognized Indian nation, tribe or band in the State. Members of the advisory council are appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over fisheries and wildlife matters and to confirmation by the Legislature. The Governor shall appoint the member who is a member of a federally recognized Indian nation, tribe or band in the State based on the joint recommendation of the tribal governments of the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe at Motahkomikuk, the Passamaquoddy Tribe at Sipayik and the Penobscot Nation. If these tribal governments do not make a unanimous joint recommendation, the Governor shall appoint a member of a federally recognized Indian nation, tribe or band in the State and rotate the appointment among members of each federally recognized Indian nation, tribe or band in the State. The commissioner or the commissioner's designee is a non-voting, ex officio member of the advisory council, but may vote to break a tie.

An employee of the department may not serve as a member of the advisory council prior to the expiration of one year from that employee's last day of employment with the department. A Legislator may not serve as a member of the advisory council. A former Legislator who was a member of the joint standing committee

of the Legislature having jurisdiction over fisheries and wildlife matters may not serve as a member of the advisory council prior to the expiration of one year from that former Legislator's last day of membership on that committee.

See title page for effective date.

**CHAPTER 73
S.P. 207 - L.D. 523**

**An Act Regarding Prior
Authorizations for Prescription
Drugs**

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

Sec. 1. 24-A MRSA §4304, sub-§2, ¶D, as enacted by PL 2019, c. 273, §1, is amended to read:

D. The prescription drug and prior authorization standards used by a carrier must be clear and readily available to enrollees, participating providers, pharmacists and other providers. With regard to prior authorization for prescription drugs, a carrier shall comply with the requirements set forth in subsection 2-B. A provider must make best efforts to provide all information necessary to evaluate a request, and the carrier must make best efforts to limit requests for additional information.

Sec. 2. 24-A MRSA §4304, sub-§2-B, as enacted by PL 2019, c. 273, §2, is amended to read:

2-B. Electronic transmission of prior authorization requests. ~~Beginning no later than January 1, 2020,~~ ~~¶ If~~ If a health plan provides coverage for prescription drugs, the carrier must accept and respond to prior authorization requests in accordance with subsection 2 and this subsection through a secure electronic transmission using standards recommended by a national institute for the development of fair standards and adopted by a national council for prescription drug programs for electronic prescribing transactions. For the purposes of this subsection, transmission of a facsimile through a proprietary payer portal or by use of an electronic form is not considered electronic transmission. A carrier's electronic transmission system for prior authorization requests for prescription drugs must comply with the following.

A. No later than January 1, 2022, unless a waiver is granted by the superintendent, a carrier or entity under contract to a carrier shall make available to a provider in real time at the point of prescribing one or more electronic benefit tools that are capable of integrating with at least one electronic prescribing system or electronic medical record system to provide complete, accurate, timely, clinically appropriate formulary and benefit information specific to

an enrollee, including, but not limited to, the estimated cost-sharing amount to be paid by the enrollee, information on any available formulary alternatives that are clinically appropriate and information about the formulary status and the utilization review and prior authorization requirements of each drug presented. Upon a carrier's request, the superintendent may grant a waiver from the requirements of this paragraph based on a demonstration of good cause.

B. No later than January 1, 2023, unless a waiver is granted by the superintendent, a carrier or entity under contract to a carrier shall make available to a provider in real time at the point of prescribing an electronic benefit tool that is capable of integrating with the provider's electronic prescribing system or electronic medical record system to provide complete, accurate, timely, clinically appropriate formulary and benefit information specific to an enrollee, including, but not limited to, the estimated cost-sharing amount to be paid by the enrollee, information on any available formulary alternatives that are clinically appropriate and information about the formulary status and the utilization review and prior authorization requirements of each drug presented. Upon a carrier's request, the superintendent may grant a waiver from the requirements of this paragraph based on a demonstration of good cause.

Sec. 3. Bureau of Insurance to monitor compliance. Beginning January 1, 2022, the Department of Professional and Financial Regulation, Bureau of Insurance shall monitor compliance by carriers authorized to do business in this State with the requirements of the Maine Revised Statutes, Title 24-A, section 4304, subsection 2-B using its authority under Title 24-A, section 221. The bureau shall also request information from carriers on the adoption and usage of electronic transmission by health care providers for requesting prior authorization for prescription drugs from carriers. No later than June 1, 2023, the bureau shall submit a report to the joint standing committee of the Legislature having jurisdiction over health coverage and insurance matters on the status of compliance by carriers. If the bureau determines that a carrier is not complying with the requirements of Title 24-A, section 4304, subsection 2-B, the bureau shall take enforcement action against the carrier as appropriate. The joint standing committee of the Legislature having jurisdiction over health coverage and insurance matters may report out a bill to the Second Regular Session of the 131st Legislature based on the report.

See title page for effective date.

**CHAPTER 74
H.P. 414 - L.D. 569**

An Act To Prohibit Hunting with a Bow on Land of Another Person within 100 Yards of a Building or Residence on That Land without Permission

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

Sec. 1. 12 MRSA §11209, as amended by PL 2019, c. 14, §§1 and 2, is further amended by amending the section headnote to read:

§11209. Discharge of firearm, crossbow or bow and arrow near dwelling or building

Sec. 2. 12 MRSA §11209, sub-§1, as amended by PL 2019, c. 14, §1, is further amended to read:

1. Prohibition. A person may not:

A. Unless a relevant municipal ordinance provides otherwise and except as provided in subsections 3 and 4 and sections 12401 and 12402, discharge a firearm, including a muzzle-loading firearm, or crossbow or cause a projectile to pass as a result of that discharge within 100 yards of a building or residential dwelling without the permission of the owner or, in the owner's absence, of an adult occupant of that building or dwelling authorized to act on behalf of the owner; ~~or~~

A-1. Except as provided in sections 12401 and 12402:

(1) Discharge an arrow from a bow and arrow when on land of another person and within 100 yards of a building or residential dwelling on that land without the permission of the owner of that building or residential dwelling or, in the owner's absence, of an adult occupant of that building or dwelling authorized to act on behalf of the owner; or

(2) Cause an arrow from a bow and arrow to pass across the land of another person and within 100 yards of a building or residential dwelling on that land without the permission of the owner of that building or residential dwelling or, in the owner's absence, of an adult occupant of that building or dwelling authorized to act on behalf of the owner; or

B. Possess a wild animal or wild bird taken in violation of this subsection, except as otherwise provided in this Part.

This subsection may not be construed to prohibit a person from killing or taking a wild animal in accordance with sections 12401 and 12402.

For purposes of this section, "building" means any residential, commercial, retail, educational, religious or farm structure that is designed to be occupied by people or domesticated animals or is being used to shelter machines or harvested crops.

For purposes of this section, "projectile" means a bullet, pellet, shot, shell, ball, bolt or other object propelled or launched from a firearm or crossbow.

See title page for effective date.

CHAPTER 75

H.P. 417 - L.D. 572

An Act To Assist Students in Preparing for Opportunities To Live and Work in Maine

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

Sec. 1. 20-A MRSA §4713 is enacted to read:

§4713. Statewide employment projections

A junior high school or middle school, when providing career or educational programming materials and guidance for students and parents, shall include an electronic link to the publicly accessible website of the Department of Labor, Center for Workforce Research and Information containing statewide employment projections. The department, working with the Department of Labor, shall develop age-appropriate advice for navigating the website containing the statewide employment projections and shall update this advice from time to time as needed.

Sec. 2. 20-A MRSA §4730 is enacted to read:

§4730. Statewide employment projections

A secondary school, when providing career or educational programming materials and guidance for students and parents, shall include an electronic link to the publicly accessible website of the Department of Labor, Center for Workforce Research and Information containing statewide employment projections. The department, working with the Department of Labor, shall develop age-appropriate advice for navigating the website containing the statewide employment projections and shall update this advice from time to time as needed.

Sec. 3. Career readiness resources for students. The Department of Education, in collaboration with the Department of Economic and Community Development and the Department of Labor, shall create resources that provide developmentally appropriate guidance and information to students in middle schools, junior high schools and secondary schools regarding statewide employment projections, career exploration and extended learning opportunities, internships, apprenticeship programs and career planning.

Sec. 4. Report. No later than January 1, 2022, the Department of Education, in collaboration with the Department of Economic and Community Development and the Department of Labor, shall submit a report to the Joint Standing Committee on Education and Cultural Affairs, the Joint Standing Committee on Labor and Housing and the Joint Standing Committee on Innovation, Development, Economic Advancement and Business regarding the resources created pursuant to section 3 and the progress of the statewide implementation of those resources pursuant to the Maine Revised Statutes, Title 20-A, sections 4713 and 4730.

See title page for effective date.

CHAPTER 76

S.P. 513 - L.D. 1620

An Act To Support Maine Theaters by Expanding Eligibility for Off-premises Catering Licenses

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

Whereas, it is critically important that this legislation take effect before the expiration of the 90-day period to allow auditoriums, civic auditoriums and performing arts centers to provide off-premises catering of spirits, wine and malt liquor at outdoor events or gatherings during the upcoming summer tourist season; 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:

Sec. 1. 28-A MRSA §1012, sub-§3, as amended by PL 1999, c. 236, §1, is further amended to read:

3. Off-premise Off-premises catering license. A Class A restaurant, hotel, bed and breakfast or club, auditorium, civic auditorium or performing arts center licensed to sell spirits, wine and malt liquor may obtain a license to conduct off-premise off-premises catering of spirits, wine and malt liquor as provided in section 1052.

A. The license fee per calendar day of the event or gathering is\$10.

Sec. 2. 28-A MRSA §1052, sub-§1, as amended by PL 1999, c. 236, §3, is further amended to read:

1. ~~Off-premise~~ Off-premises catering license for sale of liquor off-premise off premises. Class A restaurants, Class A lounges, Class A restaurant/lounges, hotels, bed and breakfasts ~~and~~ clubs, auditoriums, civic auditoriums and performing arts centers licensed to sell spirits, wine and malt liquor may apply for an additional license to conduct off-premises catering of spirits, wine and malt liquor at planned events or gatherings to be held at locations other than the licensee's premises under this section.

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

Effective May 25, 2021.

authorized in the federal American Rescue Plan Act of 2021.

FEDERAL EXPENDITURES FUND - ARP	2020-21	2021-22	2022-23
All Other	\$500	\$50,000,000	\$500
FEDERAL EXPENDITURES FUND - ARP TOTAL	\$500	\$50,000,000	\$500

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

Effective May 25, 2021.

CHAPTER 77

S.P. 552 - L.D. 1697

An Act To Establish a Homeowner Assistance Fund Program and Provide for the Distribution of Funds

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 federal American Rescue Plan Act of 2021, Public Law 117-2, provides funding for the Homeowner Assistance Fund; and

Whereas, amounts identified for the Homeowner Assistance Fund will be provided to the State for distribution before the expiration of the 90 days; and

Whereas, according to the federal American Rescue Plan Act of 2021, the funds are intended to prevent mortgage delinquencies and defaults, foreclosures, loss of utilities or home energy services and displacements of homeowners experiencing financial hardship; 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:

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

American Rescue Plan Act of 2021 - Homeowner Assistance Fund N375

Initiative: Provides one-time allocations necessary to distribute funds from the Homeowner Assistance Fund

CHAPTER 78

H.P. 1263 - L.D. 1700

An Act To Provide Allocations for the Administration of State Fiscal Recovery Funds

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 federal American Rescue Plan Act of 2021, Public Law 117-2, establishes the State Fiscal Recovery Fund; and

Whereas, the State Fiscal Recovery Fund will be used to provide funds to the State to respond to the COVID-19 public health emergency and to its negative economic effects, including by providing assistance to households and small and nonprofit businesses, aid to affected industries, such as tourism, travel and hospitality, and assistance to workers performing essential work during the COVID-19 pandemic; and

Whereas, funding is needed to ensure the proper coordination, processing, tracking, reporting, reconciling, compliance, auditing and program guidance monitoring and summarizing of the funds from the State Fiscal Recovery Fund; 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:

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

American Rescue Plan Audit, Controller and Program Management

Initiative: Provides one-time allocations necessary to support all aspects of financial management oversight of funds from the State Fiscal Recovery Fund established in the federal American Rescue Plan Act of 2021, Public Law 117-2, including state discretionary and direct funds as well as the local passthrough funds authorized in the federal American Rescue Plan Act of 2021.

FEDERAL EXPENDITURES FUND – AMERICAN RESCUE PLAN STATE FISCAL RECOVERY	2020-21	2021-22	2022-23
All Other	\$1,000,000	\$2,000,000	\$0
FEDERAL EXPENDITURES FUND – AMERICAN RESCUE PLAN STATE FISCAL RECOVERY TOTAL	\$1,000,000	\$2,000,000	\$0

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

American Rescue Plan Economic, Workforce and Innovation

Initiative: Provides one-time allocations for preliminary program, metrics and assessment tool development for economic development, innovation and workforce programs.

FEDERAL EXPENDITURES FUND – AMERICAN RESCUE PLAN STATE FISCAL RECOVERY	2020-21	2021-22	2022-23
All Other	\$800,000	\$800,000	\$0
FEDERAL EXPENDITURES FUND – AMERICAN RESCUE PLAN STATE FISCAL RECOVERY TOTAL	\$800,000	\$800,000	\$0

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

Effective May 25, 2021.

**CHAPTER 79
S.P. 239 - L.D. 600**

An Act To Require Insurance Coverage for Certified Midwife Services

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

Sec. 1. 24 MRSA §2332-K, as amended by PL 2003, c. 517, Pt. B, §8, is further amended to read:

§2332-K. Coverage for services of certified nurse practitioners; certified midwives; certified nurse midwives

1. Required coverage for services upon referral of primary care provider. A nonprofit hospital or a medical service organization that issues individual and group health care contracts shall provide coverage under those contracts for services performed by a certified nurse practitioner, certified midwife or certified nurse midwife to a patient who is referred to the certified nurse practitioner, certified midwife or certified nurse midwife by a primary care provider when those services are within the lawful scope of practice of the certified nurse practitioner, certified midwife or certified nurse midwife.

2. Required coverage for self-referred services. With respect to individual and group health care contracts that do not require the selection of a primary care provider, a nonprofit hospital or medical service organization shall provide coverage under those contracts for services performed by a certified nurse practitioner, certified midwife or certified nurse midwife when those services are covered services and when they are within the lawful scope of practice of the certified nurse practitioner, certified midwife or certified nurse midwife.

3. Limits; coinsurance; deductibles. Any contract that provides coverage for services under this section may contain provisions for maximum benefits and coinsurance and reasonable limitations, deductibles and exclusions to the extent that these provisions are not inconsistent with the requirements of this section.

4. Application. The requirements of this section apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State. For purposes of this section, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

Sec. 2. 24-A MRSA §2757, as reallocated by RR 1999, c. 1, §32, is amended to read:

§2757. Coverage for services of certified nurse practitioners; certified midwives; certified nurse midwives

1. Required coverage for services upon referral of primary care provider. An insurer that issues individual health insurance policies and contracts shall provide coverage under those contracts for services performed by a certified nurse practitioner, certified midwife or certified nurse midwife to a patient who is referred to the certified nurse practitioner, certified midwife or certified nurse midwife by a primary care provider when those services are within the lawful scope of practice of the certified nurse practitioner, certified midwife or certified nurse midwife.

2. Required coverage for self-referred services. With respect to individual health insurance policies and contracts that do not require the selection of a primary care provider, an insurer shall provide coverage under those contracts for services performed by a certified nurse practitioner, certified midwife or certified nurse midwife when those services are covered services and when they are within the lawful scope of practice of the certified nurse practitioner, certified midwife or certified nurse midwife.

3. Limits; coinsurance; deductibles. Any contract that provides coverage for services under this section may contain provisions for maximum benefits and coinsurance and reasonable limitations, deductibles and exclusions to the extent that these provisions are not inconsistent with the requirements of this section.

Sec. 3. 24-A MRSA §2847-H, as amended by PL 2003, c. 517, Pt. B, §19, is further amended to read:

§2847-H. Coverage for services of certified nurse practitioners; certified midwives; certified nurse midwives

1. Required coverage for services upon referral of primary care provider. An insurer that issues group health insurance policies and contracts shall provide coverage under those contracts for services performed by a certified nurse practitioner, certified midwife or certified nurse midwife to a patient who is referred to the certified nurse practitioner, certified midwife or certified nurse midwife by a primary care provider when those services are within the lawful scope of practice of the certified nurse practitioner, certified midwife or certified nurse midwife.

2. Required coverage for self-referred services. With respect to group health insurance policies and contracts that do not require the selection of a primary care provider, an insurer shall provide coverage under those contracts for services performed by a certified nurse practitioner, certified midwife or certified nurse midwife when those services are covered services and when they are within the lawful scope of practice of the certified nurse practitioner, certified midwife or certified nurse midwife.

3. Limits; coinsurance; deductibles. Any contract that provides coverage for services under this section may contain provisions for maximum benefits and

coinsurance and reasonable limitations, deductibles and exclusions to the extent that these provisions are not inconsistent with the requirements of this section.

4. Application. The requirements of this section apply to all group policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State. For purposes of this section, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

Sec. 4. 24-A MRSA §4248, as amended by PL 2003, c. 517, Pt. B, §28, is further amended to read:

§4248. Coverage for services of certified nurse practitioners; certified midwives; certified nurse midwives

1. Required coverage for services upon referral of primary care provider. A health maintenance organization that issues individual and group health care contracts shall provide coverage under those contracts for services performed by a participating certified nurse practitioner, participating certified midwife or participating certified nurse midwife to a patient who is referred to the participating certified nurse practitioner, participating certified midwife or participating certified nurse midwife by a primary care provider when those services are within the lawful scope of practice of the participating certified nurse practitioner, participating certified midwife or participating certified nurse midwife.

2. Required coverage for self-referred services. With respect to individual and group health care contracts that do not require the selection of a primary care provider, a health maintenance organization shall provide coverage under those contracts for services performed by a participating certified nurse practitioner, participating certified midwife or participating certified nurse midwife when those services are covered services and when they are within the lawful scope of practice of the participating certified nurse practitioner, participating certified midwife or participating certified nurse midwife.

3. Limits; coinsurance; deductibles. Any contract that provides coverage for services under this section may contain provisions for maximum benefits and coinsurance and reasonable limitations, deductibles and exclusions to the extent that these provisions are not inconsistent with the requirements of this section.

4. Application. The requirements of this section apply to all individual and group policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State. For purposes of this section, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

Sec. 5. 24-A MRSA §4303, sub-§5, as amended by PL 2007, c. 199, Pt. B, §10, is further amended to read:

5. Identification of services provided by certified nurse practitioners, certified midwives and certified nurse midwives. All claims for coverage of services provided by certified nurse practitioners, certified midwives and certified nurse midwives must identify the certified nurse practitioners, certified midwives and certified nurse midwives who provided those services. A carrier offering or renewing a health plan in this State shall assign identification numbers or codes to certified nurse practitioners, certified midwives and certified nurse midwives who provide covered services for enrollees covered under that plan. A claim submitted for payment to a carrier by a health care provider or facility must include the identification number or code of the certified nurse practitioner, certified midwife or certified nurse midwife who provided the service and may not be submitted using the identification number or code of a physician or other health care provider who did not provide the covered service.

Sec. 6. Application. The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2022. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

See title page for effective date.

CHAPTER 80

H.P. 480 - L.D. 653

An Act To Provide Maine Residents Losing Employer-based Health Coverage with Information about Other Coverage

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

Sec. 1. 24-A MRSA §2809-A, sub-§1-B, as amended by PL 2007, c. 199, Pt. F, §1, is further amended to read:

1-B. Notification of availability of individual coverage. An insurer shall provide forms to group policyholders, and certificate holders when required by subsection 1-A, for the purpose of informing terminating group members of their right to purchase any individual health plan available in this State, including their eligibility for any special enrollment period to purchase an individual health plan pursuant to the federal Affordable Care Act, and of the availability of public health coverage options available in this State, including but not limited to MaineCare coverage. An adequate supply of forms must be provided to each group policyholder when the policy is issued and at least annually

after the policy is issued. The superintendent may prescribe the content of the form by routine technical rule pursuant to Title 5, chapter 375, subchapter 2-A. The form must include at least the following:

A. A statement that all state residents not eligible for Medicare have a right to purchase any individual health plan available in this State;

B. A statement that in order to avoid a gap in coverage, the individual should apply for individual coverage prior to termination of group coverage;

~~C. A statement that if more than 90 days pass between the time the group coverage ends and the time individual coverage begins, the individual coverage may exclude preexisting conditions for one year; and~~

D. A statement that information concerning individual coverage is available from the Bureau of Insurance. The bureau's toll-free telephone number must also be provided;

E. A statement that termination of coverage may be a qualifying life event for a special enrollment period to purchase an individual health plan. The length of time for the relevant special enrollment period and the dates for the next annual open enrollment must also be provided;

F. A statement that financial assistance may be available to eligible individuals to purchase a qualified health plan through the Maine Health Insurance Marketplace established in Title 22, section 5403. The marketplace's publicly accessible website and the toll-free telephone number must also be provided;

G. A statement that eligible individuals may qualify for free health coverage through MaineCare. The MaineCare program's publicly accessible website and toll-free telephone number must also be provided; and

H. A statement that the individual may contact the Health Insurance Consumer Assistance Program established in section 4326 for help obtaining health insurance coverage, including additional information and assistance enrolling in coverage. The program's publicly accessible website, toll-free telephone number and e-mail address must also be provided.

See title page for effective date.

**CHAPTER 81
H.P. 589 - L.D. 784**

**An Act To Amend the Law
Governing Approval Authority
over and Oversight of Certified
Nursing Assistant Educational
Programs**

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

Sec. 1. 32 MRSA §2104, sub-§4, ¶B, as amended by PL 1993, c. 600, Pt. A, §114, is further amended to read:

B. That it is prepared to meet those standards established by the board; and

Sec. 2. 32 MRSA §2104, sub-§4, ¶C, as amended by PL 2009, c. 628, §3, is further amended to read:

C. That it is prepared to meet those standards for educational programming and faculty as established by the Department of Health and Human Services; and.

Sec. 3. 32 MRSA §2104, sub-§4, ¶D, as amended by PL 1993, c. 600, Pt. A, §114, is repealed.

See title page for effective date.

**CHAPTER 82
S.P. 67 - L.D. 797**

**An Act To Create a Registry
To Improve Access to
Automated External
Defibrillators**

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

Sec. 1. 32 MRSA §88-C is enacted to read:

§88-C. Registry of automated external defibrillators

The director shall establish a registry of publicly accessible automated external defibrillators, as defined in Title 22, section 2150-C, that are located within the State for the purpose of assisting a person or a law enforcement officer, firefighter or emergency medical services person who calls for assistance in an emergency situation.

The director may accept grants, funds, equipment and services to establish, operate and maintain the registry of publicly accessible automated external defibrillators. The department shall adopt rules regarding information collected for, maintained by and released by the registry. Rules adopted pursuant to this paragraph

are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 83
S.P. 71 - L.D. 799**

**An Act To Amend the
Procedures for Veterinarians
in the Controlled Substances
Prescription Monitoring
Program**

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

Sec. 1. 32 MRSA §4878, sub-§2, as amended by PL 2017, c. 360, §9, is further amended to read:

2. Electronic prescribing. A veterinarian licensed under this chapter whose scope of practice includes prescribing a benzodiazepine or an opioid medication and who has the capability to electronically prescribe shall prescribe all benzodiazepine or opioid medication electronically by July 1, ~~2022~~ 2025 or when an electronic platform for prescribing is widely available for veterinarians if that occurs before July 1, ~~2022~~ 2025 as determined by the Commissioner of Health and Human Services. A veterinarian licensed under this chapter unable to comply with the electronic prescribing requirements of this subsection may request a waiver from the Commissioner of Health and Human Services for circumstances in which exceptions are appropriate as determined by the Commissioner of Health and Human Services.

See title page for effective date.

**CHAPTER 84
H.P. 736 - L.D. 998**

**An Act To Amend the
Continuing Education
Requirement for Pharmacists**

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

Sec. 1. 32 MRSA §13735, first ¶, as amended by PL 2013, c. 308, §3, is further amended to read:

An annual renewal license may not be issued by the board until the applicant certifies to the board that, during the calendar year preceding an application for renewal, the applicant has participated in not less than 15 hours of approved courses of continuing professional pharmaceutical education as set out in this section. ~~Of~~ For a pharmacist authorized to administer drugs and immunizations, of the 15 hours to be completed, at least 2

hours must be in board-approved courses on drug administration as described in section 13702-A, subsection 28. A pharmacist who enters into a collaborative practice agreement must agree to complete, in each year of the agreement, 5 of the 15 hours required in this section in the areas of practice covered by the agreement. The continuing professional pharmaceutical educational courses consist of postgraduate studies, institutes, seminars, workshops, lectures, conferences, extension studies, correspondence courses or such other forms of continuing professional pharmaceutical education as may be approved by the board.

See title page for effective date.

CHAPTER 85

S.P. 346 - L.D. 1078

An Act To Promote Traffic Safety in Emergency Situations

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

Sec. 1. 29-A MRSA §2091, sub-§1, as enacted by PL 2005, c. 167, §1, is amended to read:

1. Definition. For the purposes of this section, "public safety traffic flagger" means a municipal firefighter, a volunteer firefighter or a member of an emergency medical service licensed by the Department of Public Safety, Maine Emergency Medical Services who is trained in accordance with subsection 2 and authorized by the chief official of the fire department or emergency medical service to control vehicular traffic or a nonsworn member of a law enforcement agency who is trained in accordance with subsection 2 and authorized by the chief official of the law enforcement agency.

See title page for effective date.

CHAPTER 86

S.P. 371 - L.D. 1109

An Act To Align Equipment Requirements for Electric Bicycles with National Manufacturing Standards

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

Sec. 1. 29-A MRSA §2063, sub-§14, ¶G, as enacted by PL 2019, c. 349, §7, is amended to read:

G. ~~An~~ A Class 3 electric bicycle must be equipped with a speedometer that displays the speed the electric bicycle is traveling in miles per hour.

See title page for effective date.

CHAPTER 87

S.P. 135 - L.D. 309

An Act Relating to Hunters Required To Hire Guides

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

Sec. 1. 12 MRSA §11226-B is enacted to read:

§11226-B. Canadian big game hunter; guide required

1. Definitions. For purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Big game" means bear, deer and moose.

B. "Canadian border province resident" means a nonresident who is not a citizen of the United States and is a resident of the Canadian province of New Brunswick or Quebec.

C. "Family member" means a parent, spouse, daughter or son or a grandchild who is less than 18 years of age.

2. Prohibition. Except as provided in this subsection, a Canadian border province resident may not hunt big game or wild turkey without being accompanied by a person who holds a valid guide license pursuant to chapter 927 authorizing that person to act as a hunting guide. The commissioner may authorize a Canadian border province resident and that person's family members to hunt big game or wild turkey without being in the presence of a guide if the Canadian border province resident:

A. Owns or leases land in the State;

B. Is current on property taxes assessed for the land owned in the State; and

C. Keeps property owned or leased in the State open for hunting by the public.

A Canadian border province resident who wishes to hunt big game or wild turkey without a guide must, at the time of application for a hunting license or permit to hunt big game or wild turkey, provide documentation to the commissioner that that person meets the requirements of this subsection. Upon determining that the applicant meets the criteria in this subsection and the applicant is not otherwise ineligible to hold a license or permit under this Part, the commissioner shall issue written authorization to hunt big game or wild turkey without a guide to that Canadian border province resident and that person's family members who are Canadian border province residents and who hold a valid license to hunt big game or wild turkey in the State.

3. Penalty. The following penalties apply to violations of this section.

A. A person who violates subsection 2 commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

B. A person who violates subsection 2 after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

See title page for effective date.

CHAPTER 88

S.P. 33 - L.D. 25

An Act To Modify the Qualifications for Resident Dentist Licensure

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

Whereas, immediate enactment of this legislation regarding resident dentist licensure is necessary to timely give the Board of Dental Practice statutory authority to consider educational equivalency in an applicant's meeting educational qualifications for licensure, to remove unnecessary examinations for licensure and to allow the board to grant a license to a qualified dentist to obtain supervised, clinical experience in Maine while enrolled in a dental residency program; 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:

Sec. 1. 32 MRSA §18342, sub-§6, ¶A, as enacted by PL 2015, c. 429, §21, is amended to read:

A. Verification of a doctoral degree in dentistry from a dental school accredited by the American Dental Association Commission on Dental Accreditation or its successor organization or the educational equivalent of a doctoral degree in dentistry as required by board rule;

Sec. 2. 32 MRSA §18342, sub-§6, ¶B, as enacted by PL 2015, c. 429, §21, is amended to read:

B. Verification of passing all examinations a jurisprudence examination as required by board rule;

Sec. 3. 32 MRSA §18371, sub-§2, ¶E, as enacted by PL 2015, c. 429, §21, is amended to read:

E. An individual with a resident dentist license may provide dental services only under the supervision of the sponsoring dentist in a board-

approved setting and in accordance with the level of supervision and control for which the license was issued by the board.

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

Effective June 8, 2021.

CHAPTER 89

S.P. 138 - L.D. 312

An Act To Extend the Maine Bicentennial Commission and the Use of Maine Bicentennial Registration Plates through 2021

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 State's COVID-19 response has delayed celebration of the State's bicentennial and restrictions on the display of commemorative vehicle registration plates prevent their use after December 31, 2020; and

Whereas, this legislation must take effect as soon as possible in order to allow the use of commemorative vehicle registration plates in order to celebrate the State's bicentennial; 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:

Sec. 1. 29-A MRSA §454, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Display. A commemorative plate may be displayed to replace the front registration plate on a motor vehicle, except a truck tractor, including a motor vehicle registered outside this State and operated within it, from January 1st to December 31st of the year celebrated, except that a commemorative plate celebrating the bicentennial of the State may be displayed until December 31, 2021.

Sec. 2. Resolve 2015, c. 23, §1 is amended to read:

Sec. 1. State of Maine Bicentennial commemorative plate. Resolved: That the Secretary of State shall issue, at no cost to the Secretary of State,

a reflectorized, commemorative simulated registration plate in recognition and celebration of the bicentennial of the State, which became the 23rd state on March 15, 1820. The Secretary of State shall design the plate, ~~and the plate must bear the date of its expiration, which is December 31, 2020.~~ Notwithstanding the Maine Revised Statutes, Title 29-A, section 454, the State of Maine Bicentennial commemorative plate may be displayed by covering, but not removing, the front registration plate on a motor vehicle, including a motor vehicle registered outside this State and operated within it, beginning January 1, 2018 to December 31, ~~2020~~ 2021. All State of Maine Bicentennial commemorative plates, including any such plates that bear an expiration date of December 31, 2020, expire on December 31, 2021. The plate may not be displayed on a truck tractor as defined in Title 29-A, section 101, subsection 90; and be it further

Sec. 3. Resolve 2015, c. 23, §2 is amended to read:

Sec. 2. Administrative fee; distribution. Resolved: That the Secretary of State shall develop a plan for the sale and distribution of the State of Maine Bicentennial commemorative plates, including in 2021. The fee for the State of Maine Bicentennial commemorative plate is \$25, which must be credited as follows:

1. Nine dollars per plate to the Secretary of State for the costs associated with the production and issuance of the plates; and
2. Sixteen dollars per plate to the Maine State Cultural Affairs Council established under the Maine Revised Statutes, Title 5, section 12004-G, subsection 7-A; and be it further

Sec. 4. Resolve 2017, c. 25, §3 is amended to read:

Sec. 3. Appointment terms. Resolved: That the Legislators appointed to the commission serve terms coincident with their legislative terms and are appointed every 2 years. Legislators may be reappointed to the commission and may continue to serve until their replacements are designated. Other members are appointed for terms that expire December 31, ~~2020~~ 2021; a vacancy is filled in the same manner as the original appointment. The terms of members whose terms expired on December 31, 2020 are deemed to continue and expire instead on December 31, 2021; and be it further

Sec. 5. Resolve 2017, c. 25, §8 is amended to read:

Sec. 8. Report. Resolved: That, no later than December 6, 2017, November 7, 2018, December 4, 2019 ~~and~~ November 4, 2020 ~~and~~ December 1, 2021, the commission shall submit a progress report includes progress reports that include its findings and recom-

mendations for presentation to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs; and be it further

Sec. 6. Retroactivity. This Act applies retroactively to December 31, 2020.

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

Effective June 8, 2021.

CHAPTER 90

S.P. 276 - L.D. 711

An Act To Allow Certain Employees To Return to Participation in the Maine Public Employees Retirement System

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

Whereas, this legislation must take effect as soon as possible to allow certain employees sufficient time to make the election to return to the Maine Public Employees Retirement System, as permitted by this legislation; 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:

Sec. 1. 5 MRSA §18252-A, sub-§1, ¶A, as amended by PL 2011, c. 449, §15, is further amended to read:

A. A person hired by a participating local district, or rehired following a break in service, after the date on which the employer provides a plan under section 18252-B must elect at the time of initial hiring or rehiring whether to be a member under the Participating Local District Retirement Program or to be covered under a plan provided by the employer under section 18252-B. Once an election is made under this paragraph, except as provided in paragraph E, the election is irrevocable with respect to all subsequent employment with the same employer when membership in the program is not mandatory.

Sec. 2. 5 MRSA §18252-A, sub-§1, ¶B, as amended by PL 2009, c. 474, §33, is further amended to read:

B. An employee of the participating local district who is a member under the Participating Local District Retirement Program on the date on which the employer provides a plan under section 18252-B may elect to remain a member under that program or to become covered under a plan provided by the employer under section 18252-B. A person must make an election within 90 days of the date on which the employer provides a plan under section 18252-B. Once an election is made under this paragraph, except as provided in paragraph E, the election is irrevocable with respect to all subsequent employment with the same employer when membership in the program is not mandatory.

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

Sec. 3. 5 MRSA §18252-A, sub-§1, ¶E is enacted to read:

E. An election under paragraph A or B to not be a member or not remain a member is not irrevocable if:

(1) The employee contribution rate for the plan provided by the employer under section 18252-B is not lower than the employee contribution rate for the applicable plan under the Participating Local District Retirement Program; and

(2) Employee contributions after joining or rejoining the Participating Local District Retirement Program qualify for treatment as pick-up contributions for federal tax purposes and the person's membership otherwise complies with the United States Internal Revenue Code as applicable to governmental qualified defined benefit plans.

Sec. 4. 5 MRSA §18254, sub-§1, as amended by PL 2009, c. 474, §35, is further amended to read:

1. Employee eligible to withdraw accumulated contributions. An employee of the district whose membership in the Participating Local District Retirement Program was compulsory under section 18251 must make an election to remain a member under that program or to withdraw accumulated contributions within 90 days of the effective date of the employer withdrawal from the program under section 18203, subsection 2. An employee who elects to withdraw accumulated contributions under this subsection may not be a member of the program as an employee of that district.

Once an election is made under this subsection, the election is irrevocable with respect to all subsequent employment with the same employer when membership in the program is not mandatory if the employer later resumes participation in the program pursuant to section 18254-A- unless the employee is electing to rejoin the Participating Local District Retirement Program and:

A. The employee is covered by a plan provided by the employer under section 18252-B with an employee contribution rate that is not lower than the employee contribution rate for the applicable plan under the Participating Local District Retirement Program; and

B. Employee contributions after rejoining the Participating Local District Retirement Program qualify for treatment as pick-up contributions for federal tax purposes and the person's membership otherwise complies with the United States Internal Revenue Code as applicable to governmental qualified defined benefit plans.

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

Effective June 8, 2021.

CHAPTER 91

H.P. 524 - L.D. 714

An Act To Support the Recovery of Maine's Distilleries by Allowing the Sale of Cocktails for On-premises Consumption

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 spread of the novel coronavirus disease referred to as COVID-19 has created a public health emergency; and

Whereas, in response to this public health emergency, the Governor issued an executive order on March 18, 2020 requiring the closure of tasting rooms at Maine distilleries; and

Whereas, due to the ongoing nature of the public health emergency, Maine distilleries were not permitted to reopen their tasting rooms until March 26, 2021, at which time they were permitted to operate at only 50% capacity; and

Whereas, the combined effects of the public health emergency and subsequent public health measures have significantly affected the economic

health of Maine distilleries, requiring immediate action to improve their economic viability; 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:

Sec. 1. 28-A MRSA §1355-A, sub-§5, ¶F-1 is enacted to read:

F-1. A distillery or small distillery may sell to the public for on-premises consumption cocktails containing samples of spirits produced by the distillery or small distillery under the conditions specified in this paragraph.

(1) A cocktail may be sold only at the manufacturing facility where the spirits are produced or at an additional location licensed under paragraph B, subparagraph (3).

(2) The distillery or small distillery may include wine or spirits not manufactured by the distillery or small distillery as an ingredient in the cocktail only if the distillery or small distillery purchased the wine or spirits from an agency liquor store licensed as a reselling agent.

(3) A cocktail may not contain more than 4 1/2 ounces of spirits.

This paragraph is repealed September 10, 2022.

Sec. 2. 28-A MRSA §1355-A, sub-§5, ¶H, as amended by PL 2019, c. 404, §27, is further amended to read:

H. Notwithstanding paragraph D, a holder of a small distillery license that sells its products directly to consumers for on-premises consumption under paragraph E or F-1 or under subsection 2, paragraph B, E or F may pay the bureau the difference between the distillery's price charged to the bureau and the discounted retail price charged by the bureau under section 606, subsection 4-B. A small distillery is not required to transport spirits that will be sold for on-premises consumption as described in this paragraph to a warehouse operated by the bureau or by a wholesaler contracted by the bureau under section 90. A holder of a small distillery license shall record the quantity of spirits sold for on-premises consumption that were not transported to a warehouse as described in this paragraph and submit monthly reports of this information, along with the full amount of state liquor tax due as prescribed by chapter 65, to the bureau in a manner prescribed by the bureau.

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

Effective June 8, 2021.

CHAPTER 92

H.P. 595 - L.D. 790

An Act Clarifying Patient Consent for Certain Medical Examinations

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

Whereas, legislation to require patient consent, in writing and orally, for certain medical examinations was enacted as emergency legislation on March 17, 2020; and

Whereas, this legislation clarifies that written informed consent is not required for those examinations performed on a conscious patient if oral consent is provided; and

Whereas, it is important for the clarification in this legislation to take effect as soon as possible; 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:

Sec. 1. 24 MRSA §2905-B, as enacted by PL 2019, c. 602, §1, is amended to read:

§2905-B. Informed consent for pelvic, rectal or prostate examination ~~on an anesthetized or unconscious patient~~

A health care practitioner may not perform a pelvic, rectal or prostate examination or supervise a pelvic, rectal or prostate examination performed by an individual practicing under the supervision of the health care practitioner on a patient without first obtaining the patient's specific informed consent, orally and in writing, to that pelvic, rectal or prostate examination, unless:

1. Unconscious patient; diagnostic purposes and medically necessary. In the case of an unconscious patient, the examination is required for diagnostic purposes and is medically necessary; ~~or~~

2. Examination on unconscious alleged victim of sexual assault. The health care practitioner is authorized to perform the examination pursuant to section 2986, subsection 5; ~~or~~

3. Conscious patient. The patient is conscious, in which case the health care practitioner shall obtain the patient's specific informed consent, orally, to that pelvic, rectal or prostate examination.

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

Effective June 8, 2021.

**CHAPTER 93
H.P. 884 - L.D. 1209**

An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2021-22

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

Whereas, prompt determination and certification of the municipal cost components in the Unorganized Territory Tax District are necessary to the establishment of a mill rate and the levy of the Unorganized Territory Educational and Services Tax; 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:

Sec. 1. Municipal cost components for services rendered. In accordance with the Maine Revised Statutes, Title 36, chapter 115, the Legislature determines that the net municipal cost component for services and reimbursements to be rendered in fiscal year 2021-22 is as follows:

Fiscal Administration - Office of the State Auditor	\$268,965
Education	\$12,997,237
Forest Fire Protection	\$150,000
Human Services - General Assistance	\$65,000
Property Tax Assessment	\$1,226,503
Maine Land Use Planning Commission	\$608,825
TOTAL STATE AGENCIES	\$15,316,530

County Reimbursements for Services

Aroostook	\$1,759,291
Franklin	\$1,177,316
Hancock	\$208,994
Kennebec	\$9,125
Lincoln	\$22,249
Oxford	\$1,417,500
Penobscot	\$1,660,050
Piscataquis	\$1,536,881
Somerset	\$2,146,576
Washington	\$1,235,710

TOTAL COUNTY SERVICES \$11,173,692

COUNTY TAX INCREMENT FINANCING DISTRIBUTIONS FROM FUND

Tax Increment Financing Payments \$4,273,092

TOTAL REQUIREMENTS \$30,763,314

COMPUTATION OF ASSESSMENT

Requirements \$30,763,314

Less Revenue Deductions:

General Revenue	
Municipal Revenue Sharing	\$110,000
Miscellaneous Revenue	\$10,000
Use of Unassigned Fund Balance	\$1,750,401

TOTAL GENERAL REVENUE DEDUCTIONS \$1,870,401

Education Revenue	
Land Reserved Trust Interest	\$90,000
Tuition and School Transportation Charges	\$130,000
Special - Teacher Retirement	\$240,000
Funding from State	

TOTAL EDUCATION REVENUE DEDUCTIONS \$460,000

TOTAL REVENUE DEDUCTIONS \$2,330,401

TAX ASSESSMENT BEFORE COUNTY TAXES AND OVERLAY (Title 36, §1602) \$28,432,913

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

Effective June 8, 2021.

**CHAPTER 94
S.P. 15 - L.D. 8**

An Act To Support Collection and Proper Disposal of Unwanted Drugs

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

Sec. 1. 22 MRSA §2700, sub-§8 is enacted to read:

8. Drug take-back stewardship program participation. Nothing in this section prohibits a law enforcement agency from participating as an authorized collector in a drug take-back stewardship program implemented under Title 38, section 1612.

Sec. 2. 38 MRSA §1612 is enacted to read:

§1612. Drug take-back stewardship program

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

A. "Authorized collector" means:

- (1) A person, company, corporation or other entity registered with the United States Department of Justice, Drug Enforcement Administration to collect controlled substances and noncontrolled substances for the purposes of safe disposal and destruction;
- (2) A law enforcement agency; or
- (3) A person, company, corporation or other entity authorized by the department to provide alternative collection methods for covered drugs that are household pharmaceutical waste and that are noncontrolled substances.

"Authorized collector" includes a mandatory pharmacy collector.

B. "Brand" means a name, symbol, word or mark that identifies a covered drug, rather than its components, and attributes a covered drug to the owner of the brand.

C. "Collection receptacle" means a secure box, kiosk or other container:

- (1) Into which a person may deposit for disposal covered drugs that are household pharmaceutical waste and that is prominently labeled in a manner indicating that only such types of covered drugs may be deposited for disposal;
- (2) That meets applicable federal standards for the use described in subparagraph (1); and
- (3) That is located on the premises of an authorized collector participating in a stewardship program under this section.

D. "Covered drug" means any substance recognized as a drug under 21 United States Code, Section 321(g)(1), as amended, and any regulations adopted pursuant to that provision, that is sold, offered for sale or dispensed in the State, whether directly or through a wholesaler, in any form, including, but not limited to, prescription and nonpre-

scription drugs, drugs in medical devices and combination products, brand and generic drugs and drugs for veterinary use.

"Covered drug" does not include:

- (1) Vitamins or supplements;
- (2) Herbal-based remedies and homeopathic drugs, products or remedies;
- (3) Cosmetics, soap with or without germicidal agents, laundry detergent, bleach, household cleaning products, shampoo, sunscreen, toothpaste, lip balm, antiperspirant or other personal care products that are regulated as both cosmetics and nonprescription drugs under the Federal Food, Drug, and Cosmetic Act;
- (4) Pet pesticide products contained in pet collars, powders, shampoos, topical applications or other forms and prescription pet food;
- (5) Drugs that are biological products, as defined in 21 Code of Federal Regulations, Section 600.3(h), if the manufacturer provides a program to take back that drug;
- (6) Drugs for which a manufacturer provides a program to take back those drugs as part of a United States Department of Health and Human Services, Food and Drug Administration managed risk evaluation and mitigation strategy;
- (7) Emptied syringes or emptied medical devices or the component parts or accessories of those products or devices;
- (8) Drugs that are used solely in a clinical setting; and
- (9) Dialysate drugs required to perform home kidney dialysis.

E. "Drug take-back stewardship organization" or "stewardship organization" means a corporation, nonprofit organization or other legal entity created by one or more manufacturers to implement a stewardship program under this section.

F. "Drug take-back stewardship plan" or "plan" means a plan designed by a manufacturer or stewardship organization for the establishment of a stewardship program.

G. "Drug take-back stewardship program" or "stewardship program" means a system implemented under this section for the collection, transportation and disposal of covered drugs that are household pharmaceutical waste.

H. "Household pharmaceutical waste" means useless, unwanted, expired or discarded drugs generated by a household.

For the purposes of this paragraph, "household" includes, but is not limited to, a single residential unit, a multifamily residential unit, an apartment and an independent living community. "Household" does not include a hospital, health clinic, hospice facility, skilled nursing facility or other long-term care facility, physician's office, pharmacy or veterinary office or clinic.

I. "Mail-back envelope" means a prepaid, pre-addressed mailing envelope, as authorized by federal law and regulation, that is provided by or through a company or organization licensed or otherwise authorized to dispose of covered drugs that are household pharmaceutical waste received in such mailing envelopes and that is made available through a stewardship program to persons seeking to dispose of covered drugs that are household pharmaceutical waste.

J. "Mandatory pharmacy collector" means a pharmacy licensed by the Maine Board of Pharmacy pursuant to Title 32, section 13751.

For the purposes of this paragraph, "pharmacy" has the same meaning as in Title 32, section 13702-A, subsection 24, except that "pharmacy" does not include a pharmacy that purchases drugs for and dispenses drugs to a limited, institutional patient population.

K. "Manufacturer" means:

(1) A person that has legal ownership of the brand of a covered drug sold in or into the State; or

(2) If the person to which subparagraph (1) applies has no physical presence in the United States, a person that imports a covered drug that is branded by the person to which subparagraph (1) applies.

"Manufacturer" does not include a wholesaler that sells or offers for sale in the State at wholesale a covered drug if the covered drug is manufactured by a manufacturer that is a participant in a stewardship program.

"Manufacturer" does not include a retailer that sells or offers for sale in the State at retail a covered drug under the retailer's brand or store label if the covered drug is manufactured by a manufacturer that is a participant in a stewardship program.

L. "Operator" means a manufacturer or a stewardship organization that implements and operates a stewardship program.

M. "Proprietary information" means information that is a trade secret or production, commercial or financial information the disclosure of which

would impair the competitive position of the submitter and would make available information not otherwise publicly available.

2. **Manufacturer responsibility.** A manufacturer shall:

A. Individually or jointly with one or more manufacturers, implement, administer and operate a stewardship program pursuant to a plan that has been approved by the department; or

B. Enter into an agreement with a stewardship organization to implement, administer and operate a stewardship program pursuant to a plan that has been approved by the department.

3. **Submittal of plan.** A manufacturer, individually or jointly with one or more manufacturers, or a stewardship organization contracted by one or more manufacturers, shall submit to the department for approval a proposed plan. The plan must include, at a minimum:

A. A certification that the stewardship program will accept all covered drugs that are household pharmaceutical waste regardless of who manufactured the covered drugs;

B. Contact information for the person submitting the plan to whom the department shall direct all related inquiries, a list of participating manufacturers and their brands, contact information for each participating manufacturer and a list of the covered drugs manufactured by any participating manufacturer that are branded or labeled for sale in the State by a retailer under the retailer's own brand or store label;

C. A description of how the stewardship program will make available free, convenient and ongoing collection opportunities for covered drugs that are household pharmaceutical waste to all persons seeking to dispose of such covered drugs and how the collection opportunities will be geographically distributed in a way to ensure access in rural and underserved areas, as determined based on geographic information systems modeling. The plan must include a list of authorized collectors and collection locations;

D. A description of the collection methods to be used to ensure that only covered drugs that are household pharmaceutical waste will be collected by authorized collectors under the stewardship program and a description of how separation of those covered drugs from packaging by consumers will be encouraged to reduce transportation and disposal costs. The plan must ensure that collection methods used under the program include mail-back envelopes and collection receptacles and do not include home disposal methods involving packets, bottles or other containers that a person may use to

render nonretrievable or destroy a covered drug that is household pharmaceutical waste by means of a chemical process;

E. A certification that, upon implementation of the plan, the operator, jointly with the operators of other approved plans if any, will develop and administer a publicly accessible website that includes:

(1) A list of authorized collectors, collection locations and the collection methods available at each collection location available under each stewardship program, updated as necessary;

(2) General information regarding the purpose and scope of the stewardship program or programs and the opportunities available to consumers under the program or programs for the safe disposal of covered drugs that are household pharmaceutical waste; and

(3) A statement that the stewardship program or programs are designed for the collection of covered drugs that are household pharmaceutical waste only;

F. Information on how covered drugs that are household pharmaceutical waste will be safely and securely tracked, handled and transported from collection through final disposition and policies to ensure security and compliance with all applicable federal and state laws, rules and regulations including, but not limited to, 21 Code of Federal Regulations, Section 1317.90 and 40 Code of Federal Regulations, Sections 239 to 282;

G. A description of how the collection system will be designed and monitored to prevent tampering;

H. A description of how the stewardship program will measure the amount of collected and disposed of covered drugs that are household pharmaceutical waste;

I. A description of the education and outreach materials that will be used by the stewardship program to encourage consumer awareness and participation and to meet the performance goals established pursuant to paragraph J, including, but not limited to, a publicly accessible website with the information described in paragraph E and printed materials, including brochures and signage, containing similar information for use by authorized collectors and at collection locations. The plan must ensure that the program provides education and outreach materials to authorized collectors for distribution to consumers in accordance with subsection 8, paragraph E;

J. A description of the performance goals to be established under the stewardship program to measure the success of the program and a description of

how the program will be designed to achieve or exceed those goals. Performance goals must include, but are not limited to, the implementation of education and outreach efforts designed to:

(1) Ensure awareness of the program by 60% of residents of the State after one year of stewardship program implementation, by 70% of residents of the State after 2 years of implementation and by 75% of residents of the State after 4 years of implementation; and

(2) Discourage the use of improper disposal methods for covered drugs that are household pharmaceutical waste, such as flushing the drugs or placing them in the garbage;

K. A description of how the manufacturer or stewardship organization will fund a representative survey of residents of the State by an independent 3rd party prior to implementation of the stewardship program to assess baseline public awareness regarding proper disposal methods for unwanted drugs; and

L. Information on how the stewardship program will be financed in accordance with subsection 5.

4. Approval of plan; amendments to plan; program audits. Within 120 business days of receipt of a plan submitted under subsection 3, the department shall review the plan and approve, approve with conditions or reject the plan. The department may hold a public hearing prior to deciding whether to approve, approve with conditions or reject a submitted plan. The department shall notify the person or persons that submitted the plan in writing of the department's determination and, if the plan is approved with conditions or rejected, include in the notification the basis for the department's determination.

A. A manufacturer or stewardship organization whose plan is rejected shall submit a revised plan to the department within 60 days after receiving a notice of rejection. If the department rejects the revised plan, the manufacturer or manufacturers that submitted the plan or that would have been participating under the plan are considered noncompliant with the requirements of this section.

B. A manufacturer that begins to sell or offer for sale in the State a covered drug after the date that an approved plan is first implemented under subsection 6 shall, within 30 days after the manufacturer's initial sale or offer for sale in the State of that covered drug, demonstrate to the department that it is participating in an existing stewardship program under this section or submit a proposed plan consistent with subsection 3 for a new stewardship program to the department for approval.

C. Prior to implementing an amendment to an approved plan, an operator shall submit the proposed

amendment to the department for review. If the amendment is not substantive, such as the addition of or a change to a collection location or the addition of a manufacturer to the stewardship program, approval by the department is not needed, but the operator shall inform the department of the amendment within 14 days of implementing the amendment. The department shall review plan amendments in accordance with paragraphs A and B.

D. At any time, the department may require an operator to implement amendments to its approved plan or to submit to an independent financial audit of its stewardship program.

5. Costs. A manufacturer, individually or jointly with one or more manufacturers, shall pay all costs associated with the implementation, administration and operation of the manufacturer's stewardship program, including, but not limited to:

A. Costs of installing, managing and servicing collection receptacles at and collecting covered drugs that are household pharmaceutical waste from participating authorized collectors, transporting such covered drugs for disposal, disposing of such covered drugs and providing mail-back envelopes;

B. Costs related to the development of, with input from authorized collectors and the department, a readily recognizable, consistent design for collection receptacles, as well as clear, standardized instructions for consumers regarding the use of collection receptacles;

C. Costs incurred by the department in accordance with subsection 11 in the review of submitted plans and plan amendments, the review of annual reports and the administration and enforcement of this section; and

D. Costs associated with the stewardship program assessments required under this section.

When 2 or more manufacturers participate in a stewardship program, or if multiple stewardship programs exist, the costs of implementing, administering and operating the program or programs must be fairly and reasonably allocated between each participating manufacturer so that the share of the costs that is allocated to each manufacturer is reasonably related to the revenue-based market share of covered drugs that the manufacturer sells in the State.

6. Implementation of plan. A manufacturer or stewardship organization that submitted a plan under subsection 3 that was approved by the department under subsection 4 shall implement that plan no later than 180 days after the date the plan was approved.

7. Confidential information. Proprietary information submitted to the department in a drug take-back stewardship plan under this section, in an amendment to a plan or pursuant to the reporting requirements of this

section that is identified by the submitter as proprietary information is confidential and must be handled by the department in the same manner as confidential information is handled under section 1310-B.

8. Authorized collectors; collection locations. This subsection governs the activities of authorized collectors and the operation of collection locations.

A. A mandatory pharmacy collector shall participate in a stewardship program and shall provide for the safe collection of covered drugs that are household pharmaceutical waste under that program through the use of:

(1) Mail-back envelopes made available to consumers of covered drugs upon request;

(2) Collection receptacles; or

(3) Any other method of collection that complies with applicable United States Department of Justice, Drug Enforcement Administration regulations under 21 Code of Federal Regulations, Part 1300, 1301, 1304, 1305, 1307 or 1317 and that has been approved by the department as a method of collection for use in the stewardship program, except that the department may not approve for use in any stewardship program under this section a method of home disposal involving packets, bottles or other containers that a person may use to render nonretrievable or destroy a covered drug that is household pharmaceutical waste by means of a chemical process.

A mandatory pharmacy collector that is a pharmacy not located in the State that provides covered drugs to residents in the State by mail shall provide for the safe collection of covered drugs that are household pharmaceutical waste through the use of mail-back envelopes and shall ensure that consumers in the State purchasing covered drugs from the pharmacy are provided with information regarding the availability of such envelopes upon request and instructions regarding how the customer can request an envelope.

B. An operator shall notify all authorized collectors that are not mandatory pharmacy collectors of the opportunity to serve on a voluntary basis as a collection location under the stewardship program and shall ensure that any such authorized collector that requests to participate in the program is added to the program within 90 days of the operator's receipt of the request. A participating authorized collector that is not a mandatory pharmacy collector may use any of the collection methods described under paragraph A.

C. The operator shall ensure that all collection receptacles located at a collection location under the stewardship program are emptied and serviced as

often as necessary to avoid the receptacles reaching storage capacity and to ensure proper operation.

D. A mandatory pharmacy collector participating in a stewardship program shall provide information on covered drug collection and safe drug disposal options to a consumer upon dispensing a covered drug, including the availability of mail-back envelopes upon request. An authorized collector that is located in the State that is providing for the collection of covered drugs that are household pharmaceutical waste through the use of mail-back envelopes shall ensure that information regarding the availability of such envelopes upon request is prominently posted, displayed or otherwise provided to consumers purchasing covered drugs.

E. As part of a stewardship program, all collection mechanisms, program information and other program services must be provided by the operator free of charge to authorized collectors, including, but not limited to, the installation, maintenance and emptying of collection receptacles; the provision of mail-back envelopes, educational materials, brochures and signage; and drug-disposal-specific surveillance.

F. Collection of covered drugs that are household pharmaceutical waste at collection locations under a stewardship program must be made available to consumers free of charge. An operator and an authorized collector may not charge a point-of-sale fee to consumers, a fee that could be passed on to consumers or any other fee relating to the collection and disposal of covered drugs that are household pharmaceutical waste.

9. Education and outreach assessment. During the 2nd and 3rd years of implementation of a stewardship program, and every 2 years after that 3rd year, the operator of the program shall fund an independent 3rd-party assessment of the effectiveness of the program's education and outreach efforts, including, but not limited to, progress achieving the consumer awareness goal described in subsection 3, paragraph J, subparagraph (1) and efforts under the program to discourage the use of improper disposal methods for covered drugs that are household pharmaceutical waste, as described in subsection 3, paragraph J, subparagraph (2). The methods and scope of the assessment under this subsection must be developed with input from the department. The operator shall implement changes as necessary to the stewardship program's education and outreach efforts if demonstrated by the results of the assessment.

10. Annual stewardship program reporting. Within 90 days after the first full year of implementation of a stewardship program, and annually thereafter, the operator of the program shall submit to the department a report describing the activities of the program during the prior calendar year, which must include, at a minimum:

A. A list of manufacturers participating in the stewardship program, including contact information;

B. The amount by weight of material collected under the stewardship program in the prior calendar year, including the amount by weight from each collection method used, both in total and by county;

C. Details regarding the stewardship program's collection system, including a list of authorized collectors and associated collection locations with addresses; a list of locations where mail-back envelopes were provided under the program; a list of collection locations where collection receptacles were made available under the program; dates and locations of collection events held under the program; and a list of the transporters and disposal facilities used under the program for the transportation and disposal of collected covered drugs that are household pharmaceutical waste;

D. Information regarding any safety or security issues encountered in the collection, transportation or disposal of covered drugs that are household pharmaceutical waste under the program during the prior calendar year and, if such issues occurred, a description of completed or anticipated changes to program policies, procedures or tracking mechanisms to address those issues;

E. A description of the public education, outreach and evaluation activities implemented in accordance with the approved plan pursuant to subsection 3, paragraph I. For the 2nd year and 3rd year of stewardship program implementation, and every 2 years after that 3rd year, the report must include the results of the 3rd-party assessment required under subsection 9;

F. A description of how packaging collected under the program was recycled, to the extent feasible;

G. A description of the methods used under the stewardship program to collect, transport and dispose of covered drugs that are household pharmaceutical waste, including information regarding efforts by the operator to ensure that only covered drugs that are household pharmaceutical waste were collected, and how the methods are consistent with the federal hazardous waste regulations identified in subsection 3, paragraph F;

H. A summary of the stewardship program's achievement of its performance goals as set forth in the approved plan pursuant to subsection 3, paragraph J. If any performance goals were not achieved, the report must include a description of the efforts that will be made to achieve those goals the following year;

I. An analysis of the convenience of the collection system under the stewardship program for people living in various regions of the State, as determined based on geographic information systems modeling;

J. The total cost of implementing, administering and operating the stewardship program in the prior calendar year, which must include an accounting of the program's expenditures in the prior calendar year, as verified through an independent 3rd-party audit;

K. Any recommendations for changes to the stewardship program to improve the convenience of the collection system, to increase consumer awareness and education or to better evaluate program performance; and

L. An analysis of the revenue-based market share of covered drugs sold by participating manufacturers in the State and any other information required by the department for determining appropriate cost allocation in accordance with subsection 5.

11. Administration and enforcement; rulemaking; fees. The department shall administer and enforce this section and may adopt rules as necessary to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

The department shall charge a reasonable fee to be paid by a manufacturer or stewardship organization for review of a plan or amendments to an approved plan submitted under subsection 4. The department may establish a reasonable annual fee to cover the department's actual costs for annual report review, oversight, administration and enforcement of a stewardship program, except that the fee may not exceed the greater of \$100,000 per year and 1% of total stewardship program costs, as verified through the independent 3rd-party audit required under subsection 10, paragraph J.

12. Private right of action. A manufacturer or stewardship organization implementing an approved plan under this section that is in compliance with all applicable requirements of this section may bring a civil action against a manufacturer for damages when:

A. The plaintiff manufacturer or stewardship organization has incurred more than \$3,000 in actual, direct costs in collecting, handling and disposing of covered drugs that are household pharmaceutical waste sold or offered for sale in the State by a defendant manufacturer or manufacturers that are not in compliance with all applicable requirements of this section;

B. The defendant manufacturer or manufacturers can be identified as the manufacturer or manufacturers of the covered drugs described in paragraph A from a brand or marking on the covered drugs or

from other information available to the plaintiff manufacturer or stewardship organization;

C. The plaintiff manufacturer or stewardship organization has submitted a reimbursement request for the costs described in paragraph A to the defendant manufacturer or manufacturers; and

D. The plaintiff manufacturer or stewardship organization has not received reimbursement for the costs described in paragraph A within:

(1) Sixty days after the request for reimbursement under paragraph C, if the plaintiff manufacturer or stewardship organization did not request an independent audit under subparagraph (2); or

(2) Thirty days after completion of an independent audit, if the plaintiff manufacturer or stewardship organization requested an independent audit and the audit verified the validity of the reimbursement request.

As used in this subsection, "damages" means the actual, direct costs a plaintiff manufacturer or stewardship organization incurs in collecting, handling and disposing of covered drugs that are household pharmaceutical waste reasonably identified as having originated from a defendant manufacturer or manufacturers that are not in compliance with all applicable requirements of this section; punitive or exemplary damages not exceeding 3 times those incurred costs; and the plaintiff manufacturer's or stewardship organization's attorney's fees and costs of bringing the action under this subsection.

13. Annual report to Legislature. The department shall annually report to the joint standing committee of the Legislature having jurisdiction over environmental and natural resources matters on the status of stewardship programs established pursuant to this section and shall recommend amendments to the provisions of this section as necessary. After reviewing the report under this subsection, the committee may report out legislation related to the report. The report under this subsection may be included in the report required pursuant to section 1772, subsection 1.

14. Preemption. To ensure maximum effectiveness through uniform statewide application, the State intends to occupy the whole field of regulation of government-mandated, manufacturer-funded drug take-back, collection or disposal programs. A local government may not adopt an ordinance mandating a manufacturer-funded drug take-back, collection or disposal program and any ordinance or regulation that violates this subsection is void and has no force or effect.

Sec. 3. 38 MRSA §1776, sub-§11, as enacted by PL 2013, c. 315, §7, is amended to read:

11. Exceptions. This section does not apply to products subject to section 1610, 1612, 1665-A, 1665-B, 1672, 2165 or 2166.

Sec. 4. Submittal of drug take-back stewardship plan. On or before July 1, 2022, a manufacturer of a covered drug under the Maine Revised Statutes, Title 38, section 1612, individually or jointly with one or more manufacturers, or a drug take-back stewardship organization contracted by one or more manufacturers, shall submit to the Department of Environmental Protection for review a proposed drug take-back stewardship plan that meets the requirements of Title 38, section 1612, subsection 3.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Maine Environmental Protection Fund 0421

Initiative: Provides an allocation for one Environmental Specialist III position and associated costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$59,642	\$89,688
All Other	\$6,071	\$8,662
OTHER SPECIAL REVENUE FUNDS TOTAL	\$65,713	\$98,350

See title page for effective date.

**CHAPTER 95
S.P. 37 - L.D. 29**

**An Act To Conform the Maine
Apprenticeship Program to the
Federal Equal Employment
Opportunity Act of 1972**

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

Sec. 1. 26 MRSA §3205, sub-§2, as enacted by PL 2011, c. 491, §13, is amended to read:

2. Apprentice. ~~The gender, race and ethnicity of the apprentice in such detail as required to~~ To conform to the federal Equal Employment Opportunity Act of 1972, 42 United States Code, Chapter 21, subchapter VI and for affirmative action compliance in apprenticeship programs, including records of the following races and ethnic groups: African American or black; Native American, including Alaskan Native; Asian, including Pacific Islander; Hispanic, including persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish origin or culture regardless of race; and

~~white other than Hispanic, as well as the date of birth, contact information and, on a voluntary basis, the social security number of the apprentice and a request for demographic data, including the apprentice's race, sex, ethnicity and disability status;~~

Sec. 2. 26 MRSA §3205, sub-§10, as enacted by PL 2011, c. 491, §13, is amended to read:

10. Equal opportunity. A statement that the apprentice will be accorded equal opportunity in all phases of apprenticeship employment and training, without discrimination because of race, color, religion, national origin ~~or gender, sex, sexual orientation, gender identity, genetic information, disability or age;~~ and

See title page for effective date.

**CHAPTER 96
H.P. 18 - L.D. 52**

**An Act Regarding Collective
Bargaining Negotiations by
Public Employers of Teachers**

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

Sec. 1. 26 MRSA §965, sub-§1, ¶C, as amended by PL 2009, c. 107, §5, is further amended to read:

C. To confer and negotiate in good faith with respect to wages, hours, working conditions and contract grievance arbitration, except that by such obligation neither party may be compelled to agree to a proposal or be required to make a concession and except that public employers of teachers shall in accordance with subsection 1-A meet and consult but not negotiate with respect to educational policies, except that educational policies related to preparation and planning time and transfer of teachers are permissive subjects of negotiation; for the purpose of this paragraph, educational policies may not include wages, hours, working conditions or contract grievance arbitration;

Sec. 2. 26 MRSA §965, sub-§1-A is enacted to read:

1-A. Meet and consult. The obligation of public employers of teachers and the bargaining agent to meet and consult under subsection 1, paragraph C is governed by this subsection.

A. A public employer of teachers shall give written notice to the bargaining agent when a change in educational policy is planned by the public employer of teachers. Upon receipt of the written notice, the bargaining agent may initiate the meet and consult process by notifying the public employer of teach-

ers, including the superintendent. The public employer of teachers may also initiate the meet and consult process by notifying the bargaining agent.

B. The public employer of teachers shall, upon receipt of a request from the bargaining agent, provide to the bargaining agent information necessary for the bargaining agent and the employees to understand the planned change and make suggestions or express concerns about the planned change.

C. When notice to initiate the meet and consult process is given under paragraph A, authorized representatives of the public employer of teachers and the bargaining agent shall meet and consult at reasonable times and places about the planned change. The parties shall meet and consult openly, honestly and in good faith, and the public employer of teachers shall consider the employees' suggestions and concerns.

D. The authorized representatives of the public employer of teachers shall give full and fair consideration to the employees' suggestions and concerns before the change in educational policy is implemented, and the public employer of teachers shall decide in good faith whether employees' suggestions or concerns can be accommodated.

E. The bargaining agent may initiate the meet and consult process by notifying the public employer of teachers when an existing educational policy of the public employer is changed by practice or if the written notice required under paragraph A is inadvertently omitted.

See title page for effective date.

**CHAPTER 97
H.P. 44 - L.D. 78**

**An Act To Protect Children
from Extreme Poverty by
Preserving Children's Access to
Temporary Assistance for
Needy Families Benefits**

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

Sec. 1. 22 MRSA §3763, sub-§1, as amended by PL 2013, c. 588, Pt. D, §4, is further amended to read:

1. Family contract. During the TANF orientation process, a representative of the department and the TANF recipient shall enter into a family contract. The family contract must state the responsibilities of the parties to the agreement including, but not limited to, cooperation in child support enforcement and determination of paternity, the requirements of the ASPIRE-TANF program and referral to parenting activities and

health care services. Except as provided in section 3762, subsection 4, refusal to sign the family contract or to abide by the provisions of the contract, except for referral to parenting activities and health care services, will result in termination of benefits under subsection 1-A. Failure to comply with referrals to parenting activities or health care services without good cause will result in a review and evaluation of the reason for non-compliance by the representative of the department and may result in sanctions. Written copies of the family contract and a notice of the right to a fair hearing must be given to the individual. The family contract must be amended in accordance with section 3788 when a participant enters the ASPIRE-TANF program and when participation review occurs.

Benefits that have been terminated under subsection 1-A must be restored once the noncomplying adult recipient signs a new family contract and complies with its provisions.

Sec. 2. 22 MRSA §3763, sub-§1-A, as enacted by PL 2011, c. 380, Pt. PP, §4, is amended to read:

1-A. Partial ~~and full~~ termination of benefits. Benefits under this chapter must be terminated by the department under the provisions of subsection 1 and sections 3785 and 3785-A ~~as follows: in accordance with this subsection. If an adult recipient fails to meet the conditions of a family contract, the department shall reduce the family's amount of assistance by terminating benefits that apply to that noncomplying adult.~~

~~A. For a first failure to meet the conditions of a family contract, termination of benefits applies to the adult recipient;~~

~~B. For a first failure to meet the conditions of a family contract for which termination of benefits under paragraph A lasts for longer than 90 days and for a 2nd and subsequent violation, termination of benefits applies to the adult recipient and the full family unit; and~~

~~C. Prior to the implementation of a full family unit sanction, the department shall offer the adult recipient an opportunity to claim good cause for non-compliance as described in section 3785.~~

Benefits that have been terminated under this subsection must be restored once the noncomplying adult recipient signs a new contract under subsection 1 and complies with the provisions of the family contract.

Sec. 3. Reports by Department of Health and Human Services. No later than January 1, 2022, the Department of Health and Human Services shall provide to the Joint Standing Committee on Health and Human Services an interim report on the implementation of the removal of the full family unit sanction under the Temporary Assistance for Needy Families program pursuant to section 2. No later than January 1, 2023, the

Department of Health and Human Services shall provide to the joint standing committee of the Legislature having jurisdiction over health and human services matters a final report regarding the effects of the removal of the full family unit sanction.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Temporary Assistance for Needy Families 0138

Initiative: Provides allocation to terminate Temporary Assistance for Needy Families benefits for only the noncomplying parent but continue assistance to the children and complying parents.

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$0	\$753,666
FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$753,666

See title page for effective date.

**CHAPTER 98
H.P. 47 - L.D. 81**

**An Act To Ensure the Safety of
Children Experiencing
Homelessness by Extending
Shelter Placement Periods and
Amending Licensing
Requirements for Emergency
Shelters**

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

Sec. 1. 22 MRSA §8101, sub-§2, as amended by PL 2013, c. 179, §7, is further amended to read:

2. Emergency children's shelter. "Emergency children's shelter" means a facility that operates to receive children 24 hours a day and that limits placement to ~~30~~ 90 consecutive days or less. For purposes of this section, the definition of "children" includes a person under 21 years of age. "Emergency children's shelter" does not mean a family foster home or specialized children's home. If emergency shelter is a service provided by a children's residential care facility, the service is restricted to a designated physical area of the facility.

Sec. 2. 22 MRSA §8101, sub-§4-A, as amended by PL 2013, c. 179, §7, is further amended to read:

4-A. Shelter for homeless children. "Shelter for homeless children" means a facility designed to provide for the overnight lodging and supervision of children 10

years of age or older for no more than ~~30~~ 90 consecutive overnights. For purposes of this section, the definition of "children" includes a person under 21 years of age.

Sec. 3. Rules for licensing of emergency shelters for children. The Department of Health and Human Services shall amend its rule Chapter 9: Rules for the Licensing of Emergency Shelters for Children to make it consistent with the notification requirements for facilities licensed under rule Chapter 8: Rules for the Licensure of Shelters for Homeless Children and specifically to allow the admission of a child into care for up to 3 hours without first notifying the child's guardian. The department shall amend its rule Chapter 9: Rules for the Licensing of Emergency Shelters for Children to require a facility to allow the admission of a child into care for up to 48 hours without the permission of the child's guardian. Rules adopted in accordance with this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 99
H.P. 69 - L.D. 103**

**An Act To Improve the Animal
Welfare Laws**

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

Sec. 1. 7 MRSA §3906-B, sub-§12, as enacted by PL 1995, c. 502, Pt. C, §12, is repealed.

Sec. 2. 7 MRSA §3906-B, sub-§12-A is enacted to read:

12-A. Right to call and designate assistance. The commissioner may employ a person considered necessary to assist in a response to a natural or man-made disaster affecting animals. A person called and employed for assistance shall proceed to help resolve the natural or man-made disaster as directed by the commissioner or the commissioner's designee.

A. A person considered necessary to assist in a response must receive compensation for services at the prevailing rate in the State, except that animal control officers, veterinarians, animal shelter staff or other groups used outside the State may receive pay at their usual rates. Equipment may be provided by individuals or groups during a response. Equipment used in a response must, upon application, be compensated for at an amount fixed by the state in which the response occurred. A person responding under this subsection may be provided with subsistence pay during the response.

B. The commissioner or the commissioner's designee shall promptly prepare a report of the commissioner's or the designee's investigation of the response detailing the cause of the natural or man-made disaster and recommendations for future prevention and response. The commissioner or the commissioner's designee shall prepare and include in the report a detailed statement of expenses incurred immediately after the natural or man-made disaster on forms provided by the department.

All requests for reimbursement must be presented to the commissioner or the commissioner's designee within 60 days after demobilization or become void. The commissioner or the commissioner's designee may extend the time as long as a preliminary report has been made.

The commissioner or the commissioner's designee shall examine all invoices presented to the State for reimbursement or direct payment. After items not qualifying for reimbursement have been deducted, the commissioner or the commissioner's designee shall approve the remaining items for payment.

Sec. 3. 7 MRSA §3906-C, sub-§1, ¶E, as amended by PL 1995, c. 502, Pt. C, §13, is further amended to read:

E. One member representing licensed pet shops or pet food suppliers;

Sec. 4. 7 MRSA §3906-C, sub-§1, ¶I, as enacted by PL 2001, c. 399, §3, is amended to read:

I. One attorney with experience in animal welfare law or prosecutorial experience within the state court system;

Sec. 5. 7 MRSA §3907, sub-§22-C is enacted to read:

22-C. Pet food supplier. "Pet food supplier" means any retail location located in the State that sells feeding supplies for pets or livestock.

Sec. 6. 7 MRSA §3916, sub-§1-A, as amended by PL 2007, c. 439, §8, is repealed and the following enacted in its place:

1-A. Required for dogs. Except as provided in subsection 4, an owner or keeper of a dog, within 30 days after the dog attains the age of 3 months, shall have that dog vaccinated against rabies. The rabies vaccine must be administered by a licensed veterinarian or under the supervision of a licensed veterinarian. Upon receiving an initial vaccination, a dog is considered protected for one year and an owner or keeper of that dog shall get a booster vaccination for that dog one year after the initial vaccination and subsequent booster vaccinations at intervals that do not exceed the intervals recommended by a national association of state public health veterinarians for the type of vaccine adminis-

tered. A wolf hybrid is required to be vaccinated in accordance with this subsection. The procedure prescribed under Title 22, chapter 251, subchapter 5 for a wolf hybrid suspected of having rabies does not change based on proof that the wolf hybrid has received a rabies vaccination.

Sec. 7. 7 MRSA §3916, sub-§4, as amended by PL 2005, c. 422, §6, is further amended by amending the first blocked paragraph to read:

An owner or keeper of a cat or dog is exempt from the requirements of subsection 1 if a medical reason exists that precludes the vaccination of the cat or dog. To qualify for this exemption, the owner or keeper must have a written statement signed by a licensed veterinarian that includes a description of the cat or dog and the medical reason that precludes the vaccination.

Sec. 8. 7 MRSA §3923-G, sub-§6, as enacted by PL 2011, c. 100, §12, is amended to read:

6. Exclusion of wolf hybrids, dangerous dogs and nuisance dogs. This section does not apply to the licensing of a wolf hybrid, a dangerous dog or a nuisance dog. A person owning a wolf hybrid, a dangerous dog or a nuisance dog shall obtain a license from the municipal clerk or the dog recorder for the municipality, plantation or unorganized territory in which the person owning the wolf hybrid, the dangerous dog or the nuisance dog resides.

Sec. 9. 7 MRSA §3950-A, sub-§2, as amended by PL 2009, c. 343, §22, is further amended to read:

2. Penalty. A person who violates subsection 1 commits a civil violation for which a fine of not less than \$50 and not more than \$500 and costs may be adjudged and, for an animal control officer, revocation of that person's certification as an animal control officer may be imposed.

Sec. 10. 17 MRSA §1011, sub-§2-A is enacted to read:

2-A. Animal care facility. "Animal care facility" means any person that provides care, sustenance, housing, maintenance or other necessary care of an animal and includes, but is not limited to, veterinarians' offices, boarding kennels, equine facilities, animal grooming facilities, animal shelters and animal day care facilities.

Sec. 11. 17 MRSA §1011, sub-§8, as enacted by PL 1987, c. 383, §4, is amended to read:

8. Boarding kennel. "Boarding kennel" means any place, building, tract of land, abode or vehicle in or on which privately owned dogs or other pets, or both, animals are kept for their owners in return for a fee.

Sec. 12. 17 MRSA §1038, first ¶, as enacted by PL 2005, c. 422, §11, is amended to read:

Abandoning an animal at a veterinarian's office, boarding kennel, animal grooming facility or animal

day care facility an animal care facility is a Class D crime.

Sec. 13. 17 MRSA §1038, sub-§1, ¶A, as enacted by PL 2005, c. 422, §11, is amended to read:

A. Places an animal in the custody of ~~a licensed veterinarian for treatment, boarding or other care, or in a boarding kennel, animal grooming facility or animal day care facility~~ an animal care facility for services offered by that facility; and

Sec. 14. 17 MRSA §1038, sub-§2, as enacted by PL 2005, c. 422, §11, is amended to read:

2. Notice requirement. Before any animal may be considered abandoned under this section, ~~a veterinarian's office, boarding kennel, animal grooming facility or animal day care facility~~ an animal care facility shall send written notice, by registered or certified mail, return receipt requested, to the owner or keeper at the owner's or keeper's last known address. Proof of attempted delivery constitutes sufficient notice.

Sec. 15. 17 MRSA §1038, sub-§3, as enacted by PL 2005, c. 422, §11, is amended to read:

3. Ownership of abandoned animal. When an owner or keeper fails to claim an animal within 10 days of a notice being sent under subsection 2, the ~~veterinarian, kennel, animal care facility~~ or individual who has custody and control of the animal is considered the owner of the animal and shall arrange for its care, including, but not limited to, its adoption, sale or placement with a licensed animal shelter.

Sec. 16. Transition provision. An owner or keeper of a dog that is over 3 months of age on the effective date of this Act that has not been vaccinated against rabies shall have that dog vaccinated against rabies within 30 days after the effective date of this Act, unless exempt under the Maine Revised Statutes, Title 7, section 3916, subsection 4.

See title page for effective date.

**CHAPTER 100
H.P. 98 - L.D. 142**

**An Act To Give the
Commissioner of Inland
Fisheries and Wildlife Rule-
making Authority To Establish
a Bear Season Framework and
Bag Limits**

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

Sec. 1. 12 MRSA §10902, sub-§6, ¶E, as repealed and replaced by PL 2011, c. 691, Pt. A, §7, is amended to read:

~~E. Buying or selling bear, hunting or trapping bear after having killed 2 or exceeding the bag limit on bear, in violation of section 11217; or hunting or trapping bear or exceeding the bag limit on bear in violation of section 11351 or 12260;~~

Sec. 2. 12 MRSA §11151, sub-§1, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §118 and affected by §422, is further amended to read:

1. Permit required. Except as otherwise authorized pursuant to this Part, a person may not hunt for bear without a valid permit ~~from the first Monday preceding September 1st to the day preceding the open firearm season on deer during the open season on hunting bear established pursuant to section 11251.~~ A person may hunt for bear without a valid permit during the open firearm season on deer under section 11401. This section does not apply to trapping for bear.

Each day a person violates this subsection that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable license fee must be imposed.

Sec. 3. 12 MRSA §11151, sub-§3, as amended by PL 2009, c. 213, Pt. OO, §6, is further amended to read:

3. Issuance; permit fee. The commissioner, through the commissioner's authorized agent, shall issue a bear hunting permit or permits to an eligible person. When the bag limit on bear is more than one, a bear hunting permit is required for each bear. The annual fee for each permit issued is ~~\$27~~ \$10 for residents and \$74 for nonresidents.

Sec. 4. 12 MRSA §11151-A, sub-§3, as enacted by PL 2007, c. 168, §4 and affected by §8, is amended to read:

3. Issuance; permit fee. The commissioner, through the commissioner's authorized agent, shall issue a nonresident late season bear hunting permit or permits to an eligible person. When the bag limit on bear is more than one, a bear hunting permit is required for each bear. The annual fee for each permit issued is \$40.

Sec. 5. 12 MRSA §11251, sub-§1, as amended by PL 2017, c. 357, §1, is further amended to read:

1. Open season on bear; commissioner's authority. This subsection governs the open and closed seasons on bear.

~~A. There is an open season on hunting bear from the first Monday preceding September 1st to November 30th annually. The commissioner shall by rule establish an open season on hunting bear beginning no earlier than the 2nd Monday preceding September 1st and ending no later than November 30th annually. The commissioner may, pursuant to section 10104, subsection 1, adopt rules prohibiting~~

the use of bait or a dog or dogs to hunt black bear during any portion of the open bear hunting season.

B. There is an open season on using a dog or dogs in conjunction with bear hunting ~~from the first Monday preceding September 1st to the day preceding the open firearm season on deer provided in sections 11401 and 11402~~ during the open season on hunting bear established by the commissioner in accordance with paragraph A.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 6. 12 MRSA §11301, sub-§1, ¶E, as repealed and replaced by PL 2011, c. 691, Pt. A, §9, is amended to read:

E. The bait is placed not more than 30 days before the opening day of the season, and not more than 30 days before the first Monday preceding September 1st and not after October 31st;

Sec. 7. 12 MRSA §11351, as amended by PL 2011, c. 309, §§2 and 3, is repealed and the following enacted in its place:

§11351. Bear bag limit

The commissioner shall establish by rule limits on the number of bears a person may hunt, trap and possess in a season, which may not exceed 2 bears in total and may not exceed one bear by trapping in a calendar year, except a person may keep more than 2 legally obtained bears in that person's home as otherwise provided in law or rule. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

1. Hunting or trapping bear; limit. A person may not in one calendar year:

A. Hunt bear after that person has killed or registered the least of:

- (1) Two bears by means of hunting;
- (2) One bear by means of hunting and one by means of trapping during the open season on trapping bear under section 12260; and
- (3) The maximum number established by rule under this section; or

B. Trap bear after that person has killed or registered the least of:

- (1) Two bears by means of hunting;
- (2) One bear by means of trapping during the open season on trapping bear under section 12260; and
- (3) The maximum number established by rule under this section.

The daily bag limit on bear taken by hunting is one bear.

2. Exceeding limit on bear. A person may not possess more than 2 bears in any calendar year, or the maximum number of bears established by rule under this section, whichever is less, except a person may keep more than 2 legally obtained bears in that person's home or as otherwise provided in law or rule.

3. Penalty. A person who violates this section commits a Class D crime for which the court shall impose a sentencing alternative of not less than 3 days for the first offense and of not less than 10 days for each succeeding offense; the court also shall impose a fine of not less than \$1,000.

Sec. 8. 12 MRSA §12260, sub-§4, as amended by PL 2011, c. 309, §5, is repealed.

Sec. 9. 12 MRSA §12260, sub-§5, as amended by PL 2011, c. 309, §6, is repealed.

Sec. 10. 12 MRSA §12260-A, sub-§2, as enacted by PL 2007, c. 168, §7 and affected by §8, is amended to read:

2. Eligibility; trapping license required. A person who possesses a valid trapping license or a license that authorizes the hunting of bear, deer, moose, bobcat and raccoon may obtain a permit to trap bear from the commissioner or the commissioner's authorized agent.

Sec. 11. 12 MRSA §12260-A, sub-§3, as enacted by PL 2007, c. 168, §7 and affected by §8, is amended to read:

3. Issuance; permit fee. The commissioner, through the commissioner's authorized agent, shall issue a bear trapping permit to an eligible person. The annual fee for each permit issued is \$27 \$10 for residents and \$67 for nonresidents.

Sec. 12. 12 MRSA §12260-A, sub-§4 is enacted to read:

4. Bear trapping education course requirements; proof of bear trapping permit. Beginning January 1, 2022, a person who applies for a bear trapping permit must submit proof of having successfully completed a bear trapping education course as provided by the department or satisfactory evidence of having previously held a valid Maine bear trapping permit in any year prior to 2022. When proof of competency cannot otherwise be provided, the applicant may substitute a signed affidavit stating that the applicant has successfully completed the required bear trapping education course or held a valid Maine bear trapping permit prior to 2022.

A person who is trapping for bear under the supervision of and in the presence of a licensed guide who has successfully completed the bear trapping education course is exempt from this subsection.

For the purposes of this subsection, "in the presence of" means in visual and voice contact without the use of visual or audio enhancement devices, including but not

limited to binoculars, citizen band radios or electronic communication systems.

Sec. 13. Effective date. This Act takes effect January 1, 2022.

Effective January 1, 2022.

**CHAPTER 101
H.P. 99 - L.D. 143**

**An Act Regarding the
Arrearage Management
Program**

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

Sec. 1. 35-A MRSA §3214, sub-§2-A, as amended by PL 2019, c. 608, §1, is further amended to read:

2-A. Arrearage management program. Each investor-owned transmission and distribution utility shall implement pursuant to this subsection an arrearage management program to assist eligible low-income residential customers who are in arrears on their electricity bills. An arrearage management program implemented pursuant to this subsection is a plan under which a transmission and distribution utility works with an eligible low-income residential customer to establish an affordable payment plan and provide credit to that customer toward the customer's accumulated arrears as long as that customer remains in compliance with the terms of the program. If a consumer-owned transmission and distribution utility elects to implement an arrearage management program, it must do so in accordance with this subsection and rules adopted pursuant to this subsection. The commission shall establish requirements relating to the arrearage management programs by rule. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

In adopting rules regarding arrearage management programs, the commission shall:

- A. Consider best practices as developed and implemented in other states or regions;
- B. Require that an arrearage management program include an electricity usage assessment at no cost to the participant;
- D. Ensure that a transmission and distribution utility develops terms and conditions for its arrearage management program in a manner that is consistent with the program's objectives and is in the best interests of all ratepayers; ~~and~~

D-1. Ensure that if a transmission and distribution utility produces any materials, either written or electronic, regarding the arrearage management

program offered by the utility, those materials must state in plainly worded language and in a type size that is no less than 12 points that state law requires the utility to offer an arrearage management program to its customers and that costs described in paragraph E are not paid for by the utility; and

E. Ensure that a transmission and distribution utility recovers in rates all reasonable costs of arrearage management programs, including:

- (1) Incremental costs;
- (2) Reconnection fees;
- (3) Administrative costs;
- (4) Marketing costs;
- (5) Costs for any 3rd-party assistance it receives in administering its arrearage management program; and
- (6) Costs for providing financial and budgetary guidance to participants whether provided directly or through a 3rd party contracted by the transmission and distribution utility to provide that guidance.

The amount of any arrearage forgiven that is treated as bad debt for purposes of cost recovery by the transmission and distribution utility may not be included as a reasonable cost under this paragraph.

The Efficiency Maine Trust shall work with investor-owned transmission and distribution utilities, consumer-owned transmission and distribution utilities that elect to participate in an arrearage management program and other stakeholders to provide access to a complementary low-income energy efficiency program for participants in arrearage management programs in order to help reduce participants' energy consumption.

No later than January 28, ~~2022~~ 2024, the commission shall prepare a report assessing the effectiveness of arrearage management programs, including the number of participants enrolled in the programs, the number of participants completing the programs, the number of participants who have failed to complete the programs, the payment patterns of participating customers after completing the programs, the dollar amount of arrears forgiven, a comparison of outcomes for those participating in the programs and those not participating, the impact on any participating transmission and distribution utility's bad debt as a result of the programs, the costs and benefits to all ratepayers associated with the programs and recommendations for ways in which the programs might be improved or continued for the benefit of all ratepayers. In preparing its report, the commission shall hold at least one formal stakeholder meeting involving affected parties, including the Office of the Public Advocate and the participating transmission and distribution utilities. Parties must also be provided

an opportunity to submit written comments to the commission regarding the performance of the programs.

The joint standing committee of the Legislature having jurisdiction over utilities matters may report out a bill relating to the commission report to the Second Regular Session of the ~~130th~~ 131st Legislature.

This subsection is repealed September 30, ~~2022~~ 2024.

Sec. 2. 35-A MRSA §10110, sub-§2, ¶L, as amended by PL 2019, c. 608, §2, is further amended by amending the first blocked paragraph to read:

This paragraph is repealed September 30, ~~2022~~ 2024.

Sec. 3. Low-income ratepayer assistance. The Public Utilities Commission shall consider in Public Utilities Commission Docket No. 2021-00061 proven, global best practices to assist low-income ratepayers, including, but not limited to, the use of lower tier rates for customers based on income. The commission shall provide to the Joint Standing Committee on Energy, Utilities and Technology any information or decisions made in relation to low-income ratepayer assistance pursuant to Docket No. 2021-00061 by January 15, 2022. The committee may report out a bill to the Second Regular Session of the 130th Legislature based on the information or recommendations provided by the commission pursuant to this section.

See title page for effective date.

**CHAPTER 102
S.P. 77 - L.D. 189**

An Act To Permit All Public Employers To Implement Payroll Deductions for Disability and Life Insurance Policies

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

Sec. 1. 26 MRSA §640 is enacted to read:

§640. Public employee voluntary payroll deductions for certain insurance

Upon a public employee's written request, a public employer may deduct voluntary payroll deductions designated in writing by the employee to the employer for disability insurance and life insurance offered in conjunction with the employee's membership in an employee organization recognized by the employer or designated by a collective bargaining agreement. The employee may rescind the authorization for the deductions by giving the employer 30 days' written notice.

See title page for effective date.

**CHAPTER 103
S.P. 110 - L.D. 248**

An Act Regarding the Board of Occupational Safety and Health

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

Sec. 1. 26 MRSA §565, as amended by PL 1989, c. 712, is further amended to read:

§565. Powers and duties of board

The board shall formulate and adopt reasonable rules, pursuant to Title 5, chapter 375, subchapter H 2, for safe and healthful working conditions, including rules requiring the use of personal protective equipment, monitoring and record keeping. ~~The rules so formulated shall~~ must at a minimum conform to federal standards of occupational safety and health, so that the state program can be federally approved as a public employee only occupational safety and health program. ~~These rules shall not become effective sooner than 90 days after the date of adoption and promulgation.~~

See title page for effective date.

**CHAPTER 104
H.P. 196 - L.D. 280**

An Act To Increase Funding for Snowmobile Trails and Capital Equipment Grants

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

Sec. 1. 12 MRSA §13104, sub-§4, as amended by PL 2015, c. 237, §2, is further amended to read:

4. Fee. Except as provided in subsection 5, the annual snowmobile registration fee is as follows:

A. For residents, ~~\$45~~ \$55. The registration for a snowmobile owned by a resident is valid for one year, commencing on July 1st of each year; and

B. For nonresidents:

- (1) ~~Forty-nine~~ Seventy-four dollars for a 3-consecutive-day registration. A person may purchase more than one 3-day registration in any season;
- (2) ~~Ninety-nine~~ One hundred and nineteen dollars for a seasonal registration; and
- (3) ~~Seventy-five~~ Ninety-nine dollars for a 10-consecutive-day registration. A person may purchase more than one 10-day registration in any season.

The registration for a snowmobile owned by a non-resident must specify the dates for which the registration is valid.

~~Five~~ Ten dollars from each resident registration fee and \$15 from each nonresident registration fee collected pursuant to this subsection must be transferred to a special fund administered by the Off-Road Vehicle Division of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry. The funds must be used to assist any entity that has a snowmobile trail grooming contract with the Bureau of Parks and Lands in the purchase of trail-grooming equipment. The funds also may be used for the repair or overhaul of trail-grooming equipment.

~~Twelve~~ Seventeen dollars from each resident snowmobile registration fee must be transferred to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands.

~~Six~~ Sixteen dollars from each nonresident 3-day snowmobile registration fee, ~~\$6~~ \$16 from each nonresident 10-day snowmobile registration fee and ~~\$14~~ \$21 from each nonresident seasonal snowmobile registration fee must be transferred to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands.

Five dollars from each non-resident 3-day snowmobile registration fee and 10-day snowmobile registration fee must be transferred to the Snowmobile Enforcement Fund established under section 10258.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Off-Road Recreational Vehicles Program Z224

Initiative: Provides allocations for grants to assist any entity that has a snowmobile trail grooming contract with the Department of Agriculture, Conservation and Forestry with the purchase or repair of trail-grooming equipment.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$492,630	\$492,630
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$492,630	\$492,630

Off-Road Recreational Vehicles Program Z224

Initiative: Provides allocations for grants related to snowmobile trail acquisition.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$491,432	\$491,432
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$491,432	\$491,432

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS	\$984,062	\$984,062
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$984,062	\$984,062

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Provides allocations for activities related to snowmobile enforcement operations, safety and educational programs and purchases of equipment or machinery.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$26,940	\$26,940
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$26,940	\$26,940

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS	\$26,940	\$26,940
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$26,940	\$26,940

SECTION TOTALS	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS	\$1,011,002	\$1,011,002
	<hr/>	<hr/>
SECTION TOTAL - ALL FUNDS	\$1,011,002	\$1,011,002

See title page for effective date.

CHAPTER 105

H.P. 220 - L.D. 316

An Act To Prohibit the Use of Chlorpyrifos

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

Sec. 1. 7 MRSA §606, sub-§1, ¶E, as amended by PL 2005, c. 620, §5, is further amended to read:

E. A pesticide that is adulterated or misbranded or any device that is misbranded; ~~or~~

Sec. 2. 7 MRSA §606, sub-§1, ¶F, as amended by PL 2005, c. 620, §5, is further amended to read:

F. A pesticide in containers that are unsafe due to damage; or

Sec. 3. 7 MRSA §606, sub-§1, ¶G is enacted to read:

G. Beginning January 1, 2022, a pesticide containing chlorpyrifos as an active ingredient.

Sec. 4. Temporary permit for use of pesticide containing chlorpyrifos. Notwithstanding the Maine Revised Statutes, Title 7, section 606, subsection 1, paragraph G, from January 1, 2022 to December 31, 2022 the Board of Pesticides Control may grant a temporary permit authorizing a pesticides applicator licensed by the State to use or apply a pesticide containing chlorpyrifos as an active ingredient, as long as that licensed pesticides applicator possessed the pesticide in the State before January 1, 2022. The Board of Pesticides Control shall post on its publicly accessible website information on the temporary permits issued under this section.

See title page for effective date.

CHAPTER 106
S.P. 160 - L.D. 374

An Act To Allow Veterans,
Active Duty Service Members
and Their Spouses To Apply
for Temporary Occupational
Licenses

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

Sec. 1. 10 MRSA §8011, as enacted by PL 2013, c. 424, Pt. D, §2 and affected by §3, is amended to read:

§8011. Veterans and military spouses

By January 1, 2014, each board, commission, office and agency within the department listed in section 8001 or affiliated with the department under section 8001-A shall adopt a process to facilitate qualified returning military veterans and qualified spouses of returning military veterans or of active duty service members to qualify for persons to obtain professional licenses granted by those boards, commissions, offices and agencies in an expeditious manner. For the purposes of this section, "returning military veteran" means a veteran of the Armed Forces of the United States who has been honorably discharged from active duty. Notwithstanding any other provision of law to the contrary, the Director of the Office of Professional and Occupational Regulation and each licensing board within or affiliated with the department shall, upon presentation of satisfactory evidence by an applicant a qualified person who applies for professional or occupational licensure, accept education, training or service completed by the

applicant qualified person as a member of the Armed Forces of the United States or Reserves of the United States Armed Forces, the national guard of any state, the military reserves of any state or the naval militia of any state toward the qualifications to receive the license.

1. Endorsement. The board, commission, office or agency may permit a returning military veteran or a spouse of a returning military veteran or of an active duty service member qualified person who holds a comparable license in good standing in another state to acquire a license by endorsement in this State for the remainder of the term of the license from the other state or until a license is obtained in this State.

2. Temporary license. The A board, commission, office or agency, other than those described in section 8001, subsection 38, may permit a returning military veteran or a spouse of a returning military veteran or of an active duty service member qualified person who holds a comparable license in good standing in another state to obtain a temporary license in this State for a period of time necessary to obtain a license in this State.

Upon receipt of a completed application, a board, commission, office or agency described in section 8001, subsection 38 shall issue a temporary license to a qualified person if the person holds a current, valid occupational or professional license in good standing issued by a state or territory of the United States. The license issued by the state or territory may not be temporary, conditional, probationary or otherwise restricted and must be reasonably equivalent to the license sought, as determined by the board, commission, office or agency. The qualified person may obtain a temporary license for a period of not less than 180 days while completing any requirements for licensure in this State as long as no cause for denial of a license exists under this section or under section 8003, subsection 5-A, paragraph A or under any other law.

2-A. Application for temporary license. An applicant for a temporary license under this section shall submit a notarized affidavit affirming, under penalty of law, that the applicant is the person described and identified in the application, that all statements made on the application are true and correct and complete, that the applicant has read and understands the requirements for licensure and certifies that the applicant meets those requirements and that the applicant is in good standing in all jurisdictions in which the applicant holds or has held a license.

2-B. Extension. An applicant for a temporary license under this section may request a one-time 180-day extension of the temporary license if necessary to complete the licensing requirements of this State. The applicant must make this request at least 15 days prior to the temporary license's expiration date.

3. **Acceptance of military credentials.** The board, commission, office or agency shall permit a ~~returning military~~ recently separated veteran whose military training qualifies the veteran for a license in a profession or occupation that requires a license in this State to acquire a temporary license until a license is issued.

4. **Continuing education requirements.** The board, commission, office or agency may allow a full or partial exemption from continuing education requirements for a ~~returning military veteran or the spouse of a returning military veteran or of an active duty service member~~ qualified person. Evidence of completion of continuing education requirements may be required for a subsequent license or renewal. A board, commission, office or agency shall provide that continuing education requirements may be met by comparable military training.

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

A. "Good standing" as applied to an applicant under this section means that the applicant does not have a license complaint, allegation or investigation pending, does not have a license that is suspended or subject to practice restrictions and has never surrendered a license or had a license revoked.

B. "Qualified person" means:

(1) A recently separated veteran, a spouse of a recently separated veteran or a domestic partner of a recently separated veteran; or

(2) An active duty service member, a spouse of an active duty service member or a domestic partner of an active duty service member.

C. "Recently separated veteran" means a veteran of the Armed Forces of the United States during the 3-year period beginning on the date of the veteran's honorable discharge or release from active duty.

See title page for effective date.

CHAPTER 107

H.P. 370 - L.D. 507

An Act To Improve Consumer Protections for Community Solar Projects

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

Sec. 1. 35-A MRSA §3209-A, sub-§1, ¶D is enacted to read:

D. "Project sponsor" means an entity or its successor or assignee that solicits customers to participate

in a net energy billing arrangement based upon a shared financial interest in a distributed generation resource.

Sec. 2. 35-A MRSA §3209-A, sub-§5 is enacted to read:

5. Consumer protection. To protect customers who participate in or are solicited to participate in a net energy billing arrangement based upon a shared financial interest in a distributed generation resource from fraud or unfair and deceptive business practices, a project sponsor:

A. Must obtain a customer's explicit affirmative authorization before serving the customer;

B. Must provide to a residential customer such information as the commission may require by rule or order in a standard disclosure form before entering into an agreement with the residential customer to participate in a net energy billing arrangement based upon a shared financial interest in a distributed generation resource;

C. Must allow a customer to rescind the customer's decision to participate in a net energy billing arrangement based upon a shared financial interest in a distributed generation resource, as long as the customer requests such rescission orally or in writing within 5 days of the customer's receipt of the first bill or invoice under the arrangement that the customer is responsible for paying in full;

D. May not collect or seek to collect unreasonable costs from a customer who is in default;

E. Must comply with any other applicable standards or requirements adopted by the commission by rule or order;

F. May not release to any other entity, other than for purposes of debt collection or credit reporting pursuant to state and federal law or to law enforcement agencies pursuant to lawful process, any personal information regarding a customer, including name, address, telephone number and usage and historical payment information, without the explicit affirmative consent of the customer;

G. Must comply with the Maine Unfair Trade Practices Act;

H. Must comply with all applicable provisions of the federal Equal Credit Opportunity Act, 15 United States Code, Sections 1691 to 1691f; and

I. Must comply with all federal and state laws, federal regulations and state rules regarding the prohibition or limitation of telemarketing.

Sec. 3. 35-A MRSA §3209-A, sub-§6 is enacted to read:

6. Enforcement. The commission, through its own counsel or through the Attorney General, may apply to the Superior Court of any county of the State to enforce any lawful order made or action taken by the commission pursuant to subsection 5, paragraphs A to E, and the court may issue any preliminary or final order that the court determines proper. The commission may impose administrative penalties under chapter 15 upon a project sponsor and may order restitution for any party injured by a violation for which a penalty may be assessed pursuant to chapter 15. If the commission has reason to believe a project sponsor has violated subsection 5, paragraphs F to I, the commission shall report this information to the Attorney General for appropriate action. A violation of subsection 5 is a violation of the Maine Unfair Trade Practices Act.

Sec. 4. Net energy billing; consumer protection rules. Notwithstanding the Maine Revised Statutes, Title 35-A, section 3209-A, rules initially adopted by the Public Utilities Commission to implement this Act are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. Amendments or changes to those rules after that initial adoption are major substantive rules in accordance with Title 35-A, section 3209-A.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Public Utilities - Administrative Division 0184

Initiative: Provides allocations for one Staff Attorney position and 2 Senior Consumer Assistance Specialist positions and associated All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$239,384	\$332,704
All Other	\$24,339	\$24,583
OTHER SPECIAL REVENUE FUNDS TOTAL	\$263,723	\$357,287

See title page for effective date.

CHAPTER 108

H.P. 371 - L.D. 508

An Act To Improve Regulation of Door-to-door Marketing of Retail Energy Supply

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

Sec. 1. 35-A MRSA §102, sub-§4-C is enacted to read:

4-C. Door-to-door sales. "Door-to-door sales" means the practice by which a representative of a competitive electricity provider, including a 3rd-party sales agent, solicits or sells electric services to residential or small commercial consumers by means of personal visits to consumers at locations other than the representative's place of business. "Door-to-door sales" does not include sales conducted entirely by mail, telephone or other electronic means; sales conducted during a scheduled appointment at a consumer's residence or place of business; or sales conducted following an initial contact that was solicited by the consumer.

Sec. 2. 35-A MRSA §102, sub-§19-A is enacted to read:

19-A. Third-party sales agent. "Third-party sales agent" means a person or entity that has a business relationship with a competitive electricity provider in which the person or entity conducts or arranges to conduct residential or small commercial consumer sales of electricity to the public at retail on behalf of the competitive electricity provider through door-to-door sales. "Third-party sales agent" does not include an employee of a competitive electricity provider.

Sec. 3. 35-A MRSA §1508-A, sub-§1, ¶B-1 is enacted to read:

B-1. In addition to any penalty imposed on a competitive electricity provider under paragraph A or B, the commission may:

(1) For a willful violation of this Title by any 3rd-party sales agent undertaking the retail sale or marketing of electricity on behalf of a competitive electricity provider, impose an additional administrative penalty on the competitive electricity provider in an amount that does not exceed \$5,000 or .25% of the annual gross revenue that the 3rd-party sales agent received from sales and commissions in the State. Each day a violation continues constitutes a separate offense. The maximum administrative penalty for any related series of violations may not exceed \$500,000 or 5% of the annual gross revenue that 3rd-party sales agent received from sales and commissions in the State, whichever amount is lower; and

(2) For a violation in which a 3rd-party sales agent was explicitly notified by the commission that it was not in compliance with the requirements of this Title, a commission rule or a commission order and that failure to comply could result in the imposition of administrative penalties or the termination of the 3rd-party sales agent's registration, impose an administrative penalty that does not exceed \$500,000 and may terminate the registration of the 3rd-party sales agent.

Sec. 4. 35-A MRSA §1508-A, sub-§1, ¶C, as amended by PL 2011, c. 623, Pt. B, §5, is further amended to read:

C. The commission may impose an administrative penalty in an amount that does not exceed \$1,000 on any person that is not a public utility, voice service provider, dark fiber provider, wholesale competitive local exchange carrier ~~or a~~ competitive electricity provider or 3rd-party sales agent undertaking the retail sale or marketing of electricity on behalf of a competitive electricity provider and that violates this Title, a commission rule or a commission order. Each day a violation continues constitutes a separate offense. The administrative penalty may not exceed \$25,000 for any related series of violations.

Sec. 5. 35-A MRSA §3203, as amended by PL 2017, c. 74, §1, is further amended to read:

§3203. Licensing of competitive electricity providers; consumer protections; enforcement

1. Authority. In order to provide effective competition in the market for the generation and sale of electricity in the State ~~and to provide an orderly transition from the current form of regulation to retail access~~, the commission shall license competitive electricity providers in accordance with this section.

2. Requirements. A competitive electricity provider may not undertake the sale of electricity at retail in this State without first receiving a license from the commission. Before approving a license application, the commission must receive from the applicant:

- A. Evidence of financial capability sufficient to refund deposits to retail customers in the case of bankruptcy or nonperformance or for any other reason;
- B. Evidence of the ability to enter into binding interconnection arrangements with transmission and distribution utilities;
- C. Disclosure of all pending legal actions and customer complaints filed against the competitive electricity provider at a regulatory body other than the commission in the 12 months prior to the date of license application;
- D. Evidence of the ability to satisfy the renewable resource portfolio requirement established under section 3210;
- E. Disclosure of the names and corporate addresses of all affiliates of the applicant; ~~and~~
- F. Evidence that the applicant is registered with the State Tax Assessor as a seller of tangible personal property pursuant to Title 36, section 1754-B, together with a statement that the applicant agrees to be responsible for the collection and remission of

taxes in accordance with Title 36, Part 3 on all taxable sales of electricity made by the applicant to consumers located in this State;

G. Disclosure of the names and corporate addresses of all 3rd-party sales agents proposed to be used by the applicant, in a form to be prescribed by the commission. The disclosure must include:

- (1) A sworn statement by each proposed 3rd-party sales agent attesting to the 3rd-party sales agent's understanding of its compliance obligations with the State's door-to-door sales law, the Maine Unfair Trade Practices Act and the applicable commission rules;
- (2) Any transient seller license number issued to each proposed 3rd-party sales agent by the Department of Professional and Financial Regulation pursuant to Title 32, chapter 128, subchapter 2;
- (3) All pending legal actions and customer complaints filed against each proposed 3rd-party sales agent at a regulatory body other than the commission in the 12 months prior to the date of the applicable license application; and
- (4) Any other information the commission determines is necessary; and

H. An acknowledgement by each 3rd-party sales agent proposed to be used by the applicant of the 3rd-party sales agent's submission to the jurisdiction of the commission.

A 3rd-party sales agent undertaking the retail sale or marketing of electricity in the State may not engage in any sales or marketing activity unless the 3rd-party sales agent has been registered by the commission as part of the licensing process of a competitive electricity provider in accordance with this subsection. The commission shall provide a registration number to a 3rd-party sales agent proposed to be used by a competitive electricity provider in the competitive electricity provider's application for a license.

The commission shall consider the need for requiring and, if it determines there is a need, may require a competitive electricity provider to file a bond with the commission as evidence of financial ability to withstand market disturbances or other events that may increase the cost of providing service or to provide for uninterrupted service to its customers if a competitive electricity provider stops service.

3. ~~Informational filings~~ Filings; public information. The commission shall establish by rule information disclosure and filing requirements for competitive electricity providers. The rules must require a competitive electricity provider to submit updated disclosures of 3rd-party sales agents prior to any agent undertaking any activities on behalf of the provider in order

to maintain the accuracy of the information required pursuant to subsection 2, paragraphs G and H and to require the registration of a 3rd-party sales agent not already registered by the commission. The rules must require generation providers to file their generally available rates, terms and conditions with the commission. The commission, subject to appropriate protective orders, may require the submission of individual service contracts or any other confidential information from a competitive electricity provider.

The commission by rule shall establish standards for making available, through any means considered appropriate, information that enhances consumers' ability to effectively make choices in a competitive electricity market.

Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

4. Consumer protection provisions. As a condition of licensing, a competitive electricity provider that provides or proposes to provide generation service to a residential consumer or to a small commercial consumer:

- A. May not terminate generation service without at least 30-day prior notice to the consumer;
- B. ~~Must~~ Shall offer service to the consumer for a minimum period of 30 days;
- C. ~~Must~~ Shall allow the consumer to rescind selection of the competitive electricity provider orally or in writing within 5 days of ~~initial selection~~ receipt of the first bill or invoice from the competitive electricity provider, which the consumer is responsible for paying in full;
- D. ~~Must~~ Shall comply with all federal and state laws, federal regulations and state rules regarding the prohibition or limitation of telemarketing;
- E. ~~Must~~ Shall provide to the consumer within 30 days of contracting for retail service a disclosure of information provided to the commission pursuant to rules adopted under subsection 3 in a standard written format established by the commission; ~~and~~
- F. ~~Must~~ Shall comply with any ~~other~~ applicable standards or requirements adopted by the commission by rule or order;
- G. May not enter, or allow any of the provider's 3rd-party sales agents on the provider's behalf, to enter into an agreement to provide service to a residential or small commercial consumer when that service is solicited using door-to-door sales without providing the consumer with a standard disclosure form that meets the requirements of this paragraph. The standard disclosure form requirements include, but are not limited to, the following:

- (1) A type size that is no less than 14 points;

(2) Contact information, including the telephone numbers for the competitive electricity provider, the commission and the Office of the Public Advocate;

(3) A telephone number and publicly accessible website where the consumer may obtain information on the current standard-offer service rate and expiration date and the publicly accessible website for electricity supply information available through the Office of the Public Advocate;

(4) Information regarding the consumer's right to rescind service as provided in paragraph C;

(5) The registration number of the 3rd-party sales agent issued by the commission pursuant to subsection 2 and any transient seller's license number issued by the Department of Professional and Financial Regulation pursuant to Title 32, chapter 128, subchapter 2; and

(6) Any other information the commission determines is necessary; and

H. Shall comply with all federal and state laws, federal regulations and state rules regarding the prohibition or limitation on door-to-door sales.

For purposes of this subsection, "residential consumer" means a consumer defined as residential under the terms and conditions of the consumer's transmission and distribution utility. For purposes of this subsection, "small commercial consumer" means, in the case of a consumer served by an investor-owned transmission and distribution utility, a nonresidential consumer that meets the availability criteria to take service under a core customer class of the transmission and distribution utility that does not pay a demand charge to the transmission and distribution utility or, in the case of a consumer served by a consumer-owned transmission and distribution utility, a nonresidential consumer with a demand of 20 kilowatts or less.

4-A. General consumer protections. As a condition of licensing, a competitive electricity provider:

- A. Shall obtain a consumer's authorization before serving the consumer;
- B. May not release to any other entity, other than for purposes of debt collection or credit reporting pursuant to state and federal law or to law enforcement agencies pursuant to lawful process, any personal information regarding a customer, including name, address, telephone number, usage and historical payment information, without the consent of the customer;
- C. ~~Must~~ Shall comply with the provisions of the Maine Unfair Trade Practices Act, ~~Title 5, chapter 40;~~

- D. May not collect or seek to collect unreasonable costs from a customer who is in default;
- E. ~~Must~~ Shall comply with all applicable provisions of the federal Equal Credit Opportunity Act, 15 United States Code, Sections 1691 to 1691f;
- F. ~~Must~~ Shall comply with all federal and state laws, federal regulations and state rules regarding the prohibition or limitation of telemarketing; and
- H. ~~Must~~ Shall comply with any other applicable standards or requirements established by the commission by rule.

4-B. Residential consumer protections. As a condition of licensing, a competitive electricity provider that provides or proposes to provide generation service to a residential consumer:

- A. Shall disclose, before entering into an agreement to provide service to a residential consumer, to the residential consumer where the residential consumer can obtain information with which to compare the service provided by the competitive electricity provider and the standard-offer service;
- B. May not renew a contract for generation service without providing a residential consumer with notice of renewal in advance by mail;
- C. May not renew a contract for generation service at a fixed rate that is 20% or more above the contract rate in the expiring contract without the express consent of the residential consumer;
- D. May not renew a contract for generation service for a term that is longer than the term of the expiring contract or 12 months, whichever is shorter, without the express consent of the residential consumer; and
- E. May not impose an early termination fee for any contract for generation service that was renewed without express consent from the residential consumer.

If a residential consumer does not provide the express consent required by paragraphs C and D, the residential consumer must be transferred to standard-offer service.

4-C. Residential consumer protection through transmission and distribution utility bill information. The monthly utility bill for a residential consumer that elects to receive generation service from a competitive electricity provider must contain the following:

- A. A website address or other resource that residential consumers can access to obtain information that provides independent information as determined by the commission that allows residential consumers to compare terms, conditions and rates of electricity supply; and

- B. A statement that directs the residential consumer to the competitive electricity provider for more information on the residential consumer's contract, including its terms, and that provides the telephone number of the competitive electricity provider.

5. Licensing renewals and revocations. Consistent with all applicable requirements of Title 5, chapter 375, the commission may limit the duration and effectiveness of a license to a specified term, may conduct proceedings for the renewal of licenses and may conduct proceedings for the revocation of a license when a requirement of this section has not been complied with by a competitive electricity provider. The commission shall adopt rules governing the procedures for issuing or revoking a license under this section and related matters.

6. Consumer protection standards; rules. The commission shall establish by rule consumer protection standards and standards to protect and promote market competition in order to protect retail consumers of electricity from fraud and other unfair and deceptive business practices. The commission shall prohibit, by rule, a competitive electricity provider or a 3rd-party sales agent from representing itself as an alternative to or affiliated in any way with a transmission and distribution utility. Notwithstanding Title 32, chapter 69, subchapter 5 or Title 32, section 14716, the commission may provide by rule that a competitive electricity provider or a 3rd-party sales agent may satisfy the requirements of subsection 4-A, paragraph A by obtaining from the customer oral authorization obtained by an independent 3rd party.

7. Penalties. The commission may impose administrative penalties upon a competitive electricity provider or a 3rd-party sales agent in accordance with chapter 15.

8. Dispute resolution. The commission shall resolve disputes between competitive electricity providers, including 3rd-party sales agents undertaking the retail sale or marketing of electricity on behalf of a provider, and retail consumers of electricity concerning standards or requirements established by or pursuant to subsection 4, 4-A, 4-B or 6.

9. Additional actions. The commission may impose by rule any additional requirements necessary to carry out the purposes of this chapter, except that this section may not be construed to permit the commission to regulate the rates of any competitive electricity provider.

10. Cease and desist orders. The commission may issue a cease and desist order:

- A. Following an adjudicatory hearing held in conformance with Title 5, chapter 375, subchapter ~~4~~ 4, if the commission finds that ~~any~~ a competitive electricity provider or transmission and distribution

utility has engaged or is engaging in any act or practice in violation of any law or rule administered or enforced by the commission or any lawful order issued by the commission. A cease and desist order is effective when issued unless the order specifies a later effective date or is stayed pursuant to Title 5, section 11004; or

B. In an emergency, without hearing or notice, if the commission receives a written, verified complaint or affidavit showing that a competitive electricity provider or a transmission and distribution utility is selling electricity to retail consumers without being duly licensed or is engaging in conduct that creates an immediate danger to the public safety or is reasonably expected to cause significant, imminent and irreparable public injury. An emergency cease and desist order is effective immediately and continues in force and effect until further order of the commission or until stayed by a court of competent jurisdiction. In a subsequent hearing the commission shall in a final order affirm, modify or set aside the emergency cease and desist order and may employ simultaneously or separately any other enforcement or penalty provisions available to the commission.

11. Restitution. The commission may order restitution for any party injured by a violation for which a penalty may be assessed pursuant to this section.

12. Enforcement. The commission through its own counsel or through the Attorney General may apply to the Superior Court of any county of the State to enforce any lawful order made or action taken by the commission pursuant to this section. The court may issue such orders, preliminary or final, as it considers proper under the facts established before it.

13. Notice to Attorney General. If the commission has reason to believe that ~~any a~~ competitive electricity provider, 3rd-party sales agent or transmission and distribution utility has violated any provision of law for which criminal prosecution is provided and would be in order or any antitrust law of this State or the United States, the commission shall notify the Attorney General. The Attorney General shall promptly institute any actions or proceedings the Attorney General considers appropriate.

13-A. Investigation. The commission may investigate any matter relating to the provision of service by a competitive electricity provider or the actions of a 3rd-party sales agent undertaking the retail sale or marketing of electricity on behalf of a provider pursuant to this chapter. In conducting an investigation under this subsection, the commission shall use the procedures established under section 1303, subsection 2.

14. Disconnection restricted. A transmission and distribution utility may not disconnect service to a consumer due to nonpayment of generation charges or any

other dispute with a competitive electricity provider, except that the commission may permit disconnection of electric service to consumers of electricity based on nonpayment of charges for standard-offer service provided under section 3212.

15. Standard billing. The commission shall consider requiring standard billing information on bills for electric power service. If standard billing information is required, the commission shall investigate the possibility of adopting standards consistent with other New England states. The commission may not prohibit transmission and distribution utilities from contracting with generation service providers to include both entities' charges on a single bill. The commission may not preclude the inclusion of other information on bills for electric power service.

16. Access to load data. Upon request from a competitive electricity provider, the commission shall provide load data on a class basis that is in the possession of a transmission and distribution utility, subject to reasonable protective orders to protect confidentiality, if considered necessary by the commission.

16-A. Customer information. A transmission and distribution utility may not release any customer-specific information to a licensed competitive electricity provider unless the provider produces sufficient evidence, as defined by the commission by rule, that the provider has obtained the customer's authorization.

17. Rules. Except as otherwise provided in this section, rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter ~~H-A~~ 2-A.

18. Confidentiality of consumer information. Information concerning customers of a competitive electricity provider or customers contacted or enrolled by any of its 3rd-party sales agents is subject to the same confidentiality protections afforded utility customer information under section 704, subsection 5.

See title page for effective date.

CHAPTER 109

H.P. 374 - L.D. 511

**An Act Regarding Services
Designed To Reduce the
Number of So-called Robocalls
and Automatically Dialed
Telephone Calls**

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

Sec. 1. 35-A MRSA §7105-A is enacted to read:

§7105-A. Automated telephone call reduction services

Beginning January 1, 2022, a telephone utility that offers any service to subscribers in the State designed to reduce the number of calls received by a subscriber that are made using an automated telephone calling device or an artificial or prerecorded voice shall inform each subscriber as to the nature and cost of any such service offered and describe how the subscriber may elect to enroll in or take advantage of such service. Such information must be provided to a subscriber at the time the subscriber initiates service with the telephone utility and must be available on the telephone utility's website. A telephone utility shall offer any such service at a reasonably affordable cost to all subscribers in the State.

For the purposes of this section, "automated telephone calling device" has the same meaning as in Title 10, section 1498, subsection 1, paragraph A.

See title page for effective date.

**CHAPTER 110
H.P. 442 - L.D. 606**

An Act Regarding the Child Protection System

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

Sec. 1. 22 MRSA §4004, sub-§1, ¶C, as amended by PL 1993, c. 294, §1, is further amended to read:

C. Cooperating and coordinating with other agencies, facilities or persons providing related services to families and children throughout the period of time the department is involved with a family and child;

Sec. 2. 22 MRSA §4004, sub-§2, ¶B-1 is enacted to read:

B-1. Establish and maintain a policy that requires, to the greatest extent possible under applicable federal and state confidentiality laws, that caseworkers receive information throughout the period of time the department is involved with a family and child directly from any agencies, facilities or persons involved with or providing services to the family and child in order to:

- (1) Coordinate adequate access to resources for a family and child; and
- (2) Inform the ongoing risk and safety assessment of the child;

Sec. 3. Report. The Department of Health and Human Services, Office of Child and Family Services shall present the policy established pursuant to the

Maine Revised Statutes, Title 22, section 4004, subsection 2, paragraph B-1 to the Joint Standing Committee on Health and Human Services no later than March 1, 2022. The Joint Standing Committee on Health and Human Services is authorized to report out legislation relating to the Child and Family Services and Child Protection Act to the Second Regular Session of the 130th Legislature.

See title page for effective date.

**CHAPTER 111
S.P. 244 - L.D. 630**

An Act To Prohibit Shelf-stable Products from Being Sold as Cider

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

Sec. 1. 7 MRSA §543-A, sub-§1, as enacted by PL 1999, c. 175, §1, is amended to read:

1. Restriction on product labeled as cider. A person may not sell, advertise, offer or expose for sale any product labeled as "cider" if that product does not require refrigeration from pressing through purchase or has been heated to a temperature of 155° Fahrenheit or higher for more than 10 seconds.

Sec. 2. 7 MRSA §543-A, sub-§2, as enacted by PL 1999, c. 175, §1, is amended to read:

2. Accepted processing methods. All cider sold, advertised, offered or exposed for sale must be ~~heat treated~~, treated by ultraviolet light or pressed under a state-approved hazard and critical control plan unless the cider bears a warning label in accordance with subsection 3. A state-approved hazard and critical control plan must prohibit the pressing of apples that have dropped from the trees for use in cider. ~~For the purposes of this section, "heat treated" means heated to a temperature of 155° Fahrenheit or higher for no more than 10 seconds.~~

Sec. 3. 7 MRSA §543-A, sub-§4, as enacted by PL 1999, c. 175, §1, is amended to read:

4. Exemption. ~~Hard cider as defined in Title 28-A, section 2, subsection 12-A~~ is exempt from this section. For purposes of this subsection, "hard cider" means liquor produced by fermentation of the juice of apples or pears, including, but not limited to, flavored, sparkling or carbonated cider, that contains not less than 1/2 of 1% alcohol by volume and "liquor" has the same meaning as in Title 28-A, section 2, subsection 16.

See title page for effective date.

**CHAPTER 112
S.P. 249 - L.D. 635**

**An Act Relating to Hunting
with a Noise Suppression
Device**

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

Sec. 1. 12 MRSA §10902, sub-§6-A is enacted to read:

6-A. Mandatory hunting license revocation when using a suppressor. The commissioner shall suspend a person's hunting license for at least 3 years if that person is convicted of any violation listed in subsection 6 and found to have been in possession, at the time of the offense, of a firearm with a device used to suppress or deaden the sound or natural report of the firearm.

Sec. 2. 12 MRSA §11161, as amended by PL 2017, c. 366, §1, is repealed.

Sec. 3. 12 MRSA §11214, sub-§1, ¶C, as amended by PL 2015, c. 262, §2, is repealed.

See title page for effective date.

**CHAPTER 113
H.P. 489 - L.D. 662**

**An Act To Allow the Use of an
Additional Light on the Roof of
Vehicles of Active Members of
a Municipal or Volunteer Fire
Department**

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

Sec. 1. 29-A MRSA §2054, sub-§2, ¶F, as amended by PL 2021, c. 26, §1, is further amended by amending subparagraph (2) to read:

(2) The municipal officers or a municipal official designated by the municipal officers, with the approval of the fire chief, may authorize an active member of a municipal or volunteer fire department to use one red or combination red and white flashing auxiliary light mounted in the windshield or on the dashboard at the front of the vehicle or 2 flashing red or combination red and white auxiliary lights mounted on the front of the vehicle above the front bumper and below the hood and one red auxiliary light mounted in the rear window area. In addition to the lights authorized under this subparagraph, the municipal officers or municipal official designated by the municipal

officers, with the approval of the fire chief, may authorize an active member of a municipal or volunteer fire department to use one red light bar no more than 8 inches in length on the roof of the vehicle so that the light is visible to approaching traffic from the front and the rear of the vehicle. The light or lights may be displayed but may be used only while the member is en route to or at the scene of a fire or other emergency. A light mounted on the dashboard or in the windshield must be shielded so that the emitted light does not interfere with the operator's vision. The use of lights may be revoked at any time by the fire chief.

See title page for effective date.

**CHAPTER 114
H.P. 497 - L.D. 670**

**An Act To Increase the
Lobbyist Registration Fee**

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

Sec. 1. 3 MRSA §313, as amended by PL 2019, c. 587, §7 and affected by §18, is repealed and the following enacted in its place:

§313. Registration of lobbyists, lobbyist associates and employers

1. Registration. No later than 15 business days after lobbying more than 8 hours in a calendar month on behalf of an employer, a lobbyist shall submit a joint registration to the commission for the employer, the lobbyist and any lobbyist associates and pay a registration fee of \$250. The lobbyist shall pay an additional \$125 for each lobbyist associate included in the joint registration.

2. Fee waiver. The commission may waive the fee or fees required under subsection 1 in whole or in part if the commission determines that the fee or fees constitute an economic hardship to the employer. A lobbyist or employer may submit an application for a waiver under this subsection on a form or in the format approved by the commission. After receiving an application for a fee waiver, the commission may request relevant information from the lobbyist or employer, including, but not limited to, the amount of compensation the employer expects to pay the lobbyist in the coming lobbying year, the employer's budgeted expenditures for personnel or for all programs and activities in the coming year and the employer's revenues or expenses in the prior year.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

**ETHICS AND ELECTION PRACTICES,
COMMISSION ON GOVERNMENTAL**

**Governmental Ethics and Election Practices -
Commission on 0414**

Initiative: Provides ongoing allocations for expenditures related to administering and enforcing lobbyist disclosure requirements, including the costs of obtaining, maintaining and upgrading technology to facilitate disclosure of lobbying and campaign finance information to the public.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$31,350	\$26,350
OTHER SPECIAL REVENUE FUNDS TOTAL	\$31,350	\$26,350

See title page for effective date.

**CHAPTER 115
H.P. 577 - L.D. 772**

An Act To Permit Naloxone Possession, Prescription, Administration and Distribution in Public and Private Schools

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

Sec. 1. 20-A MRSA §6307 is enacted to read:

§6307. Naloxone hydrochloride possession, prescription, administration and distribution

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

A. "Collaborative practice agreement" means a written and signed agreement between a physician licensed in this State or a school health advisor and a school nurse that provides for the possession, prescription, administration and distribution of naloxone hydrochloride by the physician or school health advisor and administration of naloxone hydrochloride by the school nurse or designated school personnel to students, staff or visitors during school or a school-sponsored activity or otherwise on school grounds under emergency circumstances involving an opioid overdose or apparent opioid overdose.

B. "Designated school personnel" means those employees, agents or volunteers of a school administrative unit or approved private school designated by a collaborative practice agreement who have completed the training required by the guidelines developed pursuant to subsection 8 to administer

naloxone hydrochloride to a student, staff member or visitor.

C. "Naloxone hydrochloride" means medication, in a noninjectable form, administered to reverse the effects of opioids in the emergency treatment of an opioid overdose.

D. "School" means a public or approved private school.

E. "School health advisor" means a physician or family or pediatric nurse practitioner appointed to act as a school health advisor pursuant to section 6402-A.

F. "School nurse" means a nurse appointed to serve as a school nurse pursuant to section 6403-A.

2. Collaborative practice agreement; adoption authorized. A school administrative unit or an approved private school may authorize adoption of a collaborative practice agreement for the purposes of stocking, possessing and administering naloxone hydrochloride as provided under this section. The administration of naloxone hydrochloride in accordance with this section is not the practice of medicine.

3. Collaborative practice agreement; authority. A collaborative practice agreement permits a physician licensed in this State or school health advisor to prescribe naloxone hydrochloride and direct a school nurse to administer naloxone hydrochloride in good faith to any student, staff member or visitor experiencing an apparent opioid overdose during school or a school-sponsored activity or otherwise on school grounds. Pursuant to a collaborative practice agreement, a physician licensed in this State or school health advisor may authorize the school nurse during school or a school-sponsored activity or otherwise on school grounds to designate designated school personnel to administer naloxone hydrochloride if the school nurse is not present when a student, staff member or visitor experiences a suspected opioid overdose.

4. Collaborative practice agreement; terms and provisions. A collaborative practice agreement must include the following information:

A. Name and address of the school;

B. Identification and signatures of the physician or school health advisor and school nurse who are parties to the collaborative practice agreement, the dates the agreement is signed by each party and the beginning and end dates of the period of time within which the agreement is in effect; and

C. Any other information considered appropriate by the physician or school health advisor and school nurse.

5. Use of naloxone hydrochloride without a collaborative practice agreement. If a collaborative practice agreement has not been adopted pursuant to

subsection 2, the governing body of a school administrative unit or an approved private school may authorize a school nurse or other licensed health care professional whose scope of practice includes administration of naloxone to:

A. Stock and possess naloxone hydrochloride prescribed by a legally authorized individual; and

B. Administer naloxone hydrochloride prescribed by a legally authorized individual to any student, staff member or visitor that the school nurse or other licensed health care professional, based on the school nurse's or other licensed health care professional's professional judgment, suspects to be experiencing an opioid overdose.

The administration of naloxone hydrochloride in accordance with this subsection is not the practice of medicine.

6. **Manufacturer or supplier arrangement.** A school administrative unit or an approved private school may enter into an arrangement with a manufacturer of naloxone hydrochloride or a 3rd-party supplier of naloxone hydrochloride to obtain naloxone hydrochloride at fair market prices, reduced prices or no cost.

7. **Purchase from licensed pharmacies.** A collaborative practice agreement under this section may provide that a school administrative unit or an approved private school may purchase naloxone hydrochloride from a pharmacy licensed in this State.

8. **Guidelines.** By January 1, 2022, and as needed after that date, the department in consultation with the Department of Health and Human Services shall develop and make available to all schools guidelines for the management of opioid overdose during school or a school-sponsored activity or otherwise on school grounds. The guidelines must include, but are not limited to:

A. Education and training for school personnel on recognition of opioid overdose, rescue breathing and the administration of naloxone hydrochloride; and

B. Procedures for responding to opioid overdose.

See title page for effective date.

CHAPTER 116

H.P. 583 - L.D. 778

An Act To Enable Electronic Reporting of Suspected Child Abuse and Neglect for Certain Mandated Reporters

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

Sec. 1. 22 MRSA §4012, sub-§1, as amended by PL 2011, c. 402, §2, is further amended to read:

1. Immediate report. Reports regarding abuse or neglect must be made immediately by telephone to the department unless otherwise specified in this subsection and must be followed by a written report within 48 hours if requested by the department.

~~Hospitals, medical personnel~~ Medical professionals, hospitals and hospital staff, school personnel and law enforcement personnel may submit emergency reports through password-protected e-mail submissions. A faxed report may also be accepted when preceded by a telephone call informing the department of the incoming fax transmission electronically. The department shall provide a portal through which these electronic reports may be submitted that is linked to the department's comprehensive child welfare information system.

See title page for effective date.

CHAPTER 117

H.P. 585 - L.D. 780

An Act Regarding Uncontrolled Hazardous Substance Sites

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

Sec. 1. 38 MRSA §1362, sub-§1, ¶F, as amended by PL 1985, c. 746, §32, is further amended to read:

F. Any imminently hazardous chemical substance or mixture with respect to which the Administrator of the United States Environmental Protection Agency has taken action pursuant to the United States Toxic Substances Control Act, Section 7; ~~and~~

Sec. 2. 38 MRSA §1362, sub-§1, ¶G, as amended by PL 1989, c. 878, Pt. B, §42, is further amended to read:

G. Waste oil as defined in section 1303-C; and

Sec. 3. 38 MRSA §1362, sub-§1, ¶H is enacted to read:

H. Any substance defined as a hazardous substance or a pollutant or contaminant under the United States Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 United States Code, Section 9601.

Sec. 4. 38 MRSA §1367-B, as enacted by PL 1991, c. 811, §4 and affected by §7, is amended to read:

§1367-B. Limited exemption exemptions from liability for state or local governmental entities

1. Limited exemption from liability for state or local governmental entities. Liability under section 1367 does not apply to the State or ~~any~~ a political subdivision that acquired ownership or control of an uncontrolled hazardous substance site through tax delinquency proceedings pursuant to Title 36, or through any similar statutorily created procedure for the collection of governmental taxes, assessments, expenses or charges, or involuntarily through abandonment, or in circumstances in which the State or a political subdivision involuntarily acquired ownership or control by virtue of its function as a sovereign. The exemption from liability provided under this subsection does not apply to the State or ~~any~~ a political subdivision that has caused, contributed to or exacerbated a release or threatened release of a hazardous substance on or from the uncontrolled site.

1-A. Limited exemption from liability for publicly owned treatment works. A publicly owned treatment works is exempt from liability under section 1367 as a responsible party under section 1362, subsection 2, paragraph C based on the contribution by the publicly owned treatment works of effluent or sewage sludge to an uncontrolled site, except that the exemption does not apply if the commissioner determines that the publicly owned treatment works:

- A. Has failed to follow applicable requirements under this Title and the rules adopted pursuant to this Title for the disposal or use of effluent or sewage sludge;
- B. Has failed to comply with an information request or administrative subpoena issued by the department under this chapter; or
- C. Has impeded or is impeding, through action or inaction, the performance of a response action or natural resources restoration at the uncontrolled site.

1-B. Limited exemption from liability for public water systems. A public water system is exempt from liability under section 1367 as a responsible party under section 1362, subsection 2, paragraph C based on the contribution by the public water system of water treatment residuals to an uncontrolled site, except that the exemption does not apply if the commissioner determines that the public water system:

- A. Has failed to follow applicable requirements under this Title and the rules adopted pursuant to this Title for the disposal or use of water treatment residuals;
- B. Has failed to comply with an information request or administrative subpoena issued by the department under this chapter; or
- C. Has impeded or is impeding, through action or inaction, the performance of a response action or

natural resources restoration at the uncontrolled site.

For the purposes of this subsection, "public water system" has the same meaning as in the federal Safe Drinking Water Act Amendments of 1996, 42 United States Code, Section 300f.

2. Reimbursement for department expenses. Notwithstanding the exemption from liability provided in subsection 1, the State or ~~any~~ a political subdivision that acquires or has acquired ownership of property that encompasses an uncontrolled hazardous substance site pursuant to any of the proceedings referred to in subsection 1 is liable for any costs incurred by the department pursuant to this chapter during the period in which the State or political subdivision had ownership of the property, up to the amount of the proceeds from the sale or disposition of the property minus the out-of-pocket costs of the sale or disposition.

Sec. 5. Report. On or before January 15, 2023, the Department of Environmental Protection shall report to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters regarding uncontrolled hazardous substance sites where the department, pursuant to its authority under the Maine Revised Statutes, Title 38, chapter 13-B, has required a responsible party to investigate or remove a hazardous substance that is a pollutant or contaminant under Title 38, section 1362, subsection 1, paragraph H and, for each such site, the common name and chemical abstracts service registry number of the hazardous substance investigated or removed.

See title page for effective date.

CHAPTER 118
H.P. 588 - L.D. 783

**An Act Regarding the
Membership of the Sexual
Assault Forensic Examiner
Advisory Board**

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

Sec. 1. 5 MRSA §3360-N, sub-§1, as amended by PL 2015, c. 267, Pt. GG, §2, is further amended to read:

1. Establishment and membership. The Sexual Assault Forensic Examiner Advisory Board, referred to in this chapter as the "board," established under section 12004-J, subsection 13, is established within the Department of Health and Human Services. The board consists of ~~13~~ 15 members appointed by the Commissioner of Health and Human Services. Members must include the following:

- A. One physician licensed to practice medicine in the State;
- B. One member of the State Board of Nursing representing a school of nursing;
- C. ~~One~~ Two sexual assault nurse ~~examiner~~ examiners;
- D. One representative from a sexual assault support center;
- E. One member from a statewide coalition against sexual assault;
- F. One survivor of sexual assault;
- G. One attorney from the Department of the Attorney General, designated by the Attorney General;
- H. One employee of the Maine State Police Crime Laboratory;
- I. One member from a statewide association of prosecutors;
- J. One member from a statewide association of hospitals;
- K. One member who is a forensic pediatric health care provider; ~~and~~
- K-1. One representative of law enforcement; and
- L. Two public members.

See title page for effective date.

CHAPTER 119

H.P. 640 - L.D. 872

An Act Concerning Motor Vehicle Emissions Control System Tampering

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

Sec. 1. 38 MRSA §585-O is enacted to read:

§585-O. Motor vehicle emission control system tampering

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

A. "Dealer" means a person engaged in the business of buying, selling, exchanging or offering to negotiate, negotiating or advertising the sale, lease or rental of a motor vehicle at retail and that has:

- (1) An established place of business for those purposes in this State; and
- (2) A current dealer license issued by the Secretary of State.

"Dealer" does not include the State when selling state-owned motor vehicles; a vehicle auction business as defined in Title 29-A, section 851, subsection 14; an insurance salvage pool as defined in Title 29-A, section 602, subsection 6; or a franchisee as defined in Title 10, section 1171, subsection 7.

B. "Emission control system" means a device or element of design installed on or in a motor vehicle or engine by the original manufacturer and certified to comply with pollutant emission standards established by federal or state law.

C. "Motor vehicle" means a self-propelled vehicle intended for operation on roads. "Motor vehicle" does not include a salvage vehicle, as defined in Title 29-A, section 602, subsection 13, or a vehicle sold for parts or scrap.

D. "Person" means an individual, corporation, firm, partnership, joint venture, association, fiduciary, trust, estate or any other legal or commercial entity.

E. "Tamper" means to deactivate, dismantle, defeat, bypass, alter, modify, remove or otherwise render inoperable, in whole or in part, mechanical or electronic components of the emission control system that is installed on or in a motor vehicle by the original manufacturer of the motor vehicle.

2. Tampering prohibited. Tampering with the emission control system of a motor vehicle is prohibited as provided in this subsection.

A. A person may not tamper with the emission control system of a motor vehicle for compensation, except to repair or replace a part or all of the emission control system to return the emission control system to its original manufacturer's certified specifications.

B. A dealer may not sell, lease or rent, or offer to sell, lease or rent, or transfer title or right of possession of a motor vehicle if a person has tampered with the emission control system of the motor vehicle.

3. Penalties. A person that violates this section is subject to penalties under section 349.

4. Rulemaking. The department may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 120
H.P. 653 - L.D. 897**

**An Act To Allow
Municipalities To Set Below-
market Interest Rates for
Senior Citizen Property Tax
Deferral Programs**

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

Sec. 1. 36 MRSA §6271, sub-§3, as amended by PL 2017, c. 170, Pt. B, §10, is further amended to read:

3. Effect of deferral. If property taxes are deferred under the program, the lien established on the eligible homestead under section 552 continues for the purpose of protecting the municipal interest in the tax-deferred property. Interest on the deferred taxes accrues at the rate of 0.5 percentage points above the otherwise applicable rate for delinquent taxes unless the municipality adopts a lower interest rate. In order to preserve the right to enforce the lien, the municipality shall record in the county registry of deeds a list of the tax-deferred properties of that municipality. The list must contain a description of each tax-deferred property as listed in the municipal valuation together with the name of the taxpayer listed on the valuation. The list must be updated annually to reflect the addition or deletion of tax-deferred properties, the amount of deferred taxes accrued for each property and payments received.

The recording of the tax-deferred properties under this subsection is notice that the municipality claims a lien against those properties in the amount of the deferred taxes plus interest together with any fees paid to the county registry of deeds in connection with the recording. For a property deleted from the list, the recording serves as notice of release or satisfaction of the lien, even though the amount of taxes, interest or fees is not listed.

See title page for effective date.

**CHAPTER 121
H.P. 699 - L.D. 943**

**An Act To Improve Turkey
Tagging**

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

Sec. 1. 12 MRSA §11752, sub-§2, as enacted by PL 2003, c. 655, Pt. B, §181 and affected by §422, is amended to read:

2. Tagging. ~~Prior~~ Except as provided in section 12307, prior to presenting a wild turkey for registration,

a person may not possess or leave in the field or forest a wild turkey killed by that person unless the wild turkey has securely attached to it a plainly visible tag that conforms to the requirements established under this section.

Sec. 2. 12 MRSA §12302-A, sub-§1, as enacted by PL 2003, c. 655, Pt. B, §228 and affected by §422, is amended to read:

1. Requirement. A Except as provided in section 12307, a person who kills a bear, deer, moose or wild turkey shall:

- A. Remain with that animal until it is registered, except as provided in section 12303-A;
- B. Present that animal for registration in that person's name at the first open registration station for that animal on the route taken by that person; and
- C. Leave the registration seal attached to the animal in accordance with section 12301-A until that animal is processed and packaged for consumption.

Sec. 3. 12 MRSA §12303-A, sub-§1, as enacted by PL 2003, c. 655, Pt. B, §230 and affected by §422, is amended to read:

1. Time limits. Except as provided in subsection 1-A and in section 12307, a person may not keep any of the following unregistered wild animals at home or any place of storage for more than 18 hours:

- A. Bear;
- B. Deer;
- C. Moose; or
- D. Wild turkey.

Sec. 4. 12 MRSA §12304-A, sub-§1, as enacted by PL 2003, c. 655, Pt. B, §232 and affected by §422, is amended to read:

1. Prohibition. Except as provided in subsection 2 and in section 12307, a person must present the following wild animals for registration in their entirety:

- A. Bear;
- B. Deer;
- C. Moose; or
- D. Wild turkey.

Sec. 5. 12 MRSA §12306, sub-§1, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §234 and affected by §422, is further amended to read:

1. Prohibition. A Except as provided in section 12307, a person may not possess any of the following animals if that animal has not been legally registered as provided in this chapter, unless that animal is possessed in accordance with chapter 921:

- A. Bear;

- B. Deer;
- C. Moose; or
- D. Wild turkey.

Sec. 6. 12 MRSA §12307 is enacted to read:

§12307. Exception for fall turkey hunting

Notwithstanding any other provision of this chapter, a person who kills a wild turkey during any fall open season on hunting wild turkey established by rule by the commissioner under section 11701 is not required to register or attach a tag to that turkey.

Sec. 7. Evaluation of electronic tagging. The Department of Inland Fisheries and Wildlife shall determine the direct costs of and timeline required for implementing an electronic tagging system for wild turkey. The department shall also evaluate whether and how such a system could be effectively implemented and any related costs and benefits of such a system. The department shall report the department's findings and recommendations to the Joint Standing Committee on Inland Fisheries and Wildlife by January 3, 2022 and the committee may report out a bill related to turkey tagging to the Second Regular Session or any special session of the 130th Legislature.

See title page for effective date.

CHAPTER 122

H.P. 703 - L.D. 947

An Act To Address the Long-term Impact of Economic Abuse by a Spouse

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

Sec. 1. 19-A MRSA §951-A, sub-§2, ¶C, as enacted by PL 1999, c. 634, §3, is amended to read:

C. Reimbursement support may be awarded to achieve an equitable result in the overall dissolution of the parties' financial relationship in response to exceptional circumstances. Exceptional circumstances include, but are not limited to:

- (1) Economic misconduct by a spouse; ~~and~~
- (2) Substantial contributions a spouse made towards the educational or occupational advancement of the other spouse during the marriage; ~~and~~
- (3) Economic abuse by a spouse. For the purposes of this subparagraph, "economic abuse" has the same meaning as in section 4002, subsection 3-B.

Reimbursement support may be awarded only if the court determines that the parties' financial circumstances do not permit the court to fully address equitable considerations through its distributive order pursuant to section 953.

Sec. 2. 19-A MRSA §951-A, sub-§5, ¶M-1 is enacted to read:

M-1. Economic abuse by a spouse. For the purposes of this paragraph, "economic abuse" has the same meaning as in section 4002, subsection 3-B;

Sec. 3. 19-A MRSA §953, sub-§1, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

1. Disposition. In a proceeding for a divorce, for legal separation or for disposition of property following dissolution of the marriage by a court that lacked personal jurisdiction over the absent spouse or lacked jurisdiction to dispose of the property, the court shall set apart to each spouse the spouse's property and shall divide the marital property in proportions the court considers just after considering all relevant factors, including:

- A. The contribution of each spouse to the acquisition of the marital property, including the contribution of a spouse as homemaker;
- B. The value of the property set apart to each spouse; ~~and~~
- C. The economic circumstances of each spouse at the time the division of property is to become effective, including the desirability of awarding the family home or the right to live in the home for reasonable periods to the spouse having custody of the children; ~~and~~
- D. Economic abuse by a spouse. For the purposes of this paragraph, "economic abuse" has the same meaning as in section 4002, subsection 3-B.

See title page for effective date.

CHAPTER 123

S.P. 323 - L.D. 1028

An Act To Ease Business Expansion by Increasing the Number and Applicability of Permit Exemptions under the Site Location of Development Laws

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

Sec. 1. 38 MRSA §488, sub-§7, as amended by PL 1993, c. 383, §26 and affected by §42, is further amended to read:

7. **Exemption for expansion at existing manufacturing facility.** New construction at a licensed manufacturing facility is exempt from review under this article ~~provided that~~ as long as the additional disturbed area not to be revegetated does not exceed ~~30,000~~ 40,000 square feet ground area in any calendar year and does not exceed ~~60,000~~ 80,000 square feet ground area in total. When review under this article is required at a licensed manufacturing facility, the applicant shall provide plans for the new development, as well as for those activities that have been undertaken pursuant to this subsection. The permittee shall annually notify the department of new construction conducted during the previous 12 months pursuant to this exemption. The notice must identify the type, location and ground area of the new construction.

Sec. 2. 38 MRSA §488, sub-§27, ¶A, as enacted by PL 2011, c. 551, §3, is amended to read:

A. New construction at or a modification of a campus of an educational institution permitted pursuant to this article is exempt from review under this article if the additional disturbed area not to be revegetated does not exceed ~~30,000~~ 40,000 square feet ground area in any calendar year and does not exceed ~~60,000~~ 80,000 square feet ground area in total.

See title page for effective date.

CHAPTER 124

H.P. 766 - L.D. 1031

**An Act To Create an
Administrative Review Process
for Hunting Violations**

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

Sec. 1. 12 MRSA §10657, sub-§4 is enacted to read:

4. Administrative penalties; mutually exclusive penalties. A person who violates this section may be subject to administrative penalties under section 10902-A, but a person who violates this section and receives an administrative penalty for that violation under section 10902-A is not subject to conviction or adjudication under this section for that violation.

Sec. 2. 12 MRSA §10902-A is enacted to read:
§10902-A. Suspension of license through administrative process for civil trespass while hunting

The department in an adjudicatory proceeding may impose an administrative penalty for a violation of section 10657 in accordance with this section.

1. Initiation and notice. If the Game Warden Colonel delivers to the commissioner a written statement under oath that the Game Warden Colonel has probable cause to suspect that a person has violated section 10657 while hunting and the Game Warden Colonel has determined, after consultation with the district attorney having jurisdiction over that violation, that the person will not be charged with a crime or civil violation under that section, the commissioner immediately shall examine the statement and determine whether to conduct an adjudicatory proceeding for the purpose of imposing an administrative penalty under this section. If the commissioner determines that the imposition of a penalty is necessary, the commissioner shall, in accordance with Title 5, section 9052, immediately notify the person who is alleged to have violated section 10657. The provided notice under this subsection must state that the person may request a hearing in accordance with subsection 2 within 10 days of receipt of notice. Notice is deemed received 3 days after the mailing. If a person who has been notified pursuant to this subsection does not request a hearing within 10 days after receipt of notice, the commissioner may implement administrative penalties under subsection 3 without a hearing.

2. Hearing. If a person alleged to have violated section 10657 requests a hearing pursuant to subsection 1, the commissioner or commissioner's designee shall appoint a presiding officer who shall hold the hearing within 30 business days after the request. If the hearing is continued, it must be held no later than 60 days after the original notice, unless the presiding officer finds that a continuance beyond 60 days is warranted. The hearing must be held in accordance with Title 5, chapter 375, subchapter 4, except that:

A. Issues of the hearing are limited to whether the person while hunting violated section 10657;

B. If the presiding officer determines that the person while hunting committed a violation of section 10657, the presiding officer shall immediately notify the commissioner of the finding; and

C. The presiding officer shall provide a written decision that contains the findings and recommended penalties under subsection 3 no more than 10 business days after completion of the hearing, after which the commissioner or the commissioner's designee may take administrative action under subsection 3.

3. Administrative action. In accordance with this section, if the commissioner or the commissioner's designee determines, after receiving the findings and recommendations of the presiding officer under subsection 2 or in accordance with Title 5, section 9053 if a hearing has not been requested, that a person who holds a license to hunt violated section 10657 while hunting, the commissioner or the commissioner's designee may impose the following penalties:

A. For a first violation, revocation of the person's hunting licenses for one year from the date the commissioner or the commissioner's designee issues a decision under this subsection;

B. For a 2nd violation, revocation of the person's hunting licenses for 2 years from the date the commissioner or the commissioner's designee issues a decision under this subsection; or

C. For subsequent violations, revocation of the person's hunting licenses for 3 years from the date the commissioner or the commissioner's designee issues a decision under this subsection.

4. Additional penalties; mutually exclusive penalties. In addition to the penalties specified in subsection 3, a person who violates section 10657 while hunting, as determined by the presiding officer, the commissioner or the commissioner's designee under this section, must successfully complete the outdoor ethics course for hunters under section 10903-A before the person is eligible to obtain a hunting license. If a person who violates section 10657 while hunting does not possess a hunting license at the time of violation, the commissioner or commissioner's designee may refuse to issue a hunting license to that person for up to 5 years following the violation in accordance with the procedures established in this section. If the person alleged to have violated section 10657 is convicted or adjudicated of a crime or civil violation under that section, the commissioner or the commissioner's designee may not impose an administrative penalty under this section.

5. Appeal. A person may appeal an administrative action under subsection 3 or 4 to the Superior Court within 30 days of receipt of the commissioner's or the commissioner's designee's decision under subsection 3 or 4.

See title page for effective date.

CHAPTER 125

S.P. 337 - L.D. 1069

An Act To Provide Program Solvency, Clarity, Consistency and Flexibility in Routine Public Health Licensing Activities

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

Sec. 1. 22 MRSA §2175, as amended by PL 2013, c. 533, §21 to 23, is repealed.

Sec. 2. 22 MRSA c. 562, headnote is amended to read:

CHAPTER 562

EATING ESTABLISHMENTS, LODGING PLACES, CAMPGROUNDS, RECREATIONAL AND SPORTING CAMPS, YOUTH CAMPS AND EATING ESTABLISHMENTS, PUBLIC POOLS AND PUBLIC SPAS

Sec. 3. 22 MRSA §2491, sub-§1, as amended by PL 2011, c. 193, Pt. A, §1, is further amended to read:

1. Campground. "Campground" means, in addition to the generally accepted definitions, camping areas, recreational vehicle parks, seashore resorts, lakeshore places, picnic and lunch grounds or other premises where tents, recreational vehicles, rental cabins and cottages are permitted on 5 or more sites for compensation ~~either directly or indirectly or indirect compensation.~~ "Campground" includes, but is not limited to, sites intended for recreational purposes rather than permanent residency. "Campground" does not include parking lots or areas where camping is not authorized.

Sec. 4. 22 MRSA §2491, sub-§7-F, as amended by PL 2013, c. 264, §4, is further amended to read:

7-F. Lodging place. "Lodging place" means a ~~building or fixed structure, or any part of a building or structure, used, maintained, or advertised or held out to the public as a place where sleeping accommodations are furnished to the public for business purposes that offers stays that are temporary in nature and consist of fewer than 183 days in the aggregate per year.~~ "Lodging place" includes, ~~accommodations in the entertainment, hospitality, recreation and tourism industries, including, but is not limited to, hotels, motels, bed and breakfasts and, inns where the owner or managing entity maintains the lodging facilities and the structures are located in the same general physical location.~~ "Lodging place" includes a ~~property and properties~~ under common management ~~at the same location~~ where 4 or more rooms, cottages or condominium units are ~~rented to the public available.~~ "Lodging place" does not include vacation rentals, youth camps, dormitories of charitable, educational or philanthropic institutions, fraternity or sorority houses affiliated with educational institutions, permanent residences, ~~rooming houses, tenancies at will~~ or rental properties with tenant and landlord relationships ~~as described under Title 14, chapters 709 to 710-D, nursing facilities as defined in section 1812-A, assisted living programs as defined in section 7852, subsection 4 or residential care facilities as defined in section 7852, subsection 14.~~

Sec. 5. 22 MRSA §2491, sub-§7-G is enacted to read:

7-G. Indirect compensation. "Indirect compensation" means nonmonetary consideration provided to a consumer or patron.

Sec. 6. 22 MRSA §2491, sub-§10-C is enacted to read:

10-C. Permanent residence. "Permanent residence" means the primary location where a person lives 183 days or more in a year in the aggregate, as determined in accordance with department rule.

Sec. 7. 22 MRSA §2491, sub-§11, as repealed and replaced by PL 2011, c. 193, Pt. A, §9, is amended to read:

11. Recreational camp or sporting camp. "Recreational camp" or "sporting camp" means a building or group of buildings devoted primarily to the offering of primitive eating and lodging facilities to guests only, with 4 or more rooms or cottages for rent, for a fee to persons who want primitive seeking recreation, including snowmobiling, hunting, fishing and similar camps activities, not including ~~summer sports~~ programs overseen by employees or volunteers of municipalities and educational institutions when the activities generally take place at municipal or institutional properties and buildings.

Sec. 8. 22 MRSA §2491, sub-§16, as amended by PL 2011, c. 193, Pt. A, §13, is further amended to read:

16. Youth camp. "Youth camp" means a combination of program and facilities established for the primary purpose of providing an outdoor group living experience for children with social, recreational, spiritual and educational objectives and operated and used for 5 or more consecutive days during one or more seasons of the year. "Youth camp" includes day camps, residential camps and trip and travel camps. "Youth camp" does not include ~~summer sports~~ programs overseen by employees or volunteers of municipalities and educational institutions when the activities generally take place at municipal or institutional properties and buildings.

Sec. 9. 22 MRSA §2492, sub-§1, as amended by PL 2017, c. 322, §4, is further amended to read:

1. License required. A person, corporation, firm or copartnership may not conduct, control, manage or operate the following establishments for compensation, ~~directly or indirectly,~~ indirect compensation without a license issued by the department:

- A. An eating establishment;
- C. A lodging place;
- D. A recreational camp or sporting camp;
- E. A campground;
- F. A youth camp;
- G. A public pool; or
- H. A public spa.

Licenses issued must be displayed in a place readily visible to customers or other persons using a licensed establishment.

Sec. 10. 22 MRSA §2492, sub-§3, as amended by PL 2011, c. 193, Pt. A, §15, is further amended to read:

3. Campground; presumption. If a campground consists of 5 or more tents or recreational vehicles on a commercial lot, regardless of fees charged, it is presumed that the owner or renter of the lot is receiving compensation for the use of a campground. The owner or renter may rebut the presumption if the owner or renter presents a preponderance of evidence to the contrary.

Sec. 11. 22 MRSA §2494, first ¶, as amended by PL 2017, c. 322, §5, is further amended to read:

Each application for, or for renewal of, a license to operate an eating establishment, lodging place, recreational camp, youth camp, public pool, public spa or campground within the meaning of this chapter must be accompanied by a fee, appropriate to the size of the establishment, place, camp, pool, spa or area of the licensee, determined by the department and not to exceed the fees listed below. All fees collected by the department must be deposited into a special revenue account established for this purpose. No such fee may be refunded. No license may be assignable or transferable. The fees may not exceed:

Sec. 12. 22 MRSA §2494, sub-§2, as amended by PL 2011, c. 193, Pt. B, §2, is further amended to read:

2. ~~Sixty One hundred dollars. Sixty One hundred~~ dollars for each inspection for any an establishment that is located in a municipality that requires local inspections of establishments to cover the costs of standardizing inspection practices; administrative licensing and maintaining a centralized database; ongoing training, investigation, compliance and technical assistance; and legal interpretation and advice; and

Sec. 13. 22 MRSA §2495, as amended by PL 2017, c. 322, §6, is further amended to read:

§2495. Issuance of licenses

The department shall, within 30 days following receipt of a complete application, issue an annual license to operate any eating establishment, lodging place, recreational camp, youth camp ~~or,~~ campground, public pool or public spa that is found to comply with this chapter and the rules adopted by the department.

When any ~~initial~~ applicant is found, based upon an inspection by the department or by municipal inspection made according to section 2499, not in compliance with the requirements of this chapter or departmental ~~regulations~~ rules adopted and approved pursuant to section 2496 or 2499, subsection 1, the department may refuse

issuance of the ~~initial~~ license, ~~but~~ and shall issue a conditional license, except when conditions are found that present a serious danger to the health and safety of the public. ~~A conditional license may not exceed 90 days. The department may issue only one conditional license per applicant, which is valid for up to one year.~~ Failure by the conditional licensee to meet the conditions specified by the department permits the department to void the conditional license.

The conditional license ~~shall be~~ is void when the department has delivered in hand or by certified mail a written notice to the conditional licensee or, if the licensee cannot be reached for service in hand or by certified mail, has left notice thereof at the facility.

A conditional licensee may apply for an annual license if the conditional license is voided or expires. A conditional licensee must meet all conditions before applying for an annual license.

The department may redistribute expiration dates for new and renewed licenses to provide for comparable distribution of licenses on a quarterly basis throughout the year and shall prorate the fees for licenses with a term less or more than one year. The prescribed fee ~~shall~~ must accompany the application for a new license, or the renewal of a license.

Licenses ~~shall~~ must be renewed ~~upon application therefor~~ annually and upon payment of the prescribed fee, including late fees, additional inspection fees and fines if assessed, and subject to compliance with ~~regulations~~ rules of the department and with this chapter. The department shall provide licensees with notice of the need for renewal and necessary forms no less than 30 days prior to the expiration of the license.

The issuance of the license provided for in this chapter does not provide exemption from other state or local laws, ordinances or ~~regulations~~ rules, notwithstanding any other provision of law.

Licenses erroneously issued by the department are void and ~~shall~~ must be returned to the department on demand in a notice delivered by hand or by certified mail to the licensee. For cause, the department may revoke or suspend any license pursuant to section 2500.

Sec. 14. 22 MRSA §2498, sub-§1, ¶C, as amended by PL 2017, c. 322, §7, is further amended to read:

C. ~~Any~~ The department may impose penalties up to \$5,000 on any person, corporation, firm or partnership that operates any eating establishment, lodging place, recreational camp, youth camp, public pool or public spa or campground without first obtaining a license as required by this chapter ~~must be punished, upon adjudication of unlicensed operation, by a fine of not less than \$25 nor more than \$200, and upon a 2nd or subsequent adjudication of unlicensed operation must be punished by a fine of~~

~~not less than \$200 nor more than \$500 an active, valid license, as determined by the department. Each day any such person, corporation, firm or co-partnership operates without obtaining a an active, valid license constitutes a separate offense.~~

Sec. 15. 22 MRSA §2499, sub-§6, as amended by PL 2011, c. 193, Pt. A, §17, is further amended to read:

6. License fee. When a license is issued to an establishment, as described in section 2492, subsection 1, located in a municipality to which authority to conduct inspection has been delegated by the department as specified in this section, the requirement for payment of a license fee by the establishment to the department as set forth in section 2494 must be waived. However, the licensee is required to pay the department a sum not to exceed \$100 to ~~support the costs of mailing and handling~~ cover the costs of standardizing inspection practices; administrative licensing and maintaining a centralized database; ongoing training, investigation, compliance and technical assistance; and legal interpretation and advice.

Sec. 16. 22 MRSA §2503 is enacted to read:
§2503. Articles detained, embargoed and condemned

Whenever a duly designated officer or employee of the department finds or has reason to believe that an establishment licensed under this chapter prepares or sells any food that is adulterated pursuant to section 2156 or misbranded pursuant to section 2157, an order detaining or embargoing that food may be issued to any person or persons with possession or control thereof and the officer or employee may affix or require the person to whom the order is directed to affix to such article a tag or other appropriate marking giving notice that such article is or is suspected of being adulterated or misbranded and has been detained or embargoed and warning all persons not to remove or dispose of such article by sale or otherwise until permission for removal or disposal is given by such officer or employee or the court. It is unlawful for any person to remove or dispose of such detained or embargoed article by sale or otherwise without such permission. Orders relating to detention and embargo issued pursuant to this chapter may not be considered licensing or an adjudicatory proceeding, as those terms are defined under Title 5, chapter 375.

When any such officer or employee finds an article detained or embargoed under this section to be adulterated or misbranded, the officer or employee may petition the District Court or Superior Court in whose jurisdiction the article is detained or embargoed for a libel for condemnation of such article if the licensee is unwilling to dispose of the article. When such officer or employee has found that an article so detained or embargoed is not adulterated or misbranded, the officer or employee shall remove the tag or other marking.

If the court finds that a detained or embargoed article is adulterated or misbranded, such article must, after entry of the decree, be destroyed at the expense of the claimant thereof, under the supervision of such officer or employee, and all court costs and fees and storage and other proper expenses must be taxed against the claimant of such article or the claimant's agent. When the adulteration or misbranding can be corrected by proper labeling or processing of the article, the court, after entry of the decree and after such costs, fees and expenses have been paid and a good and sufficient bond, conditioned that such article will be so labeled or processed, has been executed, may by order direct that such article be delivered to the claimant thereof for such labeling or processing under the supervision of an officer or employee of the department. The expense of such supervision must be paid by the claimant. Such bond must be returned to the claimant of the article on representation to the court by the commissioner that the article is no longer in violation of this chapter and that the expenses of such supervision have been paid. For purposes of this paragraph, proper labeling may include displaying required information by law, on a menu board, on a sign or in an open manner at the location where the article is for sale and served.

Whenever the commissioner or an officer or employee of the department finds in any room, building, vehicle of transportation or other structure of an establishment licensed under this chapter any meat, seafood, poultry, vegetable, fruit or other perishable articles that are unsound or contain any filthy, decomposed or putrid substance or that may be poisonous or deleterious to health or otherwise unsafe, the same being declared to be a nuisance, the commissioner or the officer or employee shall forthwith destroy the same or in any other manner render the same unsalable as human food.

The department is authorized to enact rules pursuant to this chapter to ensure compliance with this chapter and to protect public health.

Sec. 17. 32 MRSA §1222, sub-§1-A is enacted to read:

1-A. License renewal. A license under this chapter may be renewed annually upon payment of the prescribed fee, including late fees, additional inspection fees and fines if assessed and subject to compliance with rules of the department and this chapter. The department shall provide licensees with notice of the need for renewal and necessary forms no less than 30 days prior to the expiration of a license.

Sec. 18. 32 MRSA §1222, sub-§1-B is enacted to read:

1-B. Conditional license. When an applicant for an initial license or a renewal license is found, based upon an inspection by the department, not in compliance with this chapter or rules adopted pursuant to section 1242, the department may refuse issuance of the

initial or renewal license, but shall issue a conditional license, except when conditions are found that present a serious danger to the health and safety of the public. Failure by the conditional licensee to meet the conditions specified by the department permits the department to void the conditional license. The applicant may reapply for an annual license if the conditional license is voided or expires; however, the department may not reissue another conditional license. All conditions must be met in order for an applicant to reapply for and be issued an annual license.

Sec. 19. 32 MRSA §1231-A, as amended by PL 2013, c. 264, §9, is further amended to read:

§1231-A. Licensure requirements

1. Licensure requirements. Except as provided in section ~~1233~~ 1233-A, the department shall issue a license to any person under this chapter who:

- A. Is at least 17 years of age;
- B. Has a high school diploma or its equivalent; and
- C. Passes an inspection under section 1243 within 60 days before the license is issued.

2. Exemption. A person who has a valid electrology license from the department as of January 1, 1991 is exempt from the requirements of subsection 1.

3. Reciprocity. Except as provided in section ~~1233~~ 1233-A and notwithstanding the requirements of subsection 1, the department shall issue a license to any applicant under this chapter who provides the department with evidence that the applicant has 3 years of experience as an electrologist in another state. That proof must consist of notarized copies of the license or registration issued by the state where the applicant last practiced electrology.

Sec. 20. 32 MRSA §1233, as amended by PL 2013, c. 264, §§11 and 12, is repealed.

Sec. 21. 32 MRSA §1233-A is enacted to read:

§1233-A. Grounds for refusal, suspension or revocation

The department may revoke, suspend or refuse to issue or renew a license under this chapter or place a licensee on probation if:

1. Conviction of crime. The applicant or licensee has been convicted of a crime related to the practice of electrology;

2. Deception or misrepresentation. The applicant or licensee has engaged in any deception or misrepresentation to the department or the public in applying for a license or license renewal under this chapter or in the advertising or practice of electrology;

3. Negligence; incompetence; endangering the public. The applicant or licensee has demonstrated

negligence or incompetence or has endangered the public in the practice of electrology; or

4. Violation of rule. The applicant or licensee has violated a rule adopted by the department under this chapter.

Sec. 22. 32 MRSA §1243, as amended by PL 2009, c. 589, §10, is further amended to read:

§1243. Inspections Right of entry, inspection and determination of compliance

The department and any duly designated officer or employee of the department have the right, without an administrative inspection warrant, to enter upon and into the premises of any establishment licensed, or a place where a licensed electrologist practices, pursuant to this chapter at any reasonable time in order to determine the state of compliance with this chapter and any rules adopted by the department under this chapter. The right of entry and inspection extends to any premises that the department has reason to believe is being operated or maintained without a license or a place where a licensed electrologist practices, but no such entry and inspection of any premises or place may be made without the permission of the owner or person in charge unless a search warrant is obtained authorizing entry and inspection. Determination of compliance with this chapter and any rules adopted under this chapter must be made at least once every 2 years by inspection or other method as determined by the department.

Upon any person's request and payment of a fee not to exceed \$150, the department shall inspect that person's training, place of practice and equipment for compliance with this chapter and the rules adopted by the department under this chapter. All fees collected by the department must be deposited in a special revenue account dedicated to a health inspection program.

1. Additional inspection fees. When an additional inspection is required to determine an applicant's eligibility for licensure under this chapter, the department is authorized to charge, in addition to the usual fees imposed pursuant to this chapter for one license, which includes one licensure inspection and one follow-up inspection, an additional fee not to exceed \$200 to cover the costs of each additional inspection or visit. The department may impose on the applicant a penalty for the applicant's failure to pay an additional inspection fee within 30 days of the billing date.

Sec. 23. 32 MRSA §4201 is repealed and the following enacted in its place:

§4201. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Department. "Department" means the Department of Health and Human Services.

2. Tattoo. "Tattoo" means to insert pigment under the skin of a human being by pricking with a needle or otherwise so as to produce an indelible mark or figure visible through the skin.

Sec. 24. 32 MRSA §4204, sub-§3 is enacted to read:

3. Grounds for refusal, suspension or revocation. The department may revoke, suspend or refuse to issue or renew a license under this chapter or place a licensee on probation if:

A. The applicant or licensee has been convicted of a crime related to the practice of tattooing;

B. The applicant or licensee has engaged in any deception or misrepresentation to the department or the public in applying for a license or license renewal under this chapter or in the advertising or practice of tattooing;

C. The applicant or licensee has demonstrated negligence or incompetence or has endangered the public in the practice of tattooing; or

D. The applicant or licensee has violated a rule adopted by the department under this chapter.

Sec. 25. 32 MRSA §4205 is enacted to read:

§4205. Right of entry, inspection and determination of compliance

The department and any duly designated officer or employee of the department have the right, without an administrative inspection warrant, to enter upon and into the premises of any establishment licensed, or a place where a person licensed under this chapter practices, pursuant to this chapter at any reasonable time in order to determine the state of compliance with this chapter and any rules adopted by the department under this chapter. The right of entry and inspection extends to any premises that the department has reason to believe is being operated or maintained without a license or a place where a person licensed under this chapter practices, but no such entry and inspection of any premises or place may be made without the permission of the owner or person in charge unless a search warrant is obtained authorizing entry and inspection. Determination of compliance with this chapter and any rules adopted under this chapter must be made at least once every 2 years by inspection or other method as determined by the department.

Sec. 26. 32 MRSA §4252, sub-§1 is enacted to read:

1. Additional inspection fees. When an additional inspection is required to determine an applicant's eligibility for licensure under this chapter, the department is authorized to charge, in addition to the usual fees under this section for one license, which includes one licensure inspection and one follow-up inspection, an additional fee not to exceed \$200 to cover the costs

of each additional inspection or visit. The department may impose on the applicant a penalty for the applicant's failure to pay an additional inspection fee within 30 days of the billing date.

Sec. 27. 32 MRSA §4301, sub-§1 is enacted to read:

1. License renewal. A license under this chapter may be renewed annually upon payment of the prescribed fee, including late fees, additional inspection fees and fines if assessed and subject to compliance with rules of the department and this chapter. The department shall provide licensees with notice of the need for renewal and necessary forms no less than 30 days prior to the expiration of a license.

Sec. 28. 32 MRSA §4301, sub-§2 is enacted to read:

2. Conditional license. When an applicant for initial licensure or license renewal is found, based upon an inspection by the department, not in compliance with this chapter or rules adopted pursuant to section 4251, the department may refuse issuance of the initial or renewal license, but shall issue a conditional license, except when conditions are found that present a serious danger to the health and safety of the public. Failure by the conditional licensee to meet the conditions specified by the department permits the department to void the conditional license. The applicant may reapply for an annual license if the conditional license is voided or expires; however, the department may not reissue another conditional license. All conditions must be met in order for an applicant to reapply for and be issued an annual license.

Sec. 29. 32 MRSA §4311, sub-§2, as enacted by PL 1997, c. 383, §1, is amended to read:

2. Micropigmentation. "Micropigmentation" means placing nontoxic dyes or pigments into or under the subcutaneous portion of the skin so as to form indelible marks for cosmetic or medical purposes. "Micropigmentation" does not include tattooing.

Sec. 30. 32 MRSA §4312, sub-§2-A is enacted to read:

2-A. License renewal. A license under this chapter may be renewed biennially upon payment of the prescribed fee, including late fees, additional inspection fees and fines if assessed and subject to compliance with rules of the department and this chapter. The department shall provide licensees with notice of the need for renewal and necessary forms no less than 30 days prior to the expiration of a license.

Sec. 31. 32 MRSA §4312, sub-§2-B is enacted to read:

2-B. Conditional license. When an applicant for initial licensure or license renewal is found, based upon an inspection by the department, not in compliance with

this chapter or rules adopted pursuant to section 4313, the department may refuse issuance of the initial or renewal license, but shall issue a conditional license, except when conditions are found that present a serious danger to the health and safety of the public. Failure by the conditional licensee to meet the conditions specified by the department permits the department to void the conditional license. The applicant may reapply for a biennial license if the conditional license is voided or expires; however, the department may not reissue another conditional license. All conditions must be met in order for an applicant to reapply for and be issued a biennial license.

Sec. 32. 32 MRSA §4314, sub-§1 is enacted to read:

1. Additional inspection fees. When an additional inspection is required to determine an applicant's eligibility for licensure under this chapter, the department is authorized to charge, in addition to the usual fees under this section for one license, which includes one licensure inspection and one follow-up inspection, an additional fee not to exceed \$200 to cover the costs of each additional inspection or visit. The department may impose on the applicant a penalty for the applicant's failure to pay an additional inspection fee within 30 days of the billing date.

Sec. 33. 32 MRSA §4316, as enacted by PL 1997, c. 383, §1, is amended to read:

§4316. ~~Revocation; Grounds for refusal, suspension; or refusal to issue~~ revocation

The department may revoke, suspend or refuse to issue or ~~renew~~ a license ~~or renewal~~ under this chapter or place a licensee on probation if:

1. Conviction. The ~~person~~ applicant or licensee has been convicted of a crime related to the practice of micropigmentation;

2. Deception or misrepresentation. ~~Has~~ The applicant or licensee has engaged in any deception or misrepresentation to the department or the public in applying for a license or license renewal under this chapter or in the advertising or practice of micropigmentation;

3. ~~Incompetence~~ Negligence; incompetence; endangering the public. ~~Has~~ The applicant or licensee has demonstrated negligence, incompetence or danger to the public in the practice of micropigmentation; or

4. Violation of rules. ~~Has~~ The applicant or licensee has violated any of the rules adopted by the department under this chapter.

Sec. 34. 32 MRSA §4319 is enacted to read:

§4319. Right of entry, inspection and determination of compliance

The department and any duly designated officer or employee of the department have the right, without an

administrative inspection warrant, to enter upon and into the premises of any establishment licensed, or a place where a person licensed under this chapter practices, pursuant to this chapter at any reasonable time in order to determine the state of compliance with this chapter and any rules adopted by the department under this chapter. The right of entry and inspection extends to any premises that the department has reason to believe is being operated or maintained without a license or a place where a person licensed under this chapter practices, but no such entry and inspection of any premises or place may be made without the permission of the owner or person in charge unless a search warrant is obtained authorizing entry and inspection. Determination of compliance with this chapter and any rules adopted under this chapter must be made at least once every 2 years by inspection or other method as determined by the department.

Sec. 35. 32 MRSA §4324, sub-§1 is enacted to read:

1. License renewal. A license under this chapter may be renewed annually upon payment of the prescribed fee, including late fees, additional inspection fees and fines if assessed and subject to compliance with rules of the department and this chapter. The department shall provide licensees with notice of the need for renewal and necessary forms no less than 30 days prior to the expiration of a license.

Sec. 36. 32 MRSA §4324, sub-§2 is enacted to read:

2. Conditional license. When an applicant for initial licensure or license renewal is found, based upon an inspection by the department, not in compliance with this chapter or rules adopted pursuant to section 4326, the department may refuse issuance of the initial or renewal license, but shall issue a conditional license, except when conditions are found that present a serious danger to the health and safety of the public. Failure by the conditional licensee to meet the conditions specified by the department permits the department to void the conditional license. The applicant may reapply for an annual license if the conditional license is voided or expires; however, the department may not reissue another conditional license. All conditions must be met in order for an applicant to reapply for and be issued an annual license.

Sec. 37. 32 MRSA §4324, sub-§3 is enacted to read:

3. Additional inspection fees. When an additional inspection is required to determine an applicant's eligibility for licensure, the department is authorized to charge, in addition to the usual fees under section 4325 for one license, one licensure inspection and one follow-up inspection, an additional fee not to exceed \$200 to cover the costs of each additional inspection or visit. The department may impose on the applicant a

penalty assessment for the applicant's failure to pay an additional inspection fee within 30 days of the billing date.

Sec. 38. 32 MRSA §4327, sub-§3 is enacted to read:

3. Grounds for refusal, suspension or revocation. The department may revoke, suspend or refuse to issue or renew a license under this chapter or place a licensee on probation if:

A. The applicant or licensee has been convicted of a crime related to the practice of body piercing;

B. The applicant or licensee has engaged in any deception or misrepresentation to the department or the public in applying for a license or license renewal under this chapter or in the advertising or practice of body piercing;

C. The applicant or licensee has demonstrated negligence or incompetence or has endangered the public in the practice of body piercing; or

D. The applicant or licensee has violated a rule adopted by the department under this chapter.

Sec. 39. 32 MRSA §4330 is enacted to read:

§4330. Right of entry, inspection and determination of compliance

The department and any duly designated officer or employee of the department have the right, without an administrative inspection warrant, to enter upon and into the premises of any establishment licensed, or a place where a person licensed under this chapter practices, pursuant to this chapter at any reasonable time in order to determine the state of compliance with this chapter and any rules adopted by the department under this chapter. The right of entry and inspection extends to any premises that the department has reason to believe is being operated or maintained without a license or a place where a person licensed under this chapter practices, but no such entry and inspection of any premises or place may be made without the permission of the owner or person in charge unless a search warrant is obtained authorizing entry and inspection. Determination of compliance with this chapter and any rules adopted under this chapter must be made at least once every 2 years by inspection or other method as determined by the department.

Sec. 40. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

**Maine Center for Disease Control and Prevention
0143**

Initiative: Provides allocation for an expected increase in revenue from increasing a municipal license fee from \$60 to \$100.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$40,000	\$40,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$40,000	\$40,000

See title page for effective date.

**CHAPTER 126
S.P. 365 - L.D. 1104**

An Act To Increase the Time for Which a Temporary Motor Vehicle Registration Plate Is Valid

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

Sec. 1. 29-A MRSA §462, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Payment of fee for temporary registration plate. The fee for a temporary registration plate is \$1 per plate. A purchaser may operate the motor vehicle or trailer with a temporary registration plate for a period of ~~14~~ 30 consecutive days without payment of a regular fee. ~~If the purchaser is a nonresident member of the Armed Services, the purchaser may operate a motor vehicle or trailer for a period of 20 consecutive days without payment of a regular fee.~~ At the end of this initial period, a resident who is unable to comply with the requirements of chapter 7 or a nonresident who has applied for but has not yet received a registration certificate from a home state may request the Secretary of State to extend this period without charge for an additional 20 days.

See title page for effective date.

**CHAPTER 127
H.P. 810 - L.D. 1132**

An Act To Encourage the Renovation of Available Housing Stock

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

Sec. 1. 36 MRSA §946-B, sub-§1, as enacted by PL 2013, c. 521, Pt. D, §2, is amended to read:

1. Tax liens recorded after October 13, 2014. A Except as provided in section 946-C, a person may not

commence an action against the validity of a governmental taking of real estate for nonpayment of property taxes upon the expiration of a 5-year period immediately following the expiration of the period of redemption. This subsection applies to a tax lien recorded after October 13, 2014.

Sec. 2. 36 MRSA §946-C is enacted to read:

§946-C. Abandoned tax-acquired property

1. Evidence of abandonment. For the purposes of this section, evidence of abandonment showing that the property taken for nonpayment of property taxes is vacant and the occupant has no intent to return may include, but is not limited to, the following:

- A. Doors and windows on the property are continuously boarded up, broken or left unlocked;
- B. Rubbish, trash or debris has observably accumulated on the property;
- C. Furnishings and personal property are absent from the property;
- D. The property is deteriorating so as to constitute a threat to public health or safety;
- E. Reports of trespassers, vandalism or other illegal acts being committed on the property have been made to local law enforcement authorities; and
- F. Other reasonable indicia of abandonment.

2. Determination of abandonment. Upon acquiring title to residential real estate for nonpayment of property taxes under section 943, a municipality may, through its code enforcement officer or other public official, make a determination that the property is abandoned. The code enforcement officer or other public official making the determination that the property is abandoned shall certify that determination and file a copy of that certification with the registry of deeds in the county in which the property is located. The certification must contain the following information:

- A. The name and title of the code enforcement officer or other public official making the determination of abandonment;
- B. A description of the real estate and information regarding the filing of a tax lien and foreclosure with regard to the property;
- C. The name of the owner of the property at the time of foreclosure;
- D. A description of the factors considered by the code enforcement officer or other public official that contributed to the determination of abandonment; and
- E. The signature of the code enforcement officer or other public official making the determination of abandonment.

The code enforcement officer or other public official making the determination that the property is abandoned shall certify that the property is abandoned and file a copy of that certification with the registry of deeds in the county in which the property is located.

For the purposes of this subsection, "residential real estate" means property that includes a residential structure that has one to 4 residential units.

3. Tax liens for abandoned property recorded after December 1, 2021. Notwithstanding section 946-B, a person may not commence an action against the validity of a governmental taking of real estate for nonpayment of property taxes upon the expiration of a 6-month period immediately following a certification under subsection 2 that the property is abandoned. This subsection applies to a tax lien recorded after December 1, 2021.

4. Program to monitor municipal abandoned property. A municipality that certifies abandoned property under this section shall submit the address and parcel data for the abandoned property to the Maine State Housing Authority for use in determining opportunities for redevelopment, programs supporting first-time home buyers and similar programs and data analysis.

See title page for effective date.

**CHAPTER 128
H.P. 819 - L.D. 1141**

An Act To Amend the Service Contracts Act To Include the Replacement of Motor Vehicle Keys and Key Fobs and Damage to a Motor Vehicle That Results in Lease-end or Other Charges for Excessive Wear and Use

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

Sec. 1. 24-A MRSA §7102, sub-§11, ¶D, as enacted by PL 2011, c. 345, §4 and affected by §7, is amended to read:

D. The repair of small motor vehicle windshield chips or cracks but not the replacement of the entire windshield; or

Sec. 2. 24-A MRSA §7102, sub-§11, ¶E, as enacted by PL 2011, c. 345, §4 and affected by §7, is amended to read:

E. The repair of damage to the interior components of a motor vehicle caused by wear and tear but that expressly excludes the replacement of any part or component of a motor vehicle's interior;

Sec. 3. 24-A MRSA §7102, sub-§11, ¶F is enacted to read:

F. The replacement of a motor vehicle key or key fob in the event the key or key fob becomes inoperable or is lost or stolen; or

Sec. 4. 24-A MRSA §7102, sub-§11, ¶G is enacted to read:

G. In conjunction with a motor vehicle lease, the repair, replacement or maintenance of the motor vehicle, or indemnification for repair, replacement or maintenance, due to excess wear and use; due to damage for items such as tires, paint cracks or chips, interior stains, rips or scratches, exterior dents or scratches, windshield cracks or chips or missing interior or exterior parts; or due to excess mileage that results in a lease-end charge or any other charge for damage that is determined to be excess wear and use by a lessor under a motor vehicle lease, as long as any such payment does not exceed the purchase price of the motor vehicle.

See title page for effective date.

**CHAPTER 129
H.P. 860 - L.D. 1182**

An Act To Allow Commercial Lobster License Holders To Possess a Marine Harvesting Demonstration License

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

Sec. 1. 12 MRSA §6810-A, sub-§1-A, as enacted by PL 2017, c. 146, §2, is amended to read:

1-A. Eligibility. A marine harvesting demonstration license may be issued only to an individual, except that a person who holds a ~~Class I, Class II or Class III lobster and crab fishing license or a noncommercial lobster and crab fishing license~~ may not be issued a marine harvesting demonstration license.

Sec. 2. 12 MRSA §6810-A, sub-§3, as enacted by PL 2003, c. 169, §1 and affected by §3, is amended to read:

3. License limitations. An individual who holds a marine harvesting demonstration license may not sell, retain, ship or transport any portion of the catch and shall release all organisms alive into the area from which the organisms were harvested. A vessel identified under subsection 6 may not be used for the commercial harvest of marine organisms unless the operator of the vessel holds a Class I, Class II or Class III lobster and crab fishing license or as otherwise provided by the department. The trap limits of the vessel operated for the harvest of marine organisms under a Class I, Class

II or Class III lobster and crab fishing license may not be exceeded under the marine harvesting demonstration license.

Sec. 3. 12 MRSA §6810-A, sub-§4, ¶C is enacted to read:

C. A marine harvesting demonstration license holder who also holds a Class I, Class II or Class III lobster and crab fishing license shall use a buoy different in color and pattern and a different tag for fishing activities under subsection 2 than the buoy the individual uses for commercial harvesting.

Sec. 4. 12 MRSA §6810-A, sub-§7-A, as enacted by PL 2017, c. 146, §3, is amended to read:

7-A. Closed period exemption. The holder of a marine harvesting demonstration license is exempt from the prohibition on raising or hauling any lobster trap pursuant to section 6440, subsection 2 when raising or hauling lobster traps from the vessel identified on the marine harvesting demonstration license while engaging in fishing activities under subsection 2.

Sec. 5. 12 MRSA §6810-A, sub-§11, as amended by PL 2017, c. 146, §4, is further amended to read:

11. Penalties. A person who violates this section commits a civil violation for which a fine of not less than \$100 nor more than \$1,000 may be adjudged. The commissioner may suspend the Class I, Class II or Class III lobster and crab fishing license of a person who violates this section. Notwithstanding section 6401, subsection 2, the commissioner may permanently revoke the marine harvesting demonstration license of a person who sells, retains, ships or transports any portion of the catch or does not release all organisms alive into the area from which the organisms were harvested pursuant to subsection 3.

See title page for effective date.

CHAPTER 130

H.P. 910 - L.D. 1244

An Act To Extend Electronic Proof of Registration to All-terrain Vehicles, Snowmobiles and Watercraft

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

Sec. 1. 12 MRSA §13056, sub-§1-A, as amended by PL 2009, c. 213, Pt. OO, §13, is further amended to read:

1-A. Operating without certificate of number. Except as provided in paragraph A, a person may not operate or give permission to operate a motorboat re-

quiring a certificate of number without a current certificate of number or a current temporary certificate of number. Only the certificate of number or temporary certificate of number as issued by the commissioner is valid. A Except as provided in subsection 12, paragraph A, a facsimile or copy of the certificate is not valid.

A. The certificate of number for a watercraft less than 26 feet in length and leased or rented to another for the latter's noncommercial use may be retained on shore by the owner of the watercraft or the owner's representative at the place where the watercraft departs or returns to the possession of the owner or the owner's representative, as long as the person leasing or renting the watercraft has a copy of the lease or rental agreement that shows the watercraft number thereon and the period of time for which the watercraft is leased or rented and that is signed by the owner or the owner's representative.

B. The following penalties apply to violations of this subsection.

(1) A person who violates this subsection commits a civil violation for which a fine of not less than \$200 nor more than \$500 may be adjudged.

(2) A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

Sec. 2. 12 MRSA §13056, sub-§12, ¶A, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

A. The operator shall have the certificate of number available for inspection on the motorboat for which it was issued whenever the motorboat is in operation. The operator may have the certificate of number available for inspection in electronic form on the motorboat for which it was issued.

Sec. 3. 12 MRSA §13104, sub-§12-A, ¶A, as amended by PL 2007, c. 651, §18, is further amended to read:

A. A person shall:

(1) Provide a registration certificate or an online registration receipt for inspection by any law enforcement officer on demand. A person may provide a registration certificate or an online registration receipt in electronic form; and

(2) Display a registration number assigned to a snowmobile in such form and manner as the commissioner may determine, except that an antique snowmobile is not required to display registration numbers. A person may operate a

snowmobile registered online without displaying a registration number until that person receives the registration certificate from the department or for 30 days after registering the snowmobile online, whichever occurs first.

Sec. 4. 12 MRSA §13155, sub-§8-A, as amended by PL 2009, c. 340, §22, is further amended to read:

8-A. Registration inspection. An owner or operator of an ATV shall present a registration certificate or an online registration receipt for inspection by any law enforcement officer on demand. An owner or operator of an ATV may present a registration certificate or an online registration receipt in electronic form.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

See title page for effective date.

CHAPTER 131

H.P. 932 - L.D. 1272

An Act To Eliminate Limits on the Number of Taste-testing Events for Beer, Wine and Spirits

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

Sec. 1. 28-A MRSA §460, sub-§2, ¶J, as amended by PL 2019, c. 79, §1, is further amended to read:

J. The agency liquor store may conduct up to 15 an unlimited number of taste-testing events per month, ~~including taste-testing events conducted under sections 1205 and 1207.~~ If the agency liquor store complies with the applicable requirements of sections 1205 and 1207, the agency liquor store may offer wine and malt liquor for tasting at the same time as spirits.

Sec. 2. 28-A MRSA §1205, sub-§2, ¶H, as amended by PL 2019, c. 79, §2, is further amended to read:

H. The retail licensee may conduct up to 15 an unlimited number of taste-testing events per month, ~~including taste-testing events conducted under sections 460 and 1207.~~ If the retail licensee complies with the applicable requirements of sections 460 and 1207, the retail licensee may offer spirits and malt liquor for tasting at the same time as wine;

Sec. 3. 28-A MRSA §1207, sub-§2, ¶H, as amended by PL 2019, c. 79, §3, is further amended to read:

H. The retail licensee may conduct up to 15 an unlimited number of taste-testing events per month, ~~including taste-testing events conducted under section 460 or 1205.~~ If the retail licensee complies with the applicable requirements of sections 460 and 1205, the retail licensee may offer spirits and wine for tasting at the same time as malt liquor.

See title page for effective date.

CHAPTER 132

H.P. 1011 - L.D. 1377

An Act Regarding Campaign Finance Disclosure and the Filing of Statements of Sources of Income

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

Sec. 1. 1 MRSA §1016-C, as amended by PL 2011, c. 634, §8, is further amended to read:

§1016-C. Reports by legislative candidates

A candidate, as defined in Title 21-A, section 1, subsection 5, for the Legislature who is not required to file a report under section 1016-G shall file a report containing the same information required of Legislators under section 1016-G no later than 5 p.m. on ~~the first Monday~~ in August 15th preceding the general election unless the candidate withdraws from the election in accordance with Title 21-A, section 374-A by that date.

Sec. 2. 5 MRSA §19, sub-§2-A, as amended by PL 2009, c. 524, §3, is repealed.

Sec. 3. 5 MRSA §19, sub-§3-A, as enacted by PL 2011, c. 634, §22, is amended to read:

3-A. Filing upon termination of employment.

An executive employee whose employment has terminated shall file a statement of finances as described in subsection 2 ~~and a statement of positions as described in subsection 2-A~~ within 45 days after the termination of employment relating to the final calendar year of the employment.

Sec. 4. 21-A MRSA §1013-A, sub-§3, as amended by PL 2019, c. 323, §4, is further amended to read:

3. Party committees. The district, county and municipal committees of parties shall submit to their state party committees the names, mailing addresses and e-mail addresses of all their officers and of their treasurers and the name and address of the principal paid employee, if any, within 10 days after the appointment,

election or hiring of these persons. Municipal committees shall file copies of the same information with the municipal clerk. No later than June 15th of each year ~~in which a general election is scheduled~~, the state party committee shall submit to the commission a consolidated report of the names, mailing addresses and e-mail addresses of the chair and treasurer of the district, county and municipal committees of that party or of another officer if a chair or treasurer has not been appointed.

Sec. 5. 21-A MRSA §1014, sub-§2-B, as enacted by IB 2015, c. 1, §3, is amended by amending the 2nd blocked paragraph to read:

The information required by this subsection may appear simultaneously with any statement required by subsection 2 or 2-A. A communication that contains a visual aspect must include the statement in written text. A communication that does not contain a visual aspect must include an audible statement. This statement is required only for communications made through broadcast or cable television, broadcast radio, Internet audio and video programming, direct mail or newspaper or other periodical publications.

Sec. 6. 21-A MRSA §1014, sub-§2-B, as enacted by IB 2015, c. 1, §3, is amended by amending the 3rd blocked paragraph to read:

A cable television ~~or~~ broadcast television or Internet video communication must include both an audible and a written statement. For a cable television ~~or~~ broadcast television or Internet video communication 30 seconds or less in duration, the audible statement may be modified to include only the single top funder.

Sec. 7. 21-A MRSA §1019-B, sub-§1, as amended by PL 2019, c. 323, §15, is further amended to read:

1. Independent expenditures; definition. For the purposes of this section, an "independent expenditure" means any expenditure made by a person, party committee or political action committee that is not made in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate's authorized political committee or an agent of either and that:

A. ~~Is any expenditure made by a person, party committee or political action committee, other than by contribution to a candidate or a candidate's authorized political committee, for to design, produce or disseminate~~ any communication that expressly advocates the election or defeat of a clearly identified candidate; ~~and or~~

B. ~~Is presumed to be any expenditure~~ Unless the person, party committee or political action committee making the expenditure demonstrates under subsection 2 that the expenditure was not intended to influence the nomination, election or defeat of

the candidate, is made to design, produce or disseminate a communication that names or depicts a clearly identified candidate and is disseminated during the 28 days, including election day, before a primary election; during the 35 days, including election day, before a special election; or from Labor Day to a general election day.

Sec. 8. 21-A MRSA §1019-B, sub-§2, as amended by PL 2019, c. 323, §16, is further amended to read:

2. ~~Rebutting presumption~~ Commission determination. A person presumed under this section to have made an independent expenditure, party committee or political action committee may ~~rebut the presumption~~ request a determination that an expenditure that otherwise meets the definition of an independent expenditure under subsection 1, paragraph B is not an independent expenditure by filing a signed written statement with the commission within ~~48 hours~~ 7 days of disseminating the communication stating that the cost was not incurred with the intent to influence the nomination, election or defeat of a candidate, supported by any additional evidence the person, party committee or political action committee chooses to submit. The commission may gather any additional evidence it ~~deems~~ determines relevant and material and shall determine by a preponderance of the evidence whether the cost was incurred with intent to influence the nomination, election or defeat of a candidate.

Sec. 9. 21-A MRSA §1019-B, sub-§5, ¶A, as enacted by PL 2011, c. 389, §21, is repealed.

Sec. 10. 21-A MRSA §1125, sub-§2-C is enacted to read:

2-C. Change in campaign financing. If a candidate has accepted contributions as a candidate for Governor, State Senator or State Representative that are not seed money contributions as defined in section 1122, subsection 9 or do not comply with the seed money restrictions in subsections 2 and 2-A, the candidate is ineligible for certification in the same election cycle.

Sec. 11. 21-A MRSA §1125, sub-§5-A, as amended by PL 2009, c. 363, §6, is further amended to read:

5-A. Revocation of certification. The certification of a participating certified candidate may be revoked at any time if the commission determines that the candidate or an agent of the candidate:

- A. Did not submit the required number of valid qualifying contributions;
- B. Failed to qualify as a candidate by petition or other means;
- C. Submitted any fraudulent qualifying contributions or qualifying contributions that were not made by the named contributor;

D. Misrepresented to a contributor the purpose of the qualifying contribution or obtaining the contributor's signature on the receipt and acknowledgement form;

E. Failed to fully comply with the seed money restrictions;

F. Knowingly accepted any contributions, including any in-kind contributions, or used funds other than fund revenues distributed under this chapter to make campaign-related expenditures without the permission of the commission;

G. Knowingly made a false statement or material misrepresentation in any report or other document required to be filed under this chapter or chapter 13;

H. Otherwise substantially violated the provisions of this chapter or chapter 13; or

I. As a gubernatorial candidate, failed to properly report seed money contributions as required by this section.

The determination to revoke the certification of a candidate must be made by a vote of the members of the commission after an opportunity for a hearing. A candidate whose certification is revoked shall return all unspent funds to the commission within 3 days of the commission's decision and may be required to return all funds distributed to the candidate. In addition to the requirement to return funds, the candidate may be subject to a civil penalty under section 1127. The candidate may appeal the commission's decision to revoke certification in the same manner provided in subsection 14, paragraph C.

Sec. 12. 21-A MRSA §1125, sub-§6-E, as enacted by PL 2011, c. 389, §55, is amended to read:

6-E. Expenditures for television advertising. A certified candidate must include closed-captioning within any television advertisement that the candidate provides to a broadcasting or cable television station for broadcast to the public, except for an advertisement aired in the final 4 days before an election if inclusion of closed-captioning during that period is impractical or would materially affect the timing of the candidate's advertisement.

Sec. 13. 21-A MRSA §1125, sub-§8-B, as enacted by IB 2015, c. 1, §25, is amended to read:

8-B. Distributions to participating certified gubernatorial candidates. Distributions from the fund to participating certified gubernatorial candidates must be made as follows.

A. For an uncontested primary election, the total distribution of revenues is \$200,000 per candidate.

B. For a contested primary election, the amount of revenues distributed is as follows:

(1) The initial distribution of revenues is \$400,000 per candidate;

(2) For each increment of 800 additional qualifying contributions a candidate collects and submits pursuant to subsection 8-E, not to exceed a total of 3,200 additional qualifying contributions, the supplemental distribution of revenues to that candidate is \$150,000; and

(3) The total amount of revenues distributed for a contested primary election may not exceed \$1,000,000 per candidate.

C. For an uncontested general election, the total distribution of revenues is \$600,000 per candidate.

D. For a contested general election, the amount of revenues distributed is as follows:

(1) The initial distribution of revenues is \$600,000 per candidate;

(2) For each increment of 1,200 additional qualifying contributions a candidate collects and submits pursuant to subsection 8-E, not to exceed a total of 9,600 additional qualifying contributions, the supplemental distribution of revenues to that candidate is \$175,000; and

(3) The total amount of revenues distributed for a contested general election may not exceed \$2,000,000 per candidate.

Sec. 14. 21-A MRSA §1125, sub-§8-C, as enacted by IB 2015, c. 1, §25, is amended to read:

8-C. Distributions to participating certified candidates for State Senate. Distributions from the fund to participating certified candidates for the State Senate must be made as follows.

A. For an uncontested primary election, the total distribution of revenues is \$2,000 per candidate.

B. For a contested primary election, the total distribution of revenues is \$10,000 per candidate.

C. For an uncontested general election, the total distribution of revenues is \$6,000 per candidate.

D. For a contested general election, the amount of revenues distributed is as follows:

(1) The initial distribution of revenues is \$20,000 per candidate;

(2) For each increment of 45 additional qualifying contributions a candidate collects and submits pursuant to subsection 8-E, not to exceed a total of 360 additional qualifying contributions, the supplemental distribution of revenues to that candidate is \$5,000; and

(3) The total amount of revenues distributed for a contested general election may not exceed \$60,000 per candidate.

Sec. 15. 21-A MRSA §1125, sub-§8-D, as enacted by IB 2015, c. 1, §25, is amended to read:

8-D. Distributions to participating certified candidates for State House of Representatives. Distributions from the fund to participating certified candidates for the State House of Representatives must be made as follows.

- A. For an uncontested primary election, the total distribution of revenues is \$500 per candidate.
- B. For a contested primary election, the total distribution of revenues is \$2,500 per candidate.
- C. For an uncontested general election, the total distribution of revenues is \$1,500 per candidate.
- D. For a contested general election, the amount of revenues distributed is as follows:
 - (1) The initial distribution of revenues is \$5,000 per candidate;
 - (2) For each increment of 15 additional qualifying contributions a candidate collects and submits pursuant to subsection 8-E, not to exceed a total of 120 additional qualifying contributions, the supplemental distribution of revenues to that candidate is \$1,250; and
 - (3) The total amount of revenues distributed for a contested general election may not exceed \$15,000 per candidate.

See title page for effective date.

CHAPTER 133

H.P. 1137 - L.D. 1533

An Act To Amend the Foreign Credentialing and Skills Recognition Revolving Loan Program

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

Sec. 1. 10 MRSA §1100-AA, sub-§1, ¶A, as enacted by PL 2019, c. 447, §1, is amended by amending subparagraph (7) to read:

- (7) Fees related to obtaining a Maine driver's license, including but not limited to driver's education course fees, learner's permit application fees and driver's license fees; ~~and~~

Sec. 2. 10 MRSA §1100-AA, sub-§1, ¶A, as enacted by PL 2019, c. 447, §1, is amended by amending subparagraph (8) to read:

- (8) Costs to travel to the nearest location of any exam or test needed to establish the applicant's skills or credentials or English language proficiency if there is no location within 60

miles of the Maine town in which the immigrant resides; and

Sec. 3. 10 MRSA §1100-AA, sub-§1, ¶A, as enacted by PL 2019, c. 447, §1, is amended by enacting a new subparagraph (9) to read:

- (9) Costs of a filing fee required by the United States Department of Homeland Security, United States Citizenship and Immigration Services, or any successor federal agency, to apply for the immigrant's initial work permit.

Sec. 4. 10 MRSA §1100-AA, sub-§1, ¶C-1 is enacted to read:

C-1. "Initial work permit" means the first work permit that the immigrant is authorized to apply for under 8 Code of Federal Regulations, Section 274a.12(c) (2019).

Sec. 5. 10 MRSA §1100-AA, sub-§1, ¶E, as enacted by PL 2019, c. 447, §1, is amended to read:

E. "Work permit" means a document provided by the United States Department of Homeland Security or any other federal immigration authority confirming a federal authorization of a person who is not a United States citizen to work in the United States.

Sec. 6. 10 MRSA §1100-AA, sub-§4, ¶B, as enacted by PL 2019, c. 447, §1, is amended to read:

B. Must have filed an application or petition with federal immigration authorities that entitles the immigrant to request a work permit in any of the categories set forth in 8 Code of Federal Regulations, Section 274a.12(c)(2019) 274a.12(c) (2019). The immigrant shall provide electronic or paper evidence establishing that the application or petition was filed with federal immigration authorities and shall state which section of 8 Code of Federal Regulations, Section 274a.12(c)(2019) 274a.12(c) (2019) allows the immigrant to request a work permit. An immigrant is not eligible if the immigrant has been denied a work permit at the time of making the application. In the case of ~~asylum seekers~~, an immigrant who, pursuant to 8 Code of Federal Regulations, Section 274a.12(c)(8) (2019) or other federal statute or regulation, is required to wait a period of time after filing an application for asylum or another immigration benefit or relief before becoming authorized to receive an initial work permit, the immigrant is eligible if the immigrant's request for asylum has been pending for fewer than 150 days since the date of its filing and the immigrant has not yet been able to apply for a work permit pursuant to 8 Code of Federal Regulations, Section 274a.12(c)(8)(2019) or, if more than 150 days have elapsed since the asylum application was filed, the immigrant has a pending application for a work permit underlying application for asylum or

another immigration benefit or relief entitling the immigrant to request an initial work permit following the required period has been filed and is pending at the time of making the application to the program; and

See title page for effective date.

CHAPTER 134
S.P. 34 - L.D. 26

An Act To Allow a Dentist To Administer Botulinum Toxin and Dermal Fillers

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 sole purpose of the Board of Dental Practice is to protect the public health and welfare by ensuring that the public is served by competent and honest practitioners and by establishing minimum standards of proficiency; and

Whereas, former board rule Chapter 9: Complaints/Investigations/Unprofessional Conduct, Section II, paragraph U, which was repealed effective April 5, 2020, contained language restricting a dentist's scope of practice to administer botulinum toxins and dermal fillers to dental procedures; and

Whereas, substantive policy decisions such as expanding or restricting scopes of practice are appropriate for the legislative process, not an administrative rule-making process; and

Whereas, immediate enactment of this legislation is necessary to continue protecting the public by ensuring that authorization for a dentist to administer botulinum toxin and dermal fillers to a patient as part of a dental treatment plan is continued as part of a dentist's scope of practice; 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:

Sec. 1. 32 MRSA §18325, sub-§1, ¶O, as amended by PL 2015, c. 488, §33, is further amended to read:

O. A violation of this chapter or a rule adopted by the board; ~~and~~

Sec. 2. 32 MRSA §18325, sub-§1, ¶P, as enacted by PL 2015, c. 488, §34, is amended to read:

P. Failure to comply with the requirements of Title 22, section 7253-; and

Sec. 3. 32 MRSA §18325, sub-§1, ¶Q is enacted to read:

Q. Administering botulinum toxins or dermal fillers to a patient when that administration is not supported by a diagnosed dental condition or is not part of a patient's dental treatment plan. This paragraph does not apply to a dentist who has successfully completed postgraduate training and certification in oral and maxillofacial surgery from a program accredited by the American Dental Association Commission on Dental Accreditation or its successor organization.

Sec. 4. 32 MRSA §18371, sub-§1, ¶M, as enacted by PL 2015, c. 429, §21, is amended to read:

M. Prescribe drugs or medicine and administer local anesthesia, analgesia including nitrous oxide and oxygen inhalation and, with the appropriate permit issued by the board, administer sedation and general anesthesia necessary for proper dental treatment; ~~and~~

Sec. 5. 32 MRSA §18371, sub-§1, ¶N, as enacted by PL 2015, c. 429, §21, is amended to read:

N. Take case histories and perform physical examinations to the extent the activities are necessary in the exercise of due care in conjunction with the provision of dental treatment or the administration of anesthesia. A dentist is not permitted to perform physical examinations within a hospital licensed by the Department of Health and Human Services unless this activity is permitted by the hospital.; and

Sec. 6. 32 MRSA §18371, sub-§1, ¶O is enacted to read:

O. Administer botulinum toxins or dermal fillers to a patient with a diagnosed dental condition or when that administration is identified as part of a patient's dental treatment plan. A dentist who has successfully completed postgraduate training and certification in oral and maxillofacial surgery from a program accredited by the American Dental Association Commission on Dental Accreditation or its successor organization may administer botulinum toxin or dermal fillers in the course of treatment for oral or maxillofacial disease, disfigurement or disjunction.

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

Effective June 10, 2021.

**CHAPTER 135
H.P. 413 - L.D. 568**

An Act To Establish a Working Farmland Access and Protection Program within the Department of Agriculture, Conservation and Forestry and a Working Farmland Access and Protection Fund within the Land for Maine's Future Program

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

Whereas, agriculture is critically important to the State's economy and food supply, and, because the State's working farms positively contribute to their communities as well as the State's overall quality of life, it is in the public interest to strengthen the agricultural sector by preserving productive agricultural soils, working farmland and open space land; and

Whereas, the United States Department of Agriculture, Natural Resources Conservation Service has defined, mapped and classified the State's most productive agricultural soil types as prime farmland, unique farmland, farmland of statewide importance and farmland of local importance throughout the State; and

Whereas, the preservation and conservation of farmland and open space land, agricultural and natural resources based businesses, productive agricultural soils and maintenance of open space land are important to the people of the State, as evidenced by the Constitution of Maine, Article IX, Section 8 and the farm and open space tax law in the Maine Revised Statutes, Title 36, chapter 105, subchapter 10, which confers current use property tax assessment to prevent the conversion of farmland and open space land to nonagricultural uses; and

Whereas, the protection of farmland is identified as a conservation priority by the Land for Maine's Future program; and

Whereas, the Land for Maine's Future Board has, since 1987, awarded partial funding to 42 farms in 9 counties to protect 9,882 acres of working farmland; and

Whereas, farmland protection projects funded by the Land for Maine's Future Board leverage matching funds from a variety of partners, including the United States Department of Agriculture, Natural Resources Conservation Service, land trusts, municipalities, water districts and nongovernmental organizations; and

Whereas, for these reasons it is critically important that this legislation take effect before the expiration of the 90-day period; 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:

Sec. 1. 5 MRSA §6201, sub-§3, as amended by PL 1993, c. 728, §3, is further amended to read:

3. Matching funds. "Matching funds" means any combination of public and private funds used in conjunction with the Land for Maine's Future Fund or, the Public Access to Maine Waters Fund and the Maine Working Farmland Access and Protection Fund for the purpose of this chapter, including, but not limited to: private contributions of cash or securities; money from municipal or other public agencies; money from a federal matching program, subject to the limitations of applicable federal and state laws, in an amount authorized by the federal program; contributions of real property, or interest in real property, that serves the acquisition needs of the State as determined by the Land for Maine's Future Board; in-kind contributions; or any combination of those funds. Contributions of land or interest in land must be valued, for purposes of this section, in the amount of their appraised value.

Sec. 2. 5 MRSA §6201, sub-§4-A is enacted to read:

4-A. Working farmland or working farmland property. "Working farmland" or "working farmland property" means land managed as a farm and available for commercial production of agricultural products, as defined in Title 7, section 152, subsection 2.

Sec. 3. 5 MRSA §6203, sub-§3, as amended by PL 2021, c. 33, §1, is further amended to read:

3. Fund proceeds. The proceeds of the Land for Maine's Future Fund may be applied and expended to:

- A. Acquire property or an interest in property that is determined by the board to be of state significance under the guidelines of this chapter;
- B. When interest in land is acquired with proceeds from the Land for Maine's Future Fund, fund minor capital improvements on such lands and on adjoining lands in the same ownership or under the same management to improve accessibility, as long as these improvements do not exceed 5% of the appraised value of the acquired property; and
- ~~C. When interest in farmland is acquired with proceeds from the Land for Maine's Future Fund, fund the development of a business plan and capital improvements to provide for the land's continuing use~~

~~as a working farm, as long as these improvements do not exceed 5% of the appraised value of the acquired property. Capital improvements under this paragraph may also be made on adjoining farmland in the same ownership or under the same management; and~~

D. When land or interest in land is acquired with proceeds from the Land for Maine's Future Fund, fund minor capital investments in the stewardship and management of that land. Stewardship and management investments under this paragraph must be held in a dedicated stewardship endowment and identified for use on the funded property. Stewardship and management investments may not exceed 5% of the appraised value of the acquired property.

Sec. 4. 5 MRSA §6203-C is enacted to read:

§6203-C. Maine Working Farmland Access and Protection Fund

1. Fund established. The Maine Working Farmland Access and Protection Fund, referred to in this section as "the fund," is established and is administered by the board in cooperation with the Commissioner of Agriculture, Conservation and Forestry under the provisions of this chapter and Title 7, section 164. The fund consists of the proceeds from the sale of bonds authorized for the purposes set forth in subsection 3 and funds received as contributions from private and public sources for those purposes. The fund must be held separate and apart from all other money, funds and accounts. Eligible investment earnings credited to the assets of the fund become part of the assets of the fund. Any balance remaining in the fund at the end of a fiscal year must be carried forward for the next fiscal year.

2. Grants. The board may make grants to state agencies and designated cooperating entities for the purposes identified in subsection 3. Grants are made according to rules adopted by the board. Rules adopted pursuant to this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.

3. Fund proceeds. The proceeds of the fund may be applied and expended to acquire property or interests in property that are designed to protect access to working farmland. The board shall include as a condition of an acquisition or grant made under this section the requirement that the protected property may not be used, altered or developed in a manner that precludes its availability for commercial production of agricultural products.

4. Matching funds. For each grant made under this section, the board shall require the applicant or the grant recipient to provide matching funds at least equal to the amount of the grant.

5. Uses of the fund. When an interest in land or an interest in working farmland is acquired with proceeds from the fund, the board may fund minor capital investments in the stewardship of that land. Funds for stewardship investments must be held in a dedicated stewardship endowment and identified for use on the funded property. The stewardship investments may not exceed 5% of the appraised value of the acquired property.

A. When an interest in land is acquired with proceeds from the fund, the board may fund minor capital improvements on the land and on adjoining lands in the same ownership or under the same management to improve public access, as long as these improvements do not exceed 5% of the appraised value of the acquired property.

B. When an interest in working farmland is acquired with proceeds from the fund, the board may fund the development of a business plan and capital improvements to provide for the land's continuing use as working farmland, as long as these improvements do not exceed 5% of the appraised value of the acquired property. Capital improvements under this paragraph may also be made on adjoining farmland in the same ownership or under the same management.

Sec. 5. 7 MRSA §164 is enacted to read:

§164. Maine Working Farmland Access and Protection Program

1. Program established; administration. The Maine Working Farmland Access and Protection Program, referred to in this section as "the program," is established to provide protection to strategically significant working farmland properties as defined in Title 5, section 6201, subsection 4-A whose continued availability to commercial agricultural businesses is essential to the long-term future of the economic sector. The department shall administer the program either directly or by contract with a suitable organization.

2. Review panel. The department shall establish a review panel to advise the commissioner in the operation of the program, including, but not limited to, evaluating applications and recommending to the department applicants for participation in the program.

3. Selection criteria. The selection criteria with which to evaluate applications for protection of working farmland property under the program must include, but are not limited to:

A. The interest of the owner of the working farmland property to make the farmland available via lease or transfer the protected property to another farmer or other farmers to advance the department's goal of preserving and increasing access to farmland for new and growing farms;

B. The threat of conversion of the working farmland property such that it would become unavailable for commercial production of agricultural products;

C. The percentage of soils classified by the United States Department of Agriculture as prime farmland, unique farmland, farmland of statewide importance and farmland of local importance;

D. The agricultural structures and improvements associated with the working farmland property;

E. The economic viability of the working farmland property in terms of current and potential future commercial agricultural activities in local, regional and statewide markets; connection of the working farmland property to agricultural services including processors, aggregators and distributors; and number of on-farm jobs supported by the working farmland property;

F. The proximity of other working farmland properties in the town or region;

G. The degree of community support for the proposed protection of the working farmland property;

H. The multiple natural resources values associated with the working farmland property, including open space land, forested land and wetlands; riparian buffers; wildlife habitat; and freshwater aquifers; and

I. Whether the applicant is from or serving an underserved or underprivileged community as defined by the department by rule. Rules adopted under this paragraph are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

4. Grant agreements. The commissioner shall enter into grant agreements with state agencies and cooperating entities for the purpose of receiving grants from the Maine Working Farmland Access and Protection Fund under Title 5, section 6203-C.

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Maine Working Farmland Access and Protection Fund N360

Initiative: Provides a base allocation to establish the Maine Working Farmland Access and Protection Fund to allow expenditure of contributions received from private and public sources for the acquisition of property or interests in property that are designed to protect access to working farmland.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500

OTHER SPECIAL REVENUE	\$500	\$500
FUNDS TOTAL		

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

Effective June 10, 2021.

CHAPTER 136

S.P. 256 - L.D. 671

An Act To Allow the Sale of Raffle Tickets Online

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

Whereas, due to the pandemic related to coronavirus disease 2019, or COVID-19, nonprofit organizations have been unable to do fundraising necessary to support the causes championed by those nonprofit organizations; and

Whereas, this legislation provides one method of fundraising for nonprofit organizations and needs to be enacted as soon as possible; 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:

Sec. 1. 17 MRSA §1831, sub-§3, as enacted by PL 2009, c. 487, Pt. A, §2, is amended to read:

3. Distributor. "Distributor" means a person, firm, corporation, association or organization, other than an Internet raffle operator, that sells, markets or otherwise distributes sealed tickets, gambling apparatus or any other implements of gambling that may be used in the conduct of a game of chance.

Sec. 2. 17 MRSA §1831, sub-§7-B is enacted to read:

7-B. Internet raffle. "Internet raffle" means a raffle in which a person purchases a raffle chance or ticket through a mobile application or other digital platform that involves, at least in part, the use of the Internet.

Sec. 3. 17 MRSA §1831, sub-§7-C is enacted to read:

7-C. Internet raffle operator. "Internet raffle operator" means a person, firm, corporation, association

or organization licensed under section 1837-B, subsection 2 to conduct an Internet raffle using an Internet raffle system.

Sec. 4. 17 MRSA §1831, sub-§7-D is enacted to read:

7-D. Internet raffle system. "Internet raffle system" means a mobile application or other digital platform and the accompanying computer software approved by the Gambling Control Unit under section 1837-B, subsection 4 for use in conducting an Internet raffle.

Sec. 5. 17 MRSA §1832, sub-§1, as amended by PL 2019, c. 129, §1, is further amended to read:

1. License or registration required. Except as provided in ~~section~~ sections 1837-A and 1837-B, a person, firm, corporation, association or organization may not hold, conduct or operate a game of chance without a license issued by or, as applicable, without registering with the Gambling Control Unit in accordance with this section. A license is not required when a game of chance constitutes social gambling.

Sec. 6. 17 MRSA §1834, sub-§5-A is enacted to read:

5-A. Internet raffle operator. The fee for an Internet raffle operator license is \$500 for each calendar year or portion of a calendar year.

Sec. 7. 17 MRSA §1835-A, sub-§2, as enacted by PL 2017, c. 284, Pt. KKKKK, §18, is amended to read:

2. Games conducted by members and bartenders of registrant only. A game of chance registered pursuant to this chapter must be operated and conducted for the exclusive benefit of the registrant and, except for an Internet raffle conducted by an Internet raffle operator, must be operated and conducted only by duly authorized members of the registrant or by persons employed by the registrant as bartenders, ~~except that nonmembers.~~ Nonmembers employed by the registrant as bartenders may not operate or conduct any game of chance permitted under subsection 5, paragraph B. The requirements of this subsection do not apply to any agricultural society registered to operate a game of chance.

Sec. 8. 17 MRSA §1837-A, sub-§2, as amended by PL 2019, c. 129, §3, is further amended to read:

2. Raffle with a prize of \$2,500 or less. Except for raffles conducted by an eligible organization under subsection ~~2-A~~ 7, a person or organization is not required to register with the Gambling Control Unit to conduct a raffle in which the total value of the prize offered to the holder of the winning chance does not exceed \$2,500. If the raffle is conducted in a manner in which there are multiple winning chances, the total

value of all prizes offered may not exceed a value of \$2,500.

Sec. 9. 17 MRSA §1837-A, sub-§2-A, as enacted by PL 2019, c. 129, §3, is amended to read:

2-A. Raffle with a prize of \$10,000 or less conducted by eligible organization. ~~As~~ Except as provided in subsection 7, an eligible organization as described in section 1832, subsection 2 is not required to register with the Gambling Control Unit to conduct a raffle in which the total value of the prize offered to the holder of the winning chance does not exceed \$10,000. If the raffle is conducted in a manner in which there are multiple winning chances, the total value of all prizes offered may not exceed a value of \$10,000.

Sec. 10. 17 MRSA §1837-A, sub-§7 is enacted to read:

7. Internet raffles; restrictions. An eligible organization described in section 1832, subsection 2 may conduct a raffle described in subsection 2-A or subsection 4 as an Internet raffle if the eligible organization registers with the Gambling Control Unit and the Internet raffle is operated in accordance with the requirements of this chapter by an Internet raffle operator identified on the registration form. The eligible organization and Internet raffle operator may not permit a person under 18 years of age to purchase a chance or ticket for an Internet raffle and may not advertise or market the Internet raffle in a manner that has a high likelihood of reaching persons under 18 years of age or that is specifically designed to appeal particularly to persons under 18 years of age.

Sec. 11. 17 MRSA §1837-B is enacted to read:
§1837-B. Internet raffle operator license; approval of Internet raffle system

1. License and approval required. A person may not operate an Internet raffle unless the person is licensed as an Internet raffle operator under subsection 2, the Internet raffle is conducted on behalf of an eligible organization registered under section 1837-A, subsection 7, each payment for a chance or ticket for the Internet raffle is made through an Internet raffle system approved under subsection 4 and the winning chance or chances are selected by an Internet raffle system approved under subsection 4.

2. Internet raffle operator license. The Gambling Control Unit may issue an Internet raffle operator license to a person, firm, corporation, association or organization. The Gambling Control Unit may not issue an Internet raffle operator license to a business entity unless it is organized under the laws of the State or authorized to transact business or conduct activities in the State. An applicant for an Internet raffle operator license or for renewal of an Internet raffle operator license shall submit an application to the Gambling Con-

trol Unit on a form or in a format approved by the Gambling Control Unit. The application must, at a minimum, include the following:

- A. The name, primary business location and contact information of the applicant;
- B. Disclosure of each person that owns 10% or more of a corporate applicant's equity or voting shares and that has the ability to control the activities of the corporate applicant; each person that directly or indirectly holds a beneficial or proprietary interest in a noncorporate applicant's business operation or that has the ability to control the noncorporate applicant's business operation; and key personnel of the applicant. For purposes of this subsection, "key personnel" means any officer, director, manager or general partner of an applicant that is a business entity and each executive, employee or agent having the power to exercise significant influence over decisions concerning any part of an applicant's relevant business operation;
- C. Consent to permit the Executive Director of the Gambling Control Unit to conduct a criminal history record check pursuant to subsection 3 for the applicant and each person disclosed under paragraph B;
- D. For the applicant and each person disclosed under paragraph B, a record of previous issuances and denials of or any adverse action taken against a gambling-related license or application under this Title or Title 8 or in any other jurisdiction. For purposes of this paragraph, "adverse action" includes, but is not limited to, a condition resulting from an administrative, civil or criminal violation, a suspension or revocation of a license or a voluntary surrender of a license to avoid or resolve a civil, criminal or disciplinary action; and
- E. Any additional information required by the Gambling Control Unit by rule.

3. Criminal history record check. The Executive Director of the Gambling Control Unit shall request a criminal history record check in accordance with this subsection for the applicant and for each person disclosed by the applicant under subsection 2, paragraph B. The director may require a criminal history record check in accordance with this subsection from a licensee seeking to renew a license and for any person the licensee is required to disclose under subsection 2, paragraph B as part of the license renewal application. A criminal history record check conducted pursuant to this subsection must include, at a minimum, a record of public criminal history record information as defined in Title 16, section 703, subsection 8. An applicant must reimburse the director for the actual costs of conducting the criminal history record checks required under this subsection.

4. Internet raffle system certification. An Internet raffle operator may not conduct an Internet raffle using an Internet raffle system unless it has been examined, tested and approved by the Gambling Control Unit or certified by an independent testing laboratory approved by the Gambling Control Unit. The Internet raffle system operator must pay the cost of the examination, testing and certification before the examination occurs. To be approved by the Gambling Control Unit or certified by an independent testing laboratory, the Internet raffle system:

- A. Must prohibit a person from purchasing a chance or ticket for an Internet raffle unless the person opens a raffle account into which the person deposits the funds used to purchase the chance or ticket;
- B. May not permit the use of a credit card to purchase a chance or ticket for an Internet raffle or the extension of credit from the Internet raffle operator to a person who purchases a chance or ticket for an Internet raffle;
- C. Must ensure that a person who opens a raffle account or who purchases a chance or ticket for an Internet raffle is at least 18 years of age; must provide for the immediate refund of any payment to purchase a chance or ticket for an Internet raffle made by a person whom the Internet raffle operator discovers is under 18 years of age; and must publish and facilitate the use of parental controls that permit adults to exclude minors from access to the system's mobile applications and electronic platforms;
- D. Must determine and verify that a person who purchases a chance or ticket for an Internet raffle is physically located within the State at the time the purchase is made;
- E. Must select the winning chance or chances in an Internet raffle by means of a cryptographically strong random number generator;
- F. Must protect the privacy and security of a raffle account owner's information and all of the raffle account owner's accounts maintained or accessed by the Internet raffle system;
- G. Must maintain for at least 3 years after the winner or winners are selected a list of all persons who purchased a chance or ticket for the Internet raffle and the name and contact information of the winner or winners of the Internet raffle; a copy of this list and an exact accounting of all gross revenue from the Internet raffle must be transmitted to the eligible organization on whose behalf the Internet raffle was conducted immediately after the winner or winners are selected; and
- H. Must meet any other requirements established by the Gambling Control Unit by rule.

Sec. 12. 17 MRSA §1838, sub-§1, ¶C is enacted to read:

C. An Internet raffle operator may not be paid more than 10% of the Internet raffle proceeds to operate an Internet raffle on behalf of an eligible organization.

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

Effective June 10, 2021.

CHAPTER 137

S.P. 527 - L.D. 1642

An Act Regarding Local Option Elections

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

Whereas, current law requires that a municipality hold a referendum to approve the sale of liquor in that municipality; and

Whereas, based upon the affirmative referendum, the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations is authorized to issue a liquor license to a qualified establishment in that municipality; and

Whereas, it recently became clear that a large number of municipalities would have to conduct new local option elections due to changes in terminology that occurred in 1976 relating to types of establishments requiring liquor licenses; and

Whereas, Public Law 2019, chapter 672, enacted by the Legislature and approved by the Governor on March 18, 2020, authorized the bureau to continue to issue, renew or transfer licenses to sell liquor in an authorized municipality until July 1, 2022, by which date municipalities would be required to provide evidence of the results of a local option election authorizing such sales; and

Whereas, conducting local option elections to affirm that the pre-1977 local option vote should be extended to all establishment types constitutes a significant financial and administrative burden for many municipalities; and

Whereas, it is imperative that this legislation take effect as soon as possible to avoid irreparable harm to businesses that have complied with all requirements but could lose their licenses to sell liquor for reasons beyond their control; 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:

Sec. 1. 28-A MRSA §125, sub-§1, as enacted by PL 2019, c. 672, §4, is amended to read:

1. Prohibition on licensing. ~~The~~ Except as provided in subsection 4, the bureau may not issue a license for the retail sale of spirits, wine or malt liquor unless the premises to be licensed are located in a municipality or unincorporated place that has voted in favor of the issuance of the type of license sought.

Sec. 2. 28-A MRSA §125, sub-§4, as enacted by PL 2019, c. 672, §4, is amended to read:

4. Final determination of authorized retail liquor establishments in each municipality. On July 1, 2022, the bureau shall make a final determination of whether licenses for each type of licensed establishment or for agency liquor stores may be issued for the sale of liquor on Sundays and on days other than Sunday in each municipality. ~~In making this final determination, the bureau shall consider evidence submitted by the relevant municipality under subsection 3 and the results of any local option election conducted in that municipality in compliance with this chapter subsequent to the preliminary determination made by the bureau under subsection 2.~~ The bureau shall post a copy of the final determination for each municipality on its publicly accessible website.

In making its final determination under this subsection, the bureau shall consider:

A. The results of any local option election conducted in the relevant municipality in compliance with this chapter subsequent to the preliminary determination made by the bureau under subsection 2;

B. Evidence submitted by the relevant municipality under subsection 3; and

C. The bureau's records of local option elections in the municipality.

For purposes of paragraphs B and C, the results of any local option election conducted prior to January 1, 1977 in favor of a local option question pursuant to former Title 28, section 101 approving the issuance of licenses for the sale of liquor for on-premises consumption at any type of licensed establishment on Sundays or on days other than Sundays are deemed to be evidence that the municipality approved the issuance of licenses for the sale of liquor for on-premises consumption by all types of licensed establishments on those days unless the bureau's records demonstrate that the municipality

voted to prohibit the issuance of licenses for the sale of liquor for on-premises consumption on those days in a subsequent local option election conducted under this chapter or under former Title 28, section 101.

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

Effective June 10, 2021.

**CHAPTER 138
H.P. 59 - L.D. 93**

**An Act To Improve Maine's
Quality Rating System for
Child Care Services**

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

Sec. 1. 22 MRSA §3737, sub-§3, as corrected by RR 2015, c. 1, §21, is amended to read:

3. Quality differential. To the extent permitted by federal law, the department shall pay a differential rate for child care services that meet or that make substantial progress toward meeting nationally recognized quality standards, such as those standards required by the Head Start program or required for accreditation by the National Association for the Education of Young Children, and shall do so from the Child Care Development Fund 25% Quality Set-aside funds or by other acceptable federal practices. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A. The rules must establish a ~~4-step~~ child care quality rating system with a minimum of 3 steps and must provide for graduated quality differential rates for ~~step 2, step 3 and step 4~~ child care services steps that demonstrate that a child care provider meets or makes substantial progress toward meeting nationally recognized quality standards.

Nothing in this subsection requires the department to pay a quality differential rate for child care services provided through the Temporary Assistance for Needy Families block grant.

See title page for effective date.

**CHAPTER 139
H.P. 115 - L.D. 159**

**An Act To Eliminate Time
Limits for Placing Land in
Trust Status under the Maine
Indian Claims Settlement**

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

Sec. 1. 30 MRSA §6205, sub-§1, as amended by PL 2013, c. 91, §§1 and 2 and affected by §3, is further amended to read:

1. Passamaquoddy Indian territory. Subject to subsections 3, 4 and 5, the following lands within the State are known as the "Passamaquoddy Indian territory:"

- A. The Passamaquoddy Indian Reservation;
- B. The first 150,000 acres of land acquired by the secretary for the benefit of the Passamaquoddy Tribe from the following areas or lands to the extent that those lands ~~are acquired by the secretary prior to January 31, 1991,~~ are not held in common with any other person or entity and are certified by the secretary ~~by January 31, 1991,~~ as held for the benefit of the Passamaquoddy Tribe:

The lands of Great Northern Nekoosa Corporation located in T.1, R.8, W.B.K.P. (Lowelltown), T.6, R.1, N.B.K.P. (Holeb), T.2, R.10, W.E.L.S. and T.2, R.9, W.E.L.S.; the land of Raymidga Company located in T.1, R.5, W.B.K.P. (Jim Pond), T.4, R.5, B.K.P.W.K.R. (King and Bartlett), T.5, R.6, B.K.P.W.K.R. and T.3, R.5, B.K.P.W.K.R.; the land of the heirs of David Pingree located in T.6, R.8, W.E.L.S.; any portion of Sugar Island in Moosehead Lake; the lands of Prentiss and Carlisle Company located in T.9, S.D.; any portion of T.24, M.D.B.P.P.; the lands of Bertram C. Tackeff or Northeastern Blueberry Company, Inc. in T.19, M.D.B.P.P.; any portion of T.2, R.8, N.W.P.; any portion of T.2, R.5, W.B.K.P. (Alder Stream); the lands of Dead River Company in T.3, R.9, N.W.P., T.2, R.9, N.W.P., T.5, R.1, N.B.P.P. and T.5, N.D.B.P.P.; any portion of T.3, R.1, N.B.P.P.; any portion of T.3, N.D.; any portion of T.4, N.D.; any portion of T.39, M.D.; any portion of T.40, M.D.; any portion of T.41, M.D.; any portion of T.42, M.D.B.P.P.; the lands of Diamond International Corporation, International Paper Company and Lincoln Pulp and Paper Company located in Argyle; and the lands of the Dyer Interests in T.A.R.7 W.E.L.S., T.3 R.9 N.W.P., T.3 R.3. N.B.K.P. (Alder Brook Township), T.3 R.4 N.B.K.P. (Hammond Township), T.2 R.4 N.B.K.P. (Pittston Academy Grant), T.2 R.3 N.B.K.P. (Soldiertown Township), and T.4 R.4 N.B.K.P. (Prentiss Township), and any lands in Albany Township acquired by the Passamaquoddy Tribe ~~before January 1, 1991;~~

C. Any land not exceeding 100 acres in the City of Calais acquired by the secretary for the benefit of the Passamaquoddy Tribe as long as the land ~~is acquired by the secretary prior to January 1, 2001,~~ is not held in common with any other person or entity and is certified by the secretary ~~by January 31, 2001,~~ as held for the benefit of the Passamaquoddy Tribe, if:

(1) The acquisition of the land by the tribe is approved by the legislative body of that city; and

(2) A tribal-state compact under the federal Indian Gaming Regulatory Act is agreed to by the State and the Passamaquoddy Tribe or the State is ordered by a court to negotiate such a compact;

D. All land acquired by the secretary for the benefit of the Passamaquoddy Tribe in T. 19, M.D. to the extent that the land is acquired by the secretary prior to January 31, 2020, is not held in common with any other person or entity and is certified by the secretary by January 31, 2020 as held for the benefit of the Passamaquoddy Tribe;

D-1. Land acquired by the secretary for the benefit of the Passamaquoddy Tribe in Centerville consisting of Parcels A, B and C conveyed by Bertram C. Tackeff to the Passamaquoddy Tribe by quitclaim deed dated July 27, 1981, recorded in the Washington County Registry of Deeds in Book 1147, Page 251, to the extent that the land is acquired by the secretary prior to January 31, 2017, is not held in common with any other person or entity and is certified by the secretary by January 31, 2017 as held for the benefit of the Passamaquoddy Tribe;

D-2. Land acquired by the secretary for the benefit of the Passamaquoddy Tribe in Centerville conveyed by Bertram C. Tackeff to the Passamaquoddy Tribe by quitclaim deed dated May 4, 1982, recorded in the Washington County Registry of Deeds in Book 1178, Page 35, to the extent that the land is acquired by the secretary prior to January 31, 2023, is not held in common with any other person or entity and is certified by the secretary by January 31, 2023 as held for the benefit of the Passamaquoddy Tribe; and

E. Land acquired by the secretary for the benefit of the Passamaquoddy Tribe in Township 21 consisting of Gordon Island in Big Lake, conveyed by Domtar Maine Corporation to the Passamaquoddy Tribe by corporate quitclaim deed dated April 30, 2002, recorded in the Washington County Registry of Deeds in Book 2624, Page 301, to the extent that the land is acquired by the secretary prior to January 31, 2017, is not held in common with any other person or entity and is certified by the secretary by January 31, 2017 as held for the benefit of the Passamaquoddy Tribe.

Sec. 2. 30 MRSA §6205, sub-§2, ¶B, as amended by PL 1999, c. 625, §1, is further amended to read:

B. The first 150,000 acres of land acquired by the secretary for the benefit of the Penobscot Nation from the following areas or lands to the extent that those lands are acquired by the secretary prior to

January 31, 2021, are not held in common with any other person or entity and are certified by the secretary by January 31, 2021, as held for the Penobscot Nation:

The lands of Great Northern Nekoosa Corporation located in T.1, R.8, W.B.K.P. (Lowelltown), T.6, R.1, N.B.K.P. (Holeb), T.2, R.10, W.E.L.S. and T.2, R.9, W.E.L.S.; the land of Raymidga Company located in T.1, R.5, W.B.K.P. (Jim Pond), T.4, R.5, B.K.P.W.K.R. (King and Bartlett), T.5, R.6, B.K.P.W.K.R. and T.3, R.5, B.K.P.W.K.R.; the land of the heirs of David Pingree located in T.6, R.8, W.E.L.S.; any portion of Sugar Island in Moosehead Lake; the lands of Prentiss and Carlisle Company located in T.9, S.D.; any portion of T.24, M.D.B.P.P.; the lands of Bertram C. Tackeff or Northeastern Blueberry Company, Inc. in T.19, M.D.B.P.P.; any portion of T.2, R.8, N.W.P.; any portion of T.2, R.5, W.B.K.P. (Alder Stream); the lands of Dead River Company in T.3, R.9, N.W.P., T.2, R.9, N.W.P., T.5, R.1, N.B.P.P. and T.5, N.D.B.P.P.; any portion of T.3, R.1, N.B.P.P.; any portion of T.3, N.D.; any portion of T.4, N.D.; any portion of T.39, M.D.; any portion of T.40, M.D.; any portion of T.41, M.D.; any portion of T.42, M.D.B.P.P.; the lands of Diamond International Corporation, International Paper Company and Lincoln Pulp and Paper Company located in Argyle; any land acquired in Williamsburg T.6, R.8, N.W.P.; any 300 acres in Old Town mutually agreed upon by the City of Old Town and the Penobscot Nation Tribal Government, provided that the mutual agreement must be finalized prior to August 31, 1991; any lands in Lakeville acquired by the Penobscot Nation before January 1, 1991; and all the property acquired by the Penobscot Indian Nation from Herbert C. Haynes, Jr., Herbert C. Haynes, Inc. and Five Islands Land Corporation located in Township 1, Range 6 W.E.L.S.

Sec. 3. Effective date; certification. This Act does not take effect unless, within 60 days of the adjournment of the First Special Session of the 130th Legislature, the Secretary of State receives written certification by the Tribal Chief and Council of the Penobscot Nation and the Joint Tribal Council of the Passamaquoddy Tribe that the nation and tribe have agreed to the provisions of this Act pursuant to 25 United States Code, Section 1725(e), copies of which must be submitted by the Secretary of State to the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes; except that in no event may this Act become effective until 90 days after the adjournment of the First Special Session of the 130th Legislature.

See title page for effective date, unless otherwise indicated.

CHAPTER 140
H.P. 136 - L.D. 183

**An Act To Establish
Juneteenth as a Paid State
Holiday**

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

Sec. 1. 4 MRSA §1051, as amended by PL 2019, c. 59, §1 and c. 475, §49, is repealed and the following enacted in its place:

§1051. Legal holidays

Court may not be held on Sunday or any day designated for the annual Thanksgiving; New Year's Day, January 1st; Martin Luther King, Jr., Day, the 3rd Monday in January; Washington's Birthday, the 3rd Monday in February; Patriot's Day, the 3rd Monday in April; Memorial Day, the last Monday in May, but if the Federal Government designates May 30th as the date for observance of Memorial Day, the 30th of May; Juneteenth, June 19th; the 4th of July; Labor Day, the first Monday of September; Indigenous Peoples Day, the 2nd Monday in October; Veterans Day, November 11th; or on Christmas Day. The Chief Justice of the Supreme Judicial Court may order that court be held on a legal holiday when the Chief Justice finds that the interests of justice and judicial economy in any particular case will be served. The public offices in county buildings may be closed to business on the holidays named in this section. When any one of the holidays named in this section falls on Sunday, the Monday following must be observed as a holiday, with all the privileges applying to any of the days named in this section.

Sec. 2. 5 MRSA §59 is enacted to read:

§59. Juneteenth established as state holiday

The State designates June 19th of each year as Juneteenth and as a state holiday. All nonessential state offices must be closed on Juneteenth.

Sec. 3. 9-B MRSA §145, sub-§1, ¶F-1 is enacted to read:

F-1. June 19th, Juneteenth;

Sec. 4. 20-A MRSA §4802, sub-§1, ¶B-1 is enacted to read:

B-1. Juneteenth, June 19th;

See title page for effective date.

CHAPTER 141
H.P. 157 - L.D. 222

**An Act To Update the Maine
Parentage Act**

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

Sec. 1. 19-A MRSA §1844, sub-§1, ¶A, as enacted by PL 2015, c. 296, Pt. A, §1 and affected by Pt. D, §1, is amended to read:

A. All signatories to an acknowledgment of ~~paternity~~ parentage or denial of parentage as provided in subchapter 3; and

Sec. 2. 19-A MRSA §1851, sub-§3, as enacted by PL 2015, c. 296, Pt. A, §1 and affected by Pt. D, §1, is amended to read:

3. Acknowledgment. An effective voluntary acknowledgment of ~~paternity~~ parentage under subchapter 3;

Sec. 3. 19-A MRSA c. 61, sub-c. 3, headnote is amended to read:

SUBCHAPTER 3

**VOLUNTARY ACKNOWLEDGMENT OF
PATERNITY PARENTAGE**

Sec. 4. 19-A MRSA §1861, as enacted by PL 2015, c. 296, Pt. A, §1 and affected by Pt. D, §1, is amended to read:

§1861. Acknowledgment of ~~paternity~~ parentage

The ~~woman who gives birth to a child and a man, not her spouse, claiming to be the genetic father of the child~~ following persons may sign an acknowledgment of ~~paternity with intent~~ parentage to establish ~~paternity~~ parentage of a child:

1. Woman who gave birth. A woman who gave birth to the child and who is not a gestational carrier;

2. Alleged genetic parent. A person who is the alleged genetic parent of the child and who is not a donor;

3. Presumed parent. A presumed parent of the child pursuant to subchapter 4, except that a presumed parent pursuant to section 1881, subsection 3 must meet the requirements of that subsection and may not submit an acknowledgment of parentage for at least 2 years from the time the child was born or adopted; and

4. Intended parent. An intended parent of the child pursuant to subchapter 7.

Sec. 5. 19-A MRSA §1862, as corrected by RR 2015, c. 1, §12, is amended to read:

§1862. Execution of acknowledgment of ~~paternity~~ parentage

1. Requirements. An acknowledgment of paternity parentage under section 1861 must:

- A. Be in a record;
- B. Be signed, or otherwise authenticated, under penalty of perjury by the woman giving who gave birth to the child, other than a gestational carrier, and by the man person seeking to establish his paternity parentage of the child;
- C. State that:
 - (1) There is no other presumed parent of the child or, if there is another presumed parent, state that parent's full name; and
 - (2) There is no other acknowledged father and no parent, adjudicated parent of the child or intended parent pursuant to subchapter 7 other than the woman giving who gave birth to the child;
- D. State whether there has been genetic testing and, if so, that the acknowledging man's person's claim of paternity parentage is consistent with the results of the testing; and
- ~~E. State that the man signing the acknowledgment believes himself to be the biological father; and~~
- F. State that the signatories understand that the acknowledgment is the equivalent of a court determination of paternity parentage of the child and that a challenge to the acknowledgment is permitted only under limited circumstances and is barred after 2 years.

2. Notice. Before the woman giving birth or alleged father may sign an acknowledgment of paternity an acknowledgment is executed under section 1861, the woman giving who gave birth and the putative father acknowledging parent must be given oral and written notice of the alternatives to, the legal consequences of and the rights and responsibilities that arise from signing the acknowledgment.

3. Acknowledgment voidable. An acknowledgment of paternity parentage under section 1861 is voidable if it:

- A. States that another person is a presumed parent, unless a denial of parentage signed or otherwise authenticated by the presumed parent is filed with the State Registrar of Vital Statistics;
- B. States that another person is an acknowledged father or parent, adjudicated parent or intended parent; or
- C. Falsely denies the existence of a presumed parent, acknowledged father or adjudicated parent with rights of parentage of the child under this chapter.

~~**4. Presumed parent.** A man who is a presumed parent under section 1881, subsection 3 may sign or otherwise authenticate an acknowledgment of paternity in accordance with the requirements of this subchapter.~~

Sec. 6. 19-A MRSA §1863, first ¶, as enacted by PL 2015, c. 296, Pt. A, §1 and affected by Pt. D, §1, is amended to read:

A person presumed to be a parent under section 1881 or an alleged genetic parent may execute a denial of parentage only in the limited circumstances set forth in this section. A denial of parentage is valid only if:

Sec. 7. 19-A MRSA §1863, sub-§1, as enacted by PL 2015, c. 296, Pt. A, §1 and affected by Pt. D, §1, is amended to read:

1. Acknowledgment. An acknowledgment of paternity parentage signed or otherwise authenticated by another man is filed pursuant to this subchapter;

Sec. 8. 19-A MRSA §1863, sub-§3, ¶A, as enacted by PL 2015, c. 296, Pt. A, §1 and affected by Pt. D, §1, is amended to read:

A. Acknowledged paternity parentage, unless the previous acknowledgment has been rescinded pursuant to section 1867 or successfully challenged pursuant to section 1868; or

Sec. 9. 19-A MRSA §1864, as enacted by PL 2015, c. 296, Pt. A, §1 and affected by Pt. D, §1, is amended to read:

§1864. Filing of an acknowledgment of paternity and related parentage or denial of parentage

1. Acknowledgment and denial. An acknowledgment of paternity and related parentage and denial of parentage under this subchapter must be signed after the birth of the child and filed with the State Registrar of Vital Statistics and may be contained in a single document or may be signed in counterparts and may be filed separately or simultaneously. If the acknowledgment and denial are both necessary, neither is valid until both are filed.

2. Effective date. Subject to subsection 1, an acknowledgment of paternity parentage or denial of parentage takes effect on the date of the birth of the child or on the filing of the document with the State Registrar of Vital Statistics, whichever occurs later.

3. Signed by minor. An acknowledgment of paternity parentage or denial of parentage signed by a minor is valid if it is otherwise in compliance with this chapter.

Sec. 10. 19-A MRSA §1865, as enacted by PL 2015, c. 296, Pt. A, §1 and affected by Pt. D, §1, is amended to read:

§1865. Equivalent to adjudication

1. Acknowledgment. Except as otherwise provided in sections 1867 and 1868, a valid acknowledgment of paternity parentage under section 1861 filed with the State Registrar of Vital Statistics is equivalent to an adjudication of parentage of a child and confers upon the acknowledged father parent all of the rights and duties of a parent.

2. Denial. Except as otherwise provided in section 1867 and section 1868, subsection 1, a valid denial of parentage under section 1863 filed with the State Registrar of Vital Statistics in conjunction with a valid acknowledgment of paternity parentage under section 1861 is equivalent to an adjudication of the nonparentage of the presumed parent or alleged genetic parent and discharges the presumed parent or alleged genetic parent from all rights and duties of a parent.

Sec. 11. 19-A MRSA §1866, as enacted by PL 2015, c. 296, Pt. A, §1 and affected by Pt. D, §1, is amended to read:

§1866. No filing fee

The State Registrar of Vital Statistics may not charge a fee for filing an acknowledgment of paternity parentage or denial of parentage under section 1864.

Sec. 12. 19-A MRSA §1867, as enacted by PL 2015, c. 296, Pt. A, §1 and affected by Pt. D, §1, is amended to read:

§1867. Proceeding for rescission

A signatory may rescind an acknowledgment of paternity parentage or denial of parentage under this subchapter by commencing a court proceeding to rescind before the earlier of: subject to section 1869, subsection 4.

1. Sixty days after effective date Timing. Sixty days after the effective date of the acknowledgment or denial, as provided in section 1864; and The court proceeding to rescind an acknowledgment of parentage or denial of parentage must be commenced before the earlier of:

A. Sixty days after the effective date of the acknowledgment or denial, as provided in section 1864; and

B. The date of the first hearing, in a court proceeding to which the signatory is a party, to adjudicate an issue relating to the child, including a proceeding seeking child support.

2. Date of first hearing. The date of the first hearing, in a proceeding to which the signatory is a party, before a court to adjudicate an issue relating to the child, including a proceeding seeking child support.

3. Notice. If an acknowledgment of parentage is rescinded under this section, any associated denial of parentage becomes invalid, and the Office of Data, Research and Vital Statistics shall notify the woman who

gave birth to the child and any person who signed a denial of parentage of the child that the acknowledgment of parentage has been rescinded. Failure to give notice required by this section does not affect the validity of the rescission.

Sec. 13. 19-A MRSA §1868, as corrected by RR 2015, c. 1, §13, is amended to read:

§1868. Challenge to acknowledgment

1. Challenge by signatory. After the period for rescission under section 1867 has expired, a signatory of an acknowledgment of paternity parentage or denial of parentage may commence a proceeding to challenge the acknowledgment or denial only:

A. On the basis of fraud, duress, coercion, threat of harm or material mistake of fact; and

B. Within 2 years after the acknowledgment or denial is filed with the State Registrar of Vital Statistics.

2. Challenge by person not a signatory. If an acknowledgment of paternity parentage has been made in accordance with this subchapter, an individual a person who is neither the child nor a signatory to the acknowledgment of paternity parentage and who seeks to challenge the validity of the acknowledgment and adjudicate parentage must commence a proceeding not later than 2 years after the effective date of the acknowledgment, as provided in section 1864, unless the individual person did not know and could not reasonably have known of the individual's person's potential genetic parentage on account of material misrepresentation or concealment, in which case the proceeding must be commenced no later than 2 years after discovery.

3. Burden of proof. A party challenging an acknowledgment of paternity parentage or denial of parentage pursuant to this section has the burden of proof.

4. Consolidation. A court proceeding in which the validity of an acknowledgment of parentage is challenged may be consolidated with any other pending court actions regarding the child.

Sec. 14. 19-A MRSA §1869, as enacted by PL 2015, c. 296, Pt. A, §1 and affected by Pt. D, §1, is amended to read:

§1869. Procedure for rescission or challenge

1. Every signatory party. Every signatory to an acknowledgment of paternity parentage and any related denial of parentage under this subchapter must be made a party to a proceeding under section 1867 or 1868 to rescind or challenge the acknowledgment or denial.

2. Submission to personal jurisdiction. For the purpose of rescission of or challenge to an acknowledgment of paternity parentage or denial of parentage, a signatory submits to personal jurisdiction of this State by signing the acknowledgment or denial, effective

upon the filing of the document with the State Registrar of Vital Statistics pursuant to section 1864.

3. Suspension of legal responsibilities. Except for good cause shown, during the pendency of a proceeding under section 1867 or 1868 to rescind or challenge an acknowledgment of paternity parentage or denial of parentage, the court may not suspend the legal responsibilities of a signatory arising from the acknowledgment, including the duty to pay child support.

4. Proceeding to rescind or challenge. A proceeding under section 1867 or 1868 to rescind or challenge an acknowledgment of paternity parentage or denial of parentage must be conducted as a proceeding to adjudicate parentage under subchapter 1.

5. Amendment to birth record. At the conclusion of a proceeding under section 1867 or 1868 to rescind or challenge an acknowledgment of paternity parentage or denial of parentage, the court shall order the State Registrar of Vital Statistics to amend the birth record of the child, if appropriate.

Sec. 15. 19-A MRSA §1870, as enacted by PL 2015, c. 296, Pt. A, §1 and affected by Pt. D, §1, is amended to read:

§1870. Ratification not permitted

A court or administrative agency conducting a judicial or administrative proceeding may not ratify an unchallenged acknowledgment of paternity parentage under section 1861.

Sec. 16. 19-A MRSA §1871, as enacted by PL 2015, c. 296, Pt. A, §1 and affected by Pt. D, §1, is amended to read:

§1871. Forms for acknowledgment and denial of paternity parentage

To facilitate compliance with this subchapter, the State Registrar of Vital Statistics shall prescribe forms for the acknowledgment of paternity parentage and the denial of parentage. A valid acknowledgment of paternity parentage or denial of parentage is not affected by a later modification of the prescribed form.

Sec. 17. 19-A MRSA §1872, as enacted by PL 2015, c. 296, Pt. A, §1 and affected by Pt. D, §1, is amended to read:

§1872. Release of information

The State Registrar of Vital Statistics may release information relating to an acknowledgment of paternity parentage under section 1861 as provided in Title 22, section 2706.

Sec. 18. 19-A MRSA §1924, sub-§3, as enacted by PL 2015, c. 296, Pt. A, §1 and affected by Pt. D, §1, is amended to read:

3. Consent form. Consent under subsection 1 executed via a consent form adopted by the Office of Data,

Research and Vital Statistics must be accepted and relied upon for purposes of issuing a birth record. Nothing in this subsection precludes a person from filing a voluntary acknowledgment of parentage under subchapter 3.

Sec. 19. 19-A MRSA §3016, sub-§10, as enacted by PL 2003, c. 436, §25, is amended to read:

10. Voluntary acknowledgment admissible. A voluntary acknowledgment of paternity parentage, certified as a true copy, is admissible to establish parentage of the child.

Sec. 20. Effective date. This Act takes effect October 1, 2021.

See title page for effective date.

CHAPTER 142

S.P. 147 - L.D. 340

An Act To Allow for the Establishment of Commercial Property Assessed Clean Energy Programs

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

Sec. 1. 35-A MRSA c. 101 is enacted to read:

CHAPTER 101

COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY

§10201. Declaration of public purpose

It is declared that the establishment and implementation of commercial property assessed clean energy, or commercial PACE, programs to finance energy savings improvements are public purposes.

§10202. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Commercial PACE. "Commercial PACE" means commercial property assessed clean energy.

2. Commercial PACE agreement. "Commercial PACE agreement" means an agreement that authorizes the creation of a commercial PACE assessment on qualifying property and that is approved in writing by all owners of the qualifying property at the time of the agreement.

3. Commercial PACE assessment. "Commercial PACE assessment" means an assessment made against qualifying property to finance an energy savings improvement.

4. Commercial PACE lien. "Commercial PACE lien" means a lien secured against a qualifying property that is created by a commercial PACE assessment.

5. Commercial PACE ordinance. "Commercial PACE ordinance" means an ordinance adopted by the legislative body of a municipality for the purpose of participating in a commercial PACE program.

6. Commercial PACE program. "Commercial PACE program" means a program established under this chapter by the trust, a 3rd party contracted by the trust or a municipality, under which commercial property owners can finance energy savings improvements on qualifying property.

7. Energy savings improvement. "Energy savings improvement" means an improvement or series of improvements to qualifying property that, as determined by the trust, are new and permanently affixed to qualifying property and that:

A. Will result in increased energy efficiency or substantially reduced energy use and:

(1) Meet or exceed applicable United States Environmental Protection Agency and United States Department of Energy Energy Star program or similar energy efficiency standards established or approved by the trust; or

(2) Involve weatherization of commercial or industrial property in a manner approved by the trust; or

B. Involve a renewable energy installation, an energy storage system as defined in section 3481, subsection 6, an electric thermal storage system, electric vehicle supply equipment or heating equipment that meets or exceeds standards established or approved by the trust. Heating equipment that is not a renewable energy installation must be heating equipment that produces the lowest carbon emissions of any heating equipment reasonably available to the property owner, as determined by the trust, and must meet the requirements of section 10204, subsection 1, paragraph B.

8. Qualifying property. "Qualifying property" means real commercial property that:

A. Does not have a residential mortgage;

B. Is not owned by a residential customer or small commercial customer as defined in section 3106, subsection 1, paragraphs C and D, respectively;

C. Consists of 5 or more rental units if the property is a commercial building designed for residential use;

D. Is not owned by a federal, state or municipal government or public school; and

E. Is located in a municipality that participates in a commercial PACE program pursuant to this chapter.

9. Renewable energy installation. "Renewable energy installation" means a fixture, product, system, device or interacting group of devices installed behind the meter at a qualifying property, or on contiguous property under common ownership, that produces energy or heat from renewable sources, including, but not limited to, photovoltaic systems, solar thermal systems, highly efficient wood heating systems, geothermal systems and wind systems that do not on average generate more energy or heat than the peak demand of the property.

10. Trust. "Trust" means the Efficiency Maine Trust established in section 10103.

§10203. Commercial PACE programs

1. Establishment; administration. The trust, a 3rd party contracted by the trust or a municipality that has adopted a commercial PACE ordinance may establish a commercial PACE program. Notwithstanding any provision of law to the contrary, the trust may use funds from its administrative fund, program funds or fees on commercial PACE assessments to pay reasonable administrative expenses of the trust or to pay a 3rd party contracted by the trust for costs incurred to carry out the purposes of this chapter.

2. Energy savings improvement financing. Financing for energy savings improvements may be provided by any funds available for those improvements, except for proceeds from the regional greenhouse gas initiative as defined in Title 38, section 580-A, subsection 19. If funds are provided by a nongovernmental lender, including, but not limited to, banks and investment firms, the nongovernmental lender has the contractual right to receive commercial PACE assessment payments. Commercial PACE financing may cover up to 100% of an energy savings improvement's costs, including audits, energy savings improvement development and application fees.

3. Program administration; municipal participation and liability. A commercial PACE program must be administered as follows.

A. A municipality that has adopted a commercial PACE ordinance may:

(1) Administer the functions of a commercial PACE program, including, but not limited to, entering into commercial PACE agreements with commercial property owners and collecting commercial PACE assessments; or

(2) Enter into a contract with the trust to administer some or all functions of the commercial PACE program for the municipality, including billing and collection of commercial PACE assessments, except that the trust may

not administer the collection of commercial PACE assessments in default pursuant to section 10205, subsection 5.

B. The trust may enter into a contract with a municipality that has adopted a commercial PACE ordinance to administer commercial PACE program functions in the municipality.

C. The trust may enter into a contract with a 3rd-party administrator to administer part or all of a commercial PACE program for a municipality.

D. Notwithstanding any provision of law to the contrary, staff or trustees of the trust, municipal officers and municipal officials, including, without limitation, tax assessors and tax collectors, are not personally liable to the trust or to any other person for claims, of whatever kind or nature, under or related to a commercial PACE program established under subsection 1, including, without limitation, claims for or related to uncollected commercial PACE assessments.

E. Other than the fulfillment of its obligations specified in a commercial PACE agreement, neither the trust nor a municipality has any liability to a commercial property owner for or related to energy savings improvements financed under a commercial PACE program.

F. The trust may collect fees necessary to administer commercial PACE programs.

4. Quality assurance system. Subject to the availability of funds, the trust shall, within one year of the establishment of a commercial PACE program under subsection 1, adopt by rule a quality assurance system for the commercial PACE program. In developing a quality assurance system under this subsection, the trust shall consult with industry stakeholders, including, but not limited to, representatives of clean energy and energy efficiency programs, contractors and environmental, energy efficiency and labor organizations.

5. Terms and conditions. The trust may, by rule, establish terms and conditions under which municipalities and commercial property owners may participate in a commercial PACE program established under subsection 1, which may include, but are not limited to, terms and conditions related to program design, implementation and administration, cost sharing, collection of commercial PACE assessments and recording of liens. The trust may vary the terms and conditions established under this subsection applicable to a participating municipality from those of other participating municipalities by mutual agreement with that municipality. Any terms or conditions established by the trust may not conflict with other provisions of this chapter.

A commercial PACE assessment may be used to secure financing for the construction of a new building or fa-

ility. Financing secured by a commercial PACE assessment for the construction of a new building or facility must be used for energy savings improvements on the property that significantly exceed the energy standards of the Maine Uniform Building and Energy Code, adopted pursuant to Title 10, section 9722, subsection 6, paragraph B, or the applicable energy code in the municipality where the project is located, as determined by the trust. A lender under this chapter may disburse funds for new construction projects before project completion.

6. Model documents; educational materials.

The trust shall develop and provide to municipalities model commercial PACE ordinances, model commercial PACE agreements, other model forms and documents and educational materials for use by municipalities in the implementation of commercial PACE programs.

§10204. Underwriting

1. Underwriting. A commercial PACE agreement entered into pursuant to a commercial PACE program must comply with underwriting requirements established by rule by the trust. Underwriting requirements established by the trust must, at a minimum:

A. Provide that the term of the commercial PACE agreement not exceed the estimated useful life of the financed energy savings improvements;

B. Require that the estimated cost savings from the energy savings improvements over the useful life of such improvements achieve for the property owner a savings-to-investment ratio of not less than 1.0;

C. Require that the qualifying property have a debt service coverage ratio of not less than 1.0 at the time the commercial PACE agreement is entered into;

D. Require that the qualifying property have a loan-to-value ratio of not more than 1.0 at the time the commercial PACE agreement is entered into, calculated by dividing the total amount of debt secured by the property by the property value;

E. Require that the qualifying property's commercial PACE assessment-to-value ratio be no greater than 0.35;

F. Require proof of ownership of the qualifying property;

G. Require that the qualifying property:

(1) Be current on real estate taxes, personal property taxes and municipal sewer, sanitary and water district charges;

(2) Have no outstanding and unsatisfied tax or municipal sewer, sanitary or water district liens; and

(3) Not be subject to a mortgage or other lien on which there is a recorded notice of default, foreclosure or delinquency that has not been cured;

H. Require that the owner or owners of the qualifying property certify that there are no overdue payments on mortgages secured by the property; and

I. Require escrows for commercial PACE assessment payments when appropriate.

§10205. Commercial PACE assessments; collection; priority

1. Collection of assessments. A commercial PACE assessment constitutes a lien on the qualifying property until it is paid in full and must be assessed and collected by the trust, a 3rd-party administrator contracted by the trust, a municipality or an agent designated by the trust or a municipality in any manner allowed under the commercial PACE program, consistent with applicable laws. If the trust or a 3rd-party administrator contracted by the trust collects commercial PACE assessments on behalf of a municipality, the trust shall periodically report to the municipality on the status of the commercial PACE assessments in the municipality and shall notify the municipality immediately of any delinquent commercial PACE assessments. Upon receiving notification from the trust of a delinquent commercial PACE assessment, a municipality shall notify the holder of any mortgage on the property of the delinquent assessment.

2. Notice; filing. A notice of a commercial PACE agreement must be filed in the appropriate registry of deeds. The filing of this notice creates a commercial PACE lien against the property subject to the commercial PACE assessment until the amounts due under the terms of the commercial PACE agreement are paid in full. A notice filed under this subsection must, at a minimum, include:

A. The amount of funds disbursed or to be disbursed pursuant to the commercial PACE agreement;

B. The names and addresses of the current owners of the qualifying property subject to the commercial PACE assessment;

C. A description of the qualifying property subject to the commercial PACE assessment, including its tax map and lot number;

D. The duration of the commercial PACE agreement;

E. The name and address of the entity filing the notice; and

F. Written verification of mortgage lender consent, if there is a mortgage on the property.

3. Priority. A commercial PACE lien secures payment for any unpaid commercial PACE assessment and, together with all associated interest and penalties for default and associated attorney's fees and collection costs, takes precedence over all other liens or encumbrances except a lien for real property taxes of the municipality and liens of municipal sewer, sanitary and water districts. From the date of recording, a commercial PACE lien is a priority lien against a property, subject only to liens set out in section 6111-A, Title 36, section 552 and Title 38, sections 1050 and 1208, except that the priority of such a commercial PACE lien over any lien, except a lien for real property taxes of the municipality or a lien of a municipal sewer, sanitary or water district, that existed prior to the commercial PACE lien is subject to the written consent of such existing lienholder.

4. Mortgage lender notice and consent. Any financial institution holding a lien, mortgage or security interest in or other collateral encumbrance on the property for which a commercial PACE assessment is sought must be provided written notice of the commercial property owner's intention to participate in the commercial PACE program and must acknowledge in writing to the commercial property owner and municipality that the financial institution has received such notice. A commercial PACE assessment may not be approved until the financial institution holding the lien, mortgage or security interest in or other collateral encumbrance on the property has provided written consent to the commercial property owner and municipality that the borrower may participate and enroll the collateral property in the commercial PACE program. This written consent must be filed in the registry of deeds and must include a written acknowledgement and understanding by the financial institution holding the lien, mortgage or security interest in or other collateral encumbrance on the property:

A. Of the priority status provided to commercial PACE liens pursuant to subsection 3;

B. Of the foreclosure process applicable to properties subject to commercial PACE liens under subsection 5; and

C. That the financial institution is not required to but has voluntarily elected to consent to the enrollment of the property in the commercial PACE program.

5. Collection, default and foreclosure. A commercial PACE assessment for which notice is properly recorded under this section creates a lien on the property. The portion of the assessment that has not yet become due is not eliminated by foreclosure, and the lien may not be accelerated or extinguished until fully repaid.

A commercial PACE assessment and any interest, fees, penalties and attorney's fees incurred in its collection

must be collected in the same manner as the real property taxes of the municipality in which the property is located. If a commercial PACE assessment is delinquent or in default and the borrower or property owner is delinquent in any tax debt due to the municipality in which the property is located, collection may occur only by the recording of liens and by foreclosure under Title 36, sections 942 and 943. Liens must be recorded and released in the same manner as liens for real property taxes.

If only a commercial PACE assessment is delinquent but the borrower or property owner is current on payment of all municipal taxes due to the participating municipality, then a commercial PACE lienholder shall accept an assignment of the commercial PACE lien, as provided in the written agreement between the participating municipality and the commercial PACE lender. The assignee shall have and possess all the same powers and rights at law as the participating municipality and its tax collector with regards to the priority of the commercial PACE lien, the accrual of interest and fees and the costs of collection. The assignee shall have the same rights to enforce the commercial PACE lien as any private party or lender holding a lien on real property, including, but not limited to, the right of foreclosure consistent with Title 14, sections 6203-A and 6321 and any other action in contract or lawsuit for the enforcement of the commercial PACE lien. The assignee shall recover costs and reasonable attorney's fees incurred as a result of any foreclosure action or other legal proceeding brought pursuant to this subsection, which may be collected by the assignee at any time after the assignee has made demand for payment.

6. Judicial or nonjudicial sale or foreclosure. In the event of a judicial or nonjudicial sale or foreclosure of a property subject to a commercial PACE lien by a lienholder that is not a commercial PACE lienholder, the commercial PACE lien must survive the foreclosure or sale to the extent of any unpaid installment, interest, penalties or fees secured by the lien that were not paid from the proceeds of the sale. All parties with mortgages or liens on that property, including without limitation commercial PACE lienholders, must receive on account of such mortgages or liens sale proceeds in accordance with the priority established in this chapter and by applicable law. A commercial PACE assessment is not eliminated by foreclosure and cannot be accelerated. Only the portion of a commercial PACE assessment that is in arrears at the time of foreclosure takes precedence over other mortgages or liens; the remainder transfers with the property at resale.

Unless otherwise agreed upon by the commercial PACE lender, all payments on a commercial PACE assessment that become due after the date of transfer by judicial or nonjudicial sale or foreclosure must continue to be secured by a lien on the property and are the responsibility of the transferee.

7. Release of lien. A municipality shall discharge a commercial PACE lien created under subsection 2 upon full payment of the amount specified in the commercial PACE agreement. A discharge under this subsection must be filed in the appropriate registry of deeds and must include reference to the notice required under subsection 2.

§10206. Commercial property owners

1. Purchase of goods and services. A commercial property owner who has entered into a commercial PACE agreement under this chapter may purchase directly all goods and services for the energy savings improvements described in the commercial PACE agreement, subject to any applicable vendor certification required by the trust and other requirements of the trust. Goods and services purchased by a commercial property owner for the energy savings improvements under a commercial PACE agreement are not subject to any public procurement ordinance or statute.

2. Rights. Commercial property owners retain all rights under contract or law against parties other than the municipality or the trust with respect to energy savings improvements financed through commercial PACE agreements.

§10207. Annual report

The trust shall report annually on the implementation of this chapter as part of the report required under section 10104, subsection 5.

§10208. Rulemaking

Rules adopted under this chapter are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

§10209. Construction; home rule

Nothing in this chapter may be construed to limit the home rule authority of a municipality.

§10210. Conformity to changed standards

If standards are adopted by any state or federal agency subsequent to a municipality's adoption of a commercial PACE ordinance or participation in a commercial PACE program and those standards substantially conflict with the municipality's manner of participation in the commercial PACE program, the municipality shall take necessary steps to conform its participation to those standards.

See title page for effective date.

CHAPTER 143
S.P. 179 - L.D. 437

An Act To Establish the Maine
Healthy Soils Program

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

Sec. 1. 12 MRSA c. 7 is enacted to read:

CHAPTER 7

MAINE HEALTHY SOILS PROGRAM

§351. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Commissioner. "Commissioner" means the Commissioner of Agriculture, Conservation and Forestry.

2. Department. "Department" means the Department of Agriculture, Conservation and Forestry.

3. Greenhouse gas. "Greenhouse gas" has the same meaning as in Title 38, section 574, subsection 1.

4. Greenhouse gas drawdown. "Greenhouse gas drawdown" means greenhouse gas emissions source reduction or sequestration.

5. Healthy soils best practices. "Healthy soils best practices" means agricultural and land management practices that:

A. Enhance the continuing capacity of soils to function as a vital, living biological system, increase soil organic matter, improve soil structure, strengthen water holding and nutrient holding capacity, improve nutrient cycling and result in net long-term greenhouse gas drawdown;

B. Continuously improve the capacity of soils to host a diversity of beneficial organisms, grow vigorous crops, enhance agricultural resilience, including, but not limited to, the ability of crops and livestock to tolerate and recover from drought, temperature extremes, pests and other stressors, and help regulate the global climate by converting organic residue into stable soil organic matter and retaining nutrients, including, but not limited to, nitrogen and phosphorus;

C. Continuously improve the health of soils by considering all relevant factors, including, but not limited to, depth of topsoil horizons, water infiltration rate, water holding capacity, organic carbon content, biologically accessible nutrient content, bulk density, biological activity and biological and microbiological diversity; and

D. Follow the principles of minimizing soil disturbance and external inputs: keeping soil covered, maximizing biodiversity, maximizing the presence of living roots and integrating animals into land management, including grazing animals, birds, beneficial insects and keystone species, such as earthworms.

§352. Program established

The Maine Healthy Soils Program, referred to in this chapter as "the program," is established within the department and is administered by the commissioner. The commissioner shall consult and cooperate with the University of Maine, the University of Maine Cooperative Extension, soil and water conservation districts as defined in section 3, subsection 2 and the United States Department of Agriculture, Natural Resources Conservation Service in the development and administration of the program. The commissioner may consult with the Department of Environmental Protection in carrying out the purpose of the program.

1. Purpose. The purpose of the program is to:

A. Improve the health, yield and profitability of the State's diverse agricultural soils and commodities;

B. Protect native biological and microbiological diversity, vitality and health and increase the greenhouse gas drawdown provided by the State's agricultural soils;

C. Promote healthy soils agricultural practices based on indigenous knowledge, current understanding and emerging soil science as determined by the department; and

D. Promote and expand the use of healthy soils best practices among farmers and farmland owners in the State.

2. Responsibilities of the commissioner. To carry out the purposes of the program, the commissioner shall:

A. Provide information and educational materials to educate farmers and farmland owners about the benefits of implementing practices that achieve the purposes of the program. The commissioner shall:

(1) Increase opportunities for farmer-to-farmer outreach and education by highlighting farmers and farmland owners using healthy soils best practices successfully;

(2) Facilitate peer learning opportunities for farmers and farmland owners engaged in a broad range of healthy soils best practices, maintaining an active network of practitioners and technical experts and highlighting related services and programming; and

(3) Aggregate and highlight opportunities for grant funding, loan programs and other forms

of financial assistance to support the use of healthy soils best practices by farmers and farmland owners;

B. Investigate opportunities for market-based levers and promotional activities that incentivize healthy soils best practices;

C. Subject to availability of funding, support and make available incentives, such as technical assistance, financial assistance and research support, to implement healthy soils best practices;

D. Design the program to equitably distribute incentives to beginning and socially disadvantaged farmers and ranchers as defined by 7 United States Code, Section 2279(a); and

E. Determine how the program may be implemented to enhance other state and federal programs that provide financial assistance to farmers implementing healthy soils best practices.

§353. Maine Healthy Soils Fund

The Maine Healthy Soils Fund is established as a nonlapsing separate account to be administered by the commissioner. Income from gifts, grants, fees and other sources may be deposited into the fund. All money in the fund and earnings on that money must be used for the purposes of this chapter.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Maine Healthy Soils Fund N358

Initiative: Provides an allocation to accept grants, bequests, gifts or contributions from any source, public or private, to support the administration of the healthy soils program.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

See title page for effective date.

CHAPTER 144

H.P. 378 - L.D. 515

An Act To Create New Models of Maine Manufacturing Employment and Education

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

Sec. 1. 20-A MRSA §11, sub-§3, ¶D, as enacted by PL 2011, c. 346, §2, is amended to read:

D. Devise strategies for promoting career and technical education alignment and supporting early career planning and transition supports from high school to college and to the workforce; ~~and~~

Sec. 2. 20-A MRSA §11, sub-§3, ¶E, as enacted by PL 2011, c. 346, §2, is amended to read:

E. Propose methods for integrating out-of-school programs focused on science, technology, engineering and mathematics with school-based programs, with the goal of inspiring more students to concentrate in the fields of science, technology, engineering and mathematics; ~~and~~

Sec. 3. 20-A MRSA §11, sub-§3, ¶F is enacted to read:

F. Coordinate the development of higher education programs and public-private partnerships to enhance higher education and employment opportunities in the State in science, technology, engineering and mathematics.

Sec. 4. Science, technology, engineering and mathematics program development for education and employment. The Science, Technology, Engineering and Mathematics Council under the Maine Revised Statutes, Title 20-A, section 11, referred to in this section as "the council," shall engage with the University of Maine System under Title 20-A, chapter 411, the Maine Community College System under Title 20-A, chapter 431, adult education programs under Title 20-A, chapter 315, the Finance Authority of Maine under Title 10, section 964, the Loring Development Authority of Maine under Title 5, section 13080 and private sector stakeholders to develop proposals for the following programs and initiatives to promote new models of manufacturing education and employment in the State:

1. A 5-year dual degree program through the University of Maine System in green technology and entrepreneurship, along with a scholarship program for students in the program and seed funding for business development in green manufacturing;
2. A 5-year dual degree program in educational communication and digital technology based within the University of Maine System to develop and prepare educators for remote communication, learning and training platforms;
3. A dual degree program in accounting and green technology based within the University of Maine System;
4. A platform for occupational licensing in educational communication and digital technology that addresses the needs of new residents of the State, including but not limited to immigrants and refugees;

5. An associate degree program, supported by public-private funding, to train students in green engineering and technology based within the Maine Community College System;

6. An apprenticeship program in green technology and employment, including but not limited to apprenticeships in solar farm development and operation;

7. Financing options through the Finance Authority of Maine or other appropriate entities for graduates of educational and apprenticeship programs described in this section to develop new businesses;

8. A solar steam train facility based at the Loring Development Authority of Maine. The proposal may include, but is not limited to, tax incentives, financing from the Finance Authority of Maine or other appropriate entities, formation of a committee to oversee development and outreach to create a public-private partnership and shared ownership between the State and employees of the facility; and

9. A committee to examine the transition to electric transportation infrastructure and development of manufacturing opportunities to support that transition.

For the purposes of this section, "green" means relating to or concerned with reducing negative short-term and long-term effects on the environment.

With the approval of 2/3 of the council and notwithstanding Title 20-A, section 11, subsection 10, the council may seek and receive private funds as needed to further its activities.

The council shall submit a report including the proposals required by this section to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. The report must be submitted no later than December 1, 2021. After receipt of the report required by this section, a joint standing committee may report out a bill based upon the report to the Second Regular Session of the 130th Legislature.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Science, Technology, Engineering and Mathematics Council Z175

Initiative: Provides base allocations to authorize expenditures in the event private funds are received to support the activities of the Science, Technology, Engineering and Mathematics Council related to the development of higher education programs and public-private partnerships to enhance higher education and employment opportunities in the State in science, technology, engineering and mathematics.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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All Other	\$500	\$500
OTHER SPECIAL REVENUE	\$500	\$500
FUNDS TOTAL		

See title page for effective date.

CHAPTER 145

S.P. 234 - L.D. 596

An Act To Improve the Law Regarding Abandoned Roads

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

Sec. 1. 23 MRSA §3028, as amended by PL 2015, c. 464, §7, is repealed.

Sec. 2. 23 MRSA §3028-A is enacted to read:

§3028-A. Abandonment of town ways

Beginning October 1, 2021, a town way, or portion thereof, may not be declared discontinued by abandonment unless the municipality or county where the proposed abandoned town way is situated complies with the requirements of this section. A municipality or its officials or a county or its officials are not liable for nonperformance of a legal duty with respect to a town way declared discontinued by abandonment in accordance with this section.

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

A. "Affected property" means real property that abuts the town way to be declared discontinued by abandonment and real property for which the town way is the only access route.

B. "Best practicable notice" means, at minimum, the mailing of notice by the United States Postal Service, postage prepaid, first class, to affected property owners whose addresses appear in the assessment records of the municipality or county.

2. Declaration of abandonment. Municipal officers or county commissioners may vote to declare a town way discontinued by abandonment if:

A. For a period of 30 or more consecutive years, the town way was not kept passable for the use of motor vehicles at the expense of the municipality or county. Isolated acts of maintenance by the municipality or county without other evidence that shows a clear intent by the municipality or county to consider or use the town way as if it were a public way as defined in section 1903, subsection 11 does not negate evidence that the town way was not kept passable for the use of motor vehicles; and

B. The municipal officers or county commissioners vote to declare the town way discontinued by abandonment at a regularly scheduled meeting of the municipal officers or county commissioners. If the municipal officers or county commissioners vote to declare a town way discontinued by abandonment, they must also vote on whether a public easement is retained.

A municipality or county may not declare a town way discontinued by abandonment if evidence is presented to the municipal officers or county commissioners at a meeting held pursuant to paragraph B or a public hearing held pursuant to subsection 4 that the municipality or county received funds for any portion of the town way that is the subject of the discontinuance by abandonment for more than 84 months of the period of 30 or more consecutive years specified in paragraph A.

3. Notification of discontinuation by abandonment. The municipal officers or county commissioners shall give best practicable notice to all affected property owners of the town way to be declared discontinued by abandonment at least 30 days prior to the meeting required in subsection 2, paragraph B.

A. The notice must include information regarding the potential retention of a public easement, and:

- (1) The affected property owners' maintenance obligations for and right of access to the town way, if any;
- (2) The right of access to the town way by the public if a public easement is retained; and
- (3) Information regarding the rights of affected property owners to enter into agreements regarding maintenance of and access to that town way, including the right of affected property owners to create private easements.

B. If the town way to be declared discontinued by abandonment is the only means of access to property in an adjacent municipality or county, the municipal officers or county commissioners shall cause a written notice of the meeting required in subsection 2, paragraph B to be given to the municipal officers or county commissioners of the adjacent municipality or county at least 30 days prior to that meeting.

4. Public hearing. The municipal officers or county commissioners shall hold a public hearing prior to voting to declare a town way discontinued by abandonment under subsection 2 upon receipt of written request signed by at least 25% of affected property owners. The written request for a public hearing must be received by the municipal clerk or county clerk no more than 10 days after the notification issued pursuant to subsection 3.

5. Status of town way discontinued by abandonment. If the municipal officers or county commissioners vote to declare a town way discontinued by abandonment, the interests of the municipality or county in the abandoned town way pass as follows.

A. If the municipal officers or county commissioners vote to not retain a public easement in the abandoned town way, all interests of the municipality or county in the town way, if any, pass to the abutting property owners to the center of the town way.

B. If the municipal officers or county commissioners vote to retain a public easement in the abandoned town way, all other interests of the municipality or county in the town way, if any, pass to the abutting property owners to the center of the town way and the public easement retained is limited to rights of access by foot or motor vehicle as defined in Title 29-A, section 101, subsection 42.

An easement for public utility facilities necessary to provide or maintain service remains in a town way declared to be discontinued by abandonment regardless of whether a public easement is retained by the municipality or county.

6. Filing in registry of deeds. If the municipal officers or county commissioners vote to declare a town way discontinued by abandonment, the municipal clerk or county clerk shall record an attested certificate of the discontinuance by abandonment in the registry of deeds in the county where the abandoned town way is situated.

A. The certificate of discontinuance by abandonment may not be filed before the appeal period in subsection 7 has passed or, if an appeal is filed, before the appeal process has ended.

B. The certificate of discontinuance by abandonment must list the date of the vote by the municipal officers or county commissioners, describe the town way and include whether a public easement was retained.

C. The register of deeds shall record the certificate of discontinuance by abandonment under the name of the town way, the name of the municipality or county and the names of the affected property owners. The municipal clerk or county clerk shall provide a photocopy of the certificate to the Department of Transportation, Bureau of Maintenance and Operations.

7. Appeal. Notwithstanding section 3029, a person affected by a vote to declare a town way discontinued by abandonment may appeal the decision by filing a written appeal request within 10 days of the vote as follows:

A. With the municipal clerk for an appeal of a vote by the municipal officers in a municipality with a board of appeals authorized to hear the appeal;

B. With the county clerk for an appeal of a vote by the municipal officers in a municipality that does not have a board of appeals authorized to hear the appeal; or

C. With the county clerk for an appeal of a vote by the county commissioners.

Within 15 days after receiving a written appeal request filed pursuant to this subsection, the municipal clerk or county clerk shall schedule a public hearing on the appeal before the municipal board of appeals or county commissioners and provide written notice of the hearing date to the municipal officers or county commissioners and the person filing the appeal request. The public hearing must occur no more than 30 days after the appeal request is received.

A person aggrieved by the decision of the municipal board of appeals or county commissioners pursuant to this subsection may appeal the decision to the Superior Court in the county where the town way is situated, pursuant to the Maine Rules of Civil Procedure, Rule 80B.

8. Quasi-judicial act. The determination of the municipal officers regarding the status of a town way pursuant to this section is a quasi-judicial act under Title 14, section 8104-B, subsection 2.

9. Previously abandoned town ways. This section does not alter the status of a town way abandoned by a municipality or county under the terms of former section 3028.

10. Common law abandonment. This section does not alter the ability of a town way to be abandoned under the common law presumption of abandonment.

11. Removal of obstructions. If the municipal officers or county commissioners have declared a town way discontinued by abandonment and have retained a public easement in the abandoned town way under this section, the municipality, county commissioners or an abutter on the way, acting with the written permission of the municipal officers or county commissioners, may remove any gates, bars or other obstructions in the town way.

Sec. 3. Effective date. This Act takes effect October 1, 2021.

See title page for effective date.

**CHAPTER 146
S.P. 242 - L.D. 603**

**An Act Regarding the Practice
of Pharmacy**

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

Sec. 1. 32 MRSA §13702-A, sub-§22, as enacted by PL 2007, c. 402, Pt. DD, §2, is amended to read:

22. Pharmacist. "Pharmacist" means an individual provider of health care services licensed by this State to engage in the practice of pharmacy.

A. "Chain pharmacist" means an individual who is engaged in the practice of pharmacy within a chain; that is, where there is a corporate grouping of 4 or more pharmacies.

B. "Hospital pharmacist" means an individual who is engaged in the practice of pharmacy in a hospital setting.

C. "Independent pharmacist" means an individual who is engaged in the practice of pharmacy in an independent pharmacy; that is, where there are fewer than 4 pharmacies under the same ownership.

D. "Qualified assistant pharmacist" means an individual licensed by this State as a qualified assistant apothecary, qualified assistant or assistant pharmacist, provided that the license is in full force and effect, except for the right to serve as a pharmacist in charge.

Sec. 2. 32 MRSA §13702-A, sub-§28, as amended by PL 2017, c. 185, §1, is further amended to read:

28. Practice of pharmacy. "Practice of pharmacy" means the provision of health care services that include the interpretation and evaluation of prescription drug orders; the compounding, dispensing and labeling of drugs and devices, except labeling by a manufacturer, packer or distributor of nonprescription drugs and commercially packaged legend drugs and devices; the participation in drug selection and drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records for these drugs and devices; the administration of vaccines licensed by the United States Food and Drug Administration that are recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices, or successor organization, for administration to adults; the performance of collaborative drug therapy management; the responsibility for advising, when necessary or regulated, of therapeutic values, content, hazards and use of drugs and devices; the ordering and dispensing of over-the-counter nicotine replacement products approved by the United States Food and Drug Administration; and the offering or performing of those acts, services, operations or transactions necessary in the conduct, operation, management and control of a pharmacy.

Sec. 3. 32 MRSA §13722, sub-§1, ¶B, as enacted by PL 1987, c. 710, §5, is amended to read:

B. Establish the specifications of minimum professional and technical equipment, environment, supplies and procedure for the compounding ~~or~~, dispensing or administering of medications, drugs, devices and other materials within the practice of pharmacy;

See title page for effective date.

**CHAPTER 147
S.P. 253 - L.D. 648**

An Act To Improve the Lives of Maine Workers by Supporting Apprenticeships That Lead to Good-paying Jobs

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

Sec. 1. 26 MRSA §3211, sub-§7 is enacted to read:

7. Funding. The Maine Apprenticeship Program shall apply at least 75% of program funding used for reimbursement of direct training costs toward apprenticeship programs in which the apprentice starting wage is at least 1.25 times the rate of the minimum wage established in section 664 and the ending wage, upon completion of the apprenticeship agreement, is at least 1.5 times the rate of the minimum wage.

See title page for effective date.

**CHAPTER 148
H.P. 571 - L.D. 766**

An Act To Ensure the Safety of Certain State Employees by Allowing Disclosure of Certain Confidential Information in Limited Circumstances

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

Sec. 1. 22 MRSA §4008, sub-§2, ¶A-2 is enacted to read:

A-2. An administrator of a social media service, to the extent authorized by a court for reporting, investigating or removing a threat or serious intimidation attempt directed against an employee of the department, an employee of the Attorney General's office, a guardian ad litem or an officer of any court or court system. The information remains confidential and the social media service may not disclose any of the information provided by the de-

partment. For the purposes of this subsection, "social media service" means an electronic medium or service through which users create, share and view user-generated content;

See title page for effective date.

**CHAPTER 149
S.P. 53 - L.D. 792**

An Act To Make Technical Changes to the Eligibility Provisions of the Higher Opportunity for Pathways to Employment Program

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

Sec. 1. 22 MRSA §3790-A, sub-§2, ¶C, as enacted by PL 2017, c. 387, §1, is amended to read:

C. Is pursuing a postsecondary undergraduate degree, industry-recognized certificate or similar credential in a field or occupation that has at least an average job outlook as identified by the Center for Workforce Research and Information within the Department of Labor is identified by the Center for Workforce Research and Information within the Department of Labor as having an annual job opening rate of at least 10% or as providing opportunity for employment in high-wage, in-demand jobs in the State at the time of enrollment. For fields or occupations for which the job outlook is lower than average not so identified, the commissioner or the commissioner's designee must approve the applicant's or participant's education plan. If the applicant or participant is pursuing a postsecondary undergraduate 4 year degree, it must be in a health care, technology or engineering field as specified in department rules if the plan will result in a postsecondary degree, certificate or similar credential that is universally recognized and accepted by the trade or industry in which the applicant or participant intends to seek employment or is part of a career pathway plan that will lead to a similarly accepted degree or credential and is likely to provide an opportunity for employment in a job that will lead to substantial improvement in the applicant's or participant's earnings and benefits;

See title page for effective date.

**CHAPTER 150
S.P. 87 - L.D. 800**

**An Act To Amend Credit and
Debit Card Surcharges
Imposed by Governmental
Entities**

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

Sec. 1. 5 MRSA §1509-A, as amended by PL 1999, c. 762, §1 and affected by §5, is further amended to read:

§1509-A. Payment by credit card

State departments and agencies shall implement, with the approval of the State Controller and the State Treasurer, procedures for accepting payment for goods, services, ~~taxes, fines, forfeitures~~ charges or any other fees by ~~major credit cards card, debit card~~ or other electronic means. ~~Unless otherwise provided for in law as of the effective date of this section, any administrative expenses or credit card fees incurred in connection with this method of receiving funds must be absorbed within the existing budget of the department or agency as authorized by the Legislature~~ a state department or agency may impose a surcharge, including a service fee, for ~~payments made by credit card or debit card for taxes, fines, charges, utility fees, regulatory fees, registration fees, license or permit fees or the provision of a specific service or good provided by that state department or agency in accordance with the provisions of Title 9-A, section 8-509, subsection 2.~~

Sec. 2. 9-A MRSA §8-509, sub-§2, as enacted by PL 2011, c. 427, Pt. A, §15, is amended to read:

2. Surcharge permitted for governmental entity. Notwithstanding subsection 1, a governmental entity may impose a surcharge for payments made with a credit card or debit card for taxes, fines, charges, utility fees, regulatory fees, registration fees, license or permit fees or the provision of a specific service or good provided by that governmental entity if the surcharge:

- A. Is disclosed clearly to the consumer prior to payment; and
- B. Does not exceed the costs associated with providing the credit card or debit card service that are directly incurred by the governmental entity or assessed by an authorized 3rd-party payment service provider for a credit card or debit card transaction. If there is not a cost assessed by an authorized 3rd-party payment service provider for a debit card transaction, the governmental entity may not impose a surcharge associated with a debit card transaction.

A governmental entity shall disclose to the consumer that the surcharge may be avoided if the consumer

makes payments by cash, check or other means not a credit card or debit card. A governmental entity is not subject to any liability to the issuer of a credit card or an authorized 3rd-party payment service provider for nonpayment of credit card charges by the consumer. As used in this subsection, "governmental entity" includes, but is not limited to, a state department or agency, a county established or governed by Title 30-A, Part 1, a municipality as defined in Title 30-A, section 2001, subsection 8, a plantation established or governed by Title 30-A, chapter 301, a quasi-municipal corporation as defined in Title 30-A, section 2604, subsection 3, the Judicial Department as described in Title 4, the University of Maine System, the Maine Community College System and the Maine Maritime Academy.

See title page for effective date.

**CHAPTER 151
S.P. 113 - L.D. 802**

**An Act To Ensure
Decommissioning of Solar
Energy Developments**

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

Sec. 1. 35-A MRSA c. 34-D is enacted to read:

CHAPTER 34-D

SOLAR ENERGY DEVELOPMENT DECOMMISSIONING

§3491. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Decommissioning. "Decommissioning" means the physical removal of all components of a solar energy development, including but not limited to solar panels and associated anchoring systems and foundations to a depth of at least 24 inches or to the depth of bedrock, whichever is less, and other structures, buildings, roads, fences, cables, electrical components or associated facilities and foundations to a depth of at least 24 inches or to the depth of bedrock, whichever is less, to the extent the components of the development are not otherwise in or proposed to be placed in productive use or otherwise authorized to remain in place by the environmental permitting entity.

For any portion of a solar energy development located on land classified as farmland any time within 5 years preceding the start of construction of the development, "decommissioning" means the physical removal of all such components of the development to a depth of at least 48 inches or to the depth of bedrock, whichever is less, to the extent such components are not otherwise in

or proposed to be placed in productive use or otherwise authorized to remain in place by the environmental permitting entity.

"Decommissioning" includes the grading to postconstruction grade and revegetation of all earth disturbed during construction and decommissioning, except for areas already restored.

2. Environmental permitting entity. "Environmental permitting entity" means:

A. The Department of Environmental Protection in the case of a solar energy development:

- (1) Located wholly or partly outside of the unorganized and deorganized areas; or
- (2) Subject to the department's jurisdiction pursuant to Title 38, chapter 3, subchapter 1, article 6; or

B. The Maine Land Use Planning Commission in the case of a solar energy development located wholly in the unorganized and deorganized areas and not subject to the jurisdiction of the Department of Environmental Protection pursuant to Title 38, chapter 3, subchapter 1, article 6.

3. Farmland. "Farmland" has the same meaning as in Title 36, section 1102, subsection 4.

4. Transfer of ownership. "Transfer of ownership" means a change in the legal entity that owns or operates a solar energy development. A sale or exchange of stock or membership interests or a merger is not a transfer of ownership as long as the legal entity that owns or operates the solar energy development remains the same.

5. Unorganized and deorganized areas. "Unorganized and deorganized areas" has the same meaning as in Title 12, section 682, subsection 1.

§3492. Prohibition

A person may not construct, cause to be constructed or operate a solar energy development with ground-mounted solar panels occupying 3 or more acres without first obtaining approval of a decommissioning plan from the environmental permitting entity under section 3495.

§3493. Transfer of ownership

Upon a transfer of ownership of a solar energy development subject to a decommissioning plan approved under section 3495, a person that transfers ownership of the development remains jointly and severally liable for implementation of the plan until the environmental permitting entity approves transfer of the decommissioning plan to the new owner or operator.

§3494. Decommissioning plan

A decommissioning plan must:

1. Decommissioning. Provide for the decommissioning of a solar energy development. For any portion of the development located on land classified as farmland any time within 5 years preceding the start of construction of the development, the plan must provide for the restoration of that farmland upon decommissioning sufficient to support resumption of farming or agricultural activities;

2. Grading and revegetation of earth. Provide for the grading and revegetation of all earth disturbed during construction and decommissioning, except for areas already restored; and

3. Financial capacity. Include demonstration of current and future financial capacity, which must be unaffected by the owner's or operator's future financial condition, to fully fund decommissioning in accordance with an approved decommissioning plan under this chapter.

§3495. Standards

An environmental permitting entity shall approve a decommissioning plan whenever it finds the following:

1. Successful decommissioning. The plan, if implemented, will result in successful decommissioning of the solar energy development, including the restoration of farmland sufficient to support resumption of farming or agricultural activities;

2. Financial assurance. The person identified in the plan as responsible for decommissioning demonstrates financial assurance, in the form of a performance bond, surety bond, irrevocable letter of credit or other form of financial assurance acceptable to the environmental permitting entity, for the total cost of decommissioning; and

3. Update. The plan requires the financial assurance be updated 15 years after approval of the plan and no less frequently than every 5 years thereafter. Updates to financial assurance required under this subsection must be submitted to the environmental permitting entity on or before December 31st of the year in which such updates are required.

§3496. Administration and enforcement; rulemaking

The Department of Environmental Protection shall administer and enforce this chapter with respect to the decommissioning of solar energy developments for which it is the environmental permitting entity, subject to the same powers and authorities granted to it pursuant to Title 38, chapter 2, including but not limited to the adoption of rules and the establishment of reasonable fees. The Maine Land Use Planning Commission shall administer and enforce this chapter with respect to the decommissioning of solar energy developments for which it is the environmental permitting entity, subject to the same powers and authorities granted to it pursuant to Title 12, chapter 206-A, including but not limited to

the adoption of rules and the establishment of reasonable fees.

Rules adopted by the Department of Environmental Protection or by the Maine Land Use Planning Commission pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. Application. This Act applies to a solar energy development on which construction begins on or after October 1, 2021 and to any other solar energy development that undergoes a transfer of ownership on or after October 1, 2021.

See title page for effective date.

**CHAPTER 152
S.P. 184 - L.D. 815**

**An Act To Support School
Decarbonization**

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

Sec. 1. 35-A MRSA §10123, as amended by PL 2019, c. 347, §2, is further amended to read:

§10123. School energy savings decarbonization program

To the extent funds are available, the trust shall develop a program to provide ~~energy savings improvements to~~ technical and financial support to help kindergarten to grade 12 schools, including charter schools and private schools, to become carbon neutral. Under this program, the trust may:

1. Energy audits Professional services. ~~Provide incentives and technical support for an energy audit of~~ Facilitate access to professional services, including but not limited to energy audits, technical support, financing and legal services, to assist in the planning, design or procurement of construction projects, solar power purchases or equipment that will help a school facility to become carbon neutral. The trust may provide financial incentives for these services;

2. Energy measures. Provide financial assistance for ~~cost-effective energy measures identified in an energy audit as likely to achieve total savings within 10 years that are greater than the total costs of the measures or the plans, designs or procurements of a school facility.~~ Eligibility for energy measures qualifying for financial assistance under this section must be determined by the trust; and

3. School payments. Accept payments from schools, including, but not limited to, payments equal to or less than the value on monthly energy bills of the energy savings as a result of the energy measures. These payments may include costs to develop and oversee the project, administer the program and service loans.

The trust, in collaboration with the Department of Education, shall identify and provide incentives for cost-effective electric and natural gas conservation projects in school construction projects designated by the State Board of Education for funding pursuant to rules adopted under Title 20-A, section 15905.

Sec. 2. 35-A MRSA §10127, as enacted by PL 2019, c. 347, §3 and reallocated by RR 2019, c. 1, Pt. A, §55, is repealed.

See title page for effective date.

**CHAPTER 153
H.P. 650 - L.D. 894**

**An Act To Increase
Government Accountability by
Removing the Restriction on
the Dissemination of
Information Regarding
Investigations**

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

Sec. 1. 16 MRSA §807, as amended by PL 2013, c. 507, §8, is repealed.

See title page for effective date.

**CHAPTER 154
H.P. 746 - L.D. 1008**

**An Act To Require Joint Use
Entities To Establish
Permanent Liaisons with All
County Emergency
Management Agencies**

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

Sec. 1. 35-A MRSA §717 is enacted to read:

§717. Joint use entity liaisons

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

A. "Disaster" has the same meaning as in Title 37-B, section 703, subsection 2.

B. "Facilities" has the same meaning as in section 2502, subsection 3.

C. "Joint use entity" has the same meaning as in section 711, subsection 7, paragraph B.

2. Joint use entity; liaison designation. A joint use entity shall designate, in each county where the joint

use entity has facilities, a permanent liaison with the applicable county emergency management agency to be responsible for assisting the agency with the coordination of actions during a disaster or civil emergency and shall communicate to the agency the contact information for the liaison. A joint use entity is responsible for ensuring that a permanent liaison designated under this subsection responds immediately to any contact or request for assistance during a disaster or civil emergency from the county emergency management agency to which the liaison is designated.

3. County emergency management agency; information sharing. A county emergency management agency that receives a communication from a joint use entity designating a permanent liaison pursuant to subsection 2 shall communicate to that joint use entity the contact information for the employee or employees of the county emergency management agency responsible for coordinating the actions of the county emergency management agency during a disaster or civil emergency.

Sec. 2. 37-B MRSA §783, 2nd ¶, as amended by PL 2013, c. 146, §14, is further amended to read:

Each municipal, county and regional emergency management agency, as part of the development of a disaster emergency plan for the area subject to its jurisdiction, shall consult as it considers appropriate with institutions, organizations and businesses within its jurisdiction to ensure that the disaster plans developed by the municipality or agency and those institutions, organizations and businesses are compatible. Institutions, organizations and businesses with which the municipality or agency may consult include, but are not limited to, hospitals, schools, health care facilities, group homes, joint use entities as defined in Title 35-A, section 711, subsection 7, paragraph B and day care centers.

See title page for effective date.

CHAPTER 155

H.P. 748 - L.D. 1010

An Act To Establish the Maine Service Fellows Program

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

Sec. 1. 5 MRSA §7503, sub-§13, as enacted by PL 1995, c. 54, §1, is amended to read:

13. Fund raising. Carry out fund-raising efforts to supplement federal funding and to meet all federal matching requirements; ~~and~~

Sec. 2. 5 MRSA §7503, sub-§13-A is enacted to read:

13-A. Maine Service Fellows Program. Develop and administer the Maine Service Fellows Program under section 7506; and

Sec. 3. 5 MRSA §7506 is enacted to read:

§7506. Maine Service Fellows Program

The Maine Service Fellows Program, referred to in this section as "the program," is established within the commission. Individuals who participate in the program are referred to in this section as "program fellows." The commission shall administer the program in accordance with this section.

1. Program purposes. The commission shall establish the program to:

A. Increase the opportunities for individuals to devote a year of service to communities in the State;

B. Attract to and retain in the State motivated adults who have completed a college degree within the prior 5 years to serve in positions where they can apply skills and abilities to projects for the benefit of citizens of the State;

C. Provide rural and underserved communities in the State a resource to address critical health and human, public safety, education and environmental needs; and

D. Strengthen civic engagement of both the program fellows and community residents through solutions based in whole or in part in volunteer service.

2. Program design. The program must be designed to coordinate with appropriate organizations in the served communities. Program fellows must be required to commit up to 20% of their time in the program to developing regional networks of volunteer programs whose common goals can result in mutual benefits. An entity may submit a proposal to sponsor a program fellow based on guidelines established under this subsection. Services provided by a program fellow may include but are not limited to services to address home evictions, to support workforce development, to mitigate and prevent substance use disorder and to promote mental health. The commission may identify other priority needs of communities to be addressed by the program and may make those services available to eligible communities. During the first 3 years of operation of the program, the commission shall ensure that program fellows focus on helping communities recover from the effects of coronavirus disease 2019, also known as COVID-19, and the related pandemic, while also addressing long-term issues that communities face. The commission shall establish guidelines for the program that include but are not limited to:

A. Limiting the eligibility of entities that may sponsor program fellows to local or county government, school districts, nonprofit organizations, faith-based organizations and similar entities;

B. Establishing standards for local sponsors regarding supervision and support of program fellows during their service;

C. Ensuring that projects and project proposals are well-designed and measure their impact and do not include partisan or political activity;

D. Ensuring that program fellows are not used to replace positions eliminated or position hours reduced as a result of budget cuts by the sponsor;

E. Requiring criminal background checks or other safeguards if projects involve working with vulnerable populations such as schoolchildren or if otherwise required to receive federal funds;

F. Focusing the program on rural communities as defined by the United States Department of Agriculture, Economic Research Service's rural-urban continuum codes, except that the commission shall use criteria other than the codes for defining rural communities in Penobscot County;

G. Authorizing private sector and local partner contributions to program operations for travel reimbursements or training costs; and

H. Any other guideline that the commission believes will benefit the program.

3. Compensation. To the extent funds are available, the commission shall ensure that program fellows receive the following compensation for service:

A. A stipend set by the commission to achieve an annual income of up to 212% of the nonfarm income official federal poverty level. To the extent the stipend is paid from the General Fund or any other account of the commission, personal liability insurance and workers' compensation insurance, paid for from the same source of funds, must also be provided. Notwithstanding any law to the contrary, program fellows are not employees of the State for the purposes of Title 5, Part 20;

B. A program completion bonus that includes, to the extent established by the commission by rule, an educational loan payment in an amount up to 20% of the stipend value paid on behalf of the program fellow to the holder of the loan; and

C. An allowance to pay for individual health insurance not to exceed 2% of the stipend amount.

4. Funding. The commission may seek and receive both private and federal funds, grants and gifts in support of the program. The commission may accept funding from other state agencies to support program

fellows whose work will support and promote goals of programs administered by those agencies.

5. Rules. The commission may adopt rules necessary to carry out the purposes of this section. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 4. Program launch; advisory committee. The Maine Commission for Community Service shall establish an advisory committee to guide the launch of the Maine Service Fellows Program under the Maine Revised Statutes, Title 5, section 7506. The advisory committee must include representatives of town managers, regional planning organizations, rural government leaders, not-for-profit organizations and the Maine Municipal Association. The advisory committee shall: advise the commission to ensure the program is focused on local leadership; suggest criteria for the selection of program fellows; encourage publicity of the program, particularly for recovery initiatives related to the coronavirus disease 2019, also known as COVID-19; and assist the commission in monitoring progress of the program.

Within 180 days following the effective date of this Act, to the extent of any available funds, the Maine Commission for Community Service shall seek to establish in 2022 the first class of program fellows in the Maine Service Fellows Program under Title 5, section 7506, consisting of 10 program fellows who agree to participate in the program for up to 1,800 hours over a 12-month period beginning in 2022.

Sec. 5. Report. The Maine Commission for Community Service shall report to the joint standing committee of the Legislature having jurisdiction over state and local government matters regarding the operations of the Maine Service Fellows Program established in the Maine Revised Statutes, Title 5, section 7506 and its work no later than January 30, 2024. The report may include any recommendations for legislation to improve the program.

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF
Maine Service Fellows Program N367**

Initiative: Establishes base allocations to authorize expenditures for the Maine Service Fellows Program if funding is received from private sources.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Maine Service Fellows Program N367

Initiative: Establishes base allocations to authorize expenditures for the Maine Service Fellows Program if funding is received from federal sources.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500
EDUCATION, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
FEDERAL EXPENDITURES FUND	\$500	\$500
OTHER SPECIAL REVENUE FUNDS	\$500	\$500
DEPARTMENT TOTAL - ALL FUNDS	\$1,000	\$1,000

See title page for effective date.

**CHAPTER 156
S.P. 330 - L.D. 1040**

An Act To Require Diversity, Equity and Inclusion Training or Implicit Bias Training for School Resource Officers

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

Sec. 1. 20-A MRSA §6556 is enacted to read:

§6556. School resource officers

A school resource officer shall complete diversity, equity and inclusion training or implicit bias training at least once during that officer's first year of employment as a school resource officer. For purposes of this section, "school resource officer" means a law enforcement officer as defined in Title 25, section 3701, subsection 3 who works in a public school.

See title page for effective date.

**CHAPTER 157
H.P. 779 - L.D. 1050**

An Act Regarding the Duties of School Boards Pursuant to the Laws Governing Attendance at Elementary and Secondary Schools

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

Sec. 1. 20-A MRSA §5003, as amended by PL 1983, c. 806, §51, is further amended to read:

§5003. Administration

1. **School board's responsibility.** School boards shall administer this chapter.

2. **Rules Policies.** School boards shall adopt rules policies to carry out this chapter and shall file a copy with the commissioner.

3. **Commissioner's responsibility.** The commissioner shall guide school boards in adopting these rules policies.

Sec. 2. **School board rules regarding attendance deemed to be policies.** Any rules regarding attendance at elementary and secondary schools adopted by a school board pursuant to the Maine Revised Statutes, Title 20-A, section 5003 prior to the effective date of this Act are deemed to be policies under Title 20-A, section 5003.

See title page for effective date.

**CHAPTER 158
S.P. 367 - L.D. 1106**

An Act To Prohibit an Employer from Charging an Employee for Direct Deposit for Wages

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

Sec. 1. 26 MRSA §621-A, sub-§7 is enacted to read:

7. **Direct deposit of wages.** An employer may not charge a fee for the payment of wages by means of direct deposit. For purposes of this section, "direct deposit" means the transfer of wages through electronic funds transfer directly into an employee's account in an accredited financial institution designated by the employee.

See title page for effective date.

**CHAPTER 159
S.P. 391 - L.D. 1290**

**An Act To Amend the
Statement of Purpose of the
Maine Emergency Medical
Services Act of 1982 To Include
Emergency Responses That Do
Not Require Transportation**

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

Sec. 1. 32 MRSA §81-A, last ¶, as amended by PL 2007, c. 274, §1, is further amended to read:

It is the intent of the Legislature to designate that a central agency be responsible for the coordination and integration of all state activities concerning emergency medical services and the overall planning, evaluation, coordination, facilitation and regulation of emergency medical services systems. Further, the Legislature finds that the provision of prompt, efficient and effective emergency medical dispatch and emergency medical care, a well-coordinated trauma care system, effective communication between prehospital care providers and hospitals and the safe handling and transportation, and the treatment and nontransport under appropriate medical guidance, of the sick and injured are key elements of an emergency medical services system. This chapter is intended to promote the public health, safety and welfare by providing for the creation of a statewide emergency medical services system with standards for all providers of emergency medical services.

See title page for effective date.

**CHAPTER 160
H.P. 1156 - L.D. 1551**

**An Act To Ban the Sale of
Cosmetics That Have Been
Tested on Animals**

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

Sec. 1. 10 MRSA c. 233 is enacted to read:

CHAPTER 233

SALE OF COSMETICS TESTED ON ANIMALS

§1500-M. Sale or offer for sale of cosmetics tested on animals

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

A. "Cosmetic" means:

(1) An article intended to be rubbed, poured, sprinkled or sprayed on, introduced into or otherwise applied to the human body or any part of the body for cleansing, beautifying, promoting attractiveness or altering the appearance; and

(2) An article intended for use as a component of an article identified in subparagraph (1).

"Cosmetic" does not include soap.

B. "Cosmetic animal testing" means the internal or external application or exposure of any cosmetic product, cosmetic ingredient or nonfunctional constituent to the skin, eyes or any other body part, organ or extremity of a live, nonhuman vertebrate.

C. "Cosmetic ingredient" has the same meaning as "ingredient," as defined in 21 Code of Federal Regulations, Section 700.3(e) (2021).

D. "Cosmetic product" means a cosmetic the manufacture of which has been completed.

E. "Manufacturer" means an entity that is a manufacturer required to specify conspicuously its name and place of business on the label of a cosmetic in package form pursuant to 21 Code of Federal Regulations, Section 701.12.

F. "Nonfunctional constituent" means an incidental ingredient listed in 21 Code of Federal Regulations, Section 701.3(1) (2021).

G. "Supplier" means an entity that provides, whether directly or through a 3rd party, a cosmetic ingredient used by a manufacturer in the formulation of a cosmetic product.

2. Prohibition on the sale or offer for sale of certain cosmetics. Notwithstanding any other provision of law to the contrary, a manufacturer may not sell or offer to sell in the State a cosmetic if the cosmetic was developed or manufactured using cosmetic animal testing that was conducted or contracted for by the manufacturer or any supplier of the manufacturer on or after November 1, 2021.

A county or any other political subdivision of the State may not establish or continue any prohibition on or relating to cosmetic animal testing that is not identical to the prohibitions in this section.

3. Exemptions. This section does not apply to:

A. Cosmetic animal testing:

(1) Conducted outside of the United States and in order to comply with a requirement of a foreign regulatory authority as long as no evidence derived from the testing was relied upon to substantiate the safety of the cosmetic ingredient or cosmetic product being sold by the manufacturer in the State;

(2) Conducted for any cosmetic or cosmetic ingredient subject to regulation under Chapter V of the Federal Food, Drug, and Cosmetic Act, 21 United States Code, Section 351;

(3) Conducted for a cosmetic ingredient intended to be used in a product that is not a cosmetic product and conducted pursuant to a requirement of a federal, state or foreign regulatory authority as long as no evidence derived from the testing was relied upon to substantiate the safety of a cosmetic sold in this State by a manufacturer, unless all of the following apply:

(a) There is no nonanimal alternative method or strategy recognized by any federal or state agency or the International Organisation for Economic Co-operation and Development or its successor organization for the relevant safety endpoints for the cosmetic ingredient or nonfunctional constituent;

(b) There is documented evidence of the noncosmetic intent of the test; and

(c) There is a history of use of the ingredient outside of cosmetics at least 12 months prior to the reliance; or

(4) Requested, required or conducted by a federal or state regulatory authority and all of the following apply:

(a) There is no nonanimal alternative method or strategy recognized by any federal or state agency or the International Organisation for Economic Co-operation and Development or its successor organization for the relevant safety endpoints for the cosmetic ingredient or nonfunctional constituent;

(b) The cosmetic ingredient or nonfunctional constituent poses a risk of causing a specific human health problem that is substantiated and the need to conduct cosmetic animal testing is justified and is supported by a detailed research protocol proposed as the basis for the evaluation of the cosmetic ingredient or nonfunctional constituent; and

(c) The cosmetic ingredient or nonfunctional constituent is in wide use and, in the case of a cosmetic ingredient, cannot be replaced by another cosmetic ingredient capable of performing a similar function;

B. A cosmetic if the cosmetic in its final form was tested on animals before November 1, 2021, even if the cosmetic is manufactured on or after that date

as long as no new cosmetic animal testing in violation of this section occurred on or after November 1, 2021;

C. A cosmetic ingredient if it was tested on animals before November 1, 2021, even if the ingredient is manufactured on or after that date as long as no new cosmetic animal testing in violation of this section occurred on or after November 1, 2021; or

D. A cosmetic manufacturer reviewing, assessing or retaining evidence from a cosmetic animal test.

4. Penalties. A manufacturer that sells or offers for sale a cosmetic in violation of subsection 2 commits a civil violation punishable by a fine of not more than \$5,000 for the first day of the violation for selling or offering for sale that cosmetic and an additional fine of \$1,000 for each day that the violation for selling or offering for sale that cosmetic continues.

5. Enforcement. A violation of this section may be enforced by the Attorney General or by the district attorney for the county in which the violation occurred. Notwithstanding any law to the contrary, all fines levied and collected for violations of this section, less court costs, must be distributed to the agency bringing the action that resulted in the fine. The State may bring an action in Superior Court to enjoin any manufacturer from violating this section, regardless of whether proceedings have been or may be instituted in the District Court or whether civil proceedings have been or may be instituted.

See title page for effective date.

CHAPTER 161

H.P. 984 - L.D. 1333

**An Act Concerning the
Controlled Substances
Prescription Monitoring
Program and the Dispensing of
Naloxone Hydrochloride by
Emergency Medical Services
Providers**

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

Whereas, an increasing number of residents of Maine are dying as a result of opioid-related overdoses; and

Whereas, increasing naloxone hydrochloride distribution is critical to saving lives; 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:

Sec. 1. 22 MRSA §2353, sub-§2-A is enacted to read:

2-A. Dispensing of naloxone hydrochloride by emergency medical services persons, ambulance services and nontransporting emergency medical services. Notwithstanding any provision of law to the contrary, pursuant to a standing order issued in accordance with protocols developed by the Medical Direction and Practices Board pursuant to Title 32, section 88-B, subsection 1, paragraph A, an emergency medical services person, ambulance service or nontransporting emergency medical service licensed under Title 32, chapter 2-B may dispense naloxone hydrochloride to an individual of any age at risk of experiencing an opioid-related drug overdose or to a member of the individual's immediate family, a friend of the individual or another person in a position to assist the individual if the individual is at risk of experiencing an opioid-related drug overdose.

Sec. 2. 22 MRSA §7250, sub-§4, ¶K, as amended by PL 2017, c. 213, §6, is further amended to read:

K. The chief medical officer, medical director or other administrative prescriber employed by a licensed hospital, insofar as the information relates to prescriptions written by prescribers employed by that licensed hospital; ~~and~~

Sec. 3. 22 MRSA §7250, sub-§4, ¶K-1 is enacted to read:

K-1. The chief medical officer, medical director or other administrative prescriber employed by a federally qualified health center as defined in 42 United States Code, Section 1395x, subsection (aa) (1993) or a group practice of prescribers insofar as the information relates to prescriptions written by prescribers employed by the federally qualified health center or the group practice; and

Sec. 4. 32 MRSA §85, sub-§8 is enacted to read:

8. Naloxone hydrochloride. An emergency medical services person licensed under this chapter may dispense naloxone hydrochloride in accordance with Title 22, section 2353, subsection 2-A and the rules adopted and protocols developed for emergency medical services persons under this chapter.

Sec. 5. 32 MRSA §86, sub-§4 is enacted to read:

4. Naloxone hydrochloride. An ambulance service or a nontransporting emergency medical service licensed under this chapter may dispense naloxone hydrochloride in accordance with Title 22, section 2353, subsection 2-A and the rules adopted and protocols developed for ambulance services and nontransporting emergency medical services under this chapter.

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

Effective June 11, 2021.

**CHAPTER 162
H.P. 1089 - L.D. 1474**

**An Act To Promote Outdoor
Recreational Opportunities for
Maine Students**

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

Whereas, this legislation provides a clear and safe regulatory structure for educational institutions to conduct recreational trips, and this structure needs to be in place as soon as possible for the summer recreational season; 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:

Sec. 1. 12 MRSA §1806, sub-§4, ¶H, as amended by PL 2009, c. 211, Pt. B, §3, is further amended to read:

H. Violates the requirements for a youth camp trip leader permit issued under section 12860; ~~or~~

Sec. 2. 12 MRSA §1806, sub-§4, ¶I, as amended by PL 2001, c. 604, §6, is amended to read:

I. Enters land or waters to which access has been restricted under section 1804; ~~or~~

Sec. 3. 12 MRSA §1806, sub-§4, ¶J is enacted to read:

J. Violates the requirements for an educational trip leader permit issued under section 12863.

Sec. 4. 12 MRSA c. 927 title is amended to read:

CHAPTER 927

GUIDES AND YOUTH CAMP TRIP LEADERS AND EDUCATIONAL TRIP LEADERS

Sec. 5. 12 MRSA §12852, as amended by PL 2009, c. 211, Pt. B, §§8 to 10, is further amended to read:

§12852. Rule violations; licensed guides and trip leaders

The following penalties apply to violations of rules regulating licensed guides ~~or~~ youth camp trip leaders, educational trip leaders and course instructor certificates.

1. Civil. Notwithstanding section 10650, a person who violates a rule regulating licensed guides ~~or~~ youth camp trip leaders ~~and~~ educational trip leaders or course instructor certificates commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

2. Criminal. A person who violates a rule regulating licensed guides ~~or~~ youth camp trip leaders, educational trip leaders and course instructor certificates after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

Sec. 6. 12 MRSA §12853, as amended by PL 2017, c. 441, §§1 and 2 and affected by §3, is further amended by amending the section headnote to read:

§12853. License, fees and requirements; youth camp trip leader ~~exception~~ and educational trip leader exceptions

Sec. 7. 12 MRSA §12853, sub-§3, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

3. New applications. A person ~~wishing~~ seeking to be licensed as a guide shall submit an application to the commissioner.

A. The commissioner shall provide application forms that request all relevant information the commissioner considers necessary.

B. Failure or refusal to satisfactorily answer any question in the application is a basis for the commissioner not to accept the application.

C. The commissioner shall decide whether the application is acceptable within 5 working days of receipt.

D. The commissioner shall notify each applicant at least 2 weeks prior to the examination required under section 12855.

Sec. 8. 12 MRSA §12853, sub-§7, as amended by PL 2009, c. 211, Pt. B, §11, is repealed and the following enacted in its place:

7. Exceptions. The following exceptions apply to the requirement for a guide license.

A. A person holding a youth camp trip leader permit under section 12860 may, without a guide license, conduct trips including adults under the auspices of the youth camp that employs those adults, subject to all the requirements of section 12860.

B. A person holding an educational trip leader permit under section 12863 may, without a guide license, conduct outdoor educational trips in accordance with section 12863.

C. Notwithstanding section 12863, an employee or a student of an educational institution may, without a guide license, conduct outdoor educational trips as part of the educational institution's programming as long as the educational institution's programming prior to the effective date of this paragraph included conducting outdoor educational trips.

This paragraph is repealed October 1, 2022.

For purposes of this subsection, "educational institution" and "outdoor educational trip" have the same meanings as in section 12863, subsection 1.

Sec. 9. 12 MRSA §12863 is enacted to read:

§12863. Educational trip leader permit for schools and postsecondary educational institutions

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

A. "Educational institution" means a public school or private school, as those terms are defined in Title 20-A, section 1, a postsecondary educational institution or any other educational institution defined by the commissioner by rule under subsection 6.

B. "Outdoor educational trip" means an educational or recreational outdoor trip conducted by an educational institution that includes nonmotorized boating or camping at a primitive camping area but does not include fishing, hunting, trapping or the use of snowmobiles, motorboats or all-terrain vehicles.

2. Permit required. An educational institution conducting an outdoor educational trip shall provide for every 12 trip participants at least one educational trip leader who holds a permit under this section and who is associated with the educational institution or a person who holds a guide license issued under this chapter.

3. Prohibition. A person who does not hold a guide license issued under this chapter may not conduct an outdoor educational trip under subsection 2 without an educational trip leader permit issued under this section. Each day a person violates this subsection, that person commits a civil violation for which a fine of \$50 and an amount equal to twice the applicable license or permit fee may be adjudged.

4. Issuance of permit. The commissioner may issue or reissue an educational trip leader permit to a person who meets the qualifications established by the commissioner by rule under subsection 6 and who pays the fee established under subsection 5.

5. Fee. The initial qualifying fee for a 5-year educational trip leader permit is \$20. The permit may be renewed upon payment of \$20 if the requirements of this section, including requirements in rules adopted under subsection 6, are met.

6. Rules. The commissioner shall adopt rules to implement this section, including but not limited to rules establishing:

A. An advisory committee made up of persons with relevant expertise to advise the commissioner in the implementation of this section;

B. Qualifications for a person seeking to obtain an educational trip leader permit, including appropriate preparatory training and any exceptions to such training based on a person's experience;

C. Qualifications and other necessary standards or requirements relating to persons or entities providing preparatory training in accordance with paragraph B;

D. Procedures for reviewing and addressing complaints against persons or entities providing preparatory training to persons seeking to obtain educational trip leader permits as well as complaints against educational trip leader permit holders; and

E. Any other standards, conditions or procedures necessary for the effective implementation and enforcement of this section.

Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

7. Enforcement. Wardens of the department and the rangers of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry and Bureau of Parks and Lands may enforce this section and may terminate any trip that is considered unsafe or in violation of this section. The commissioner, who shall take into consideration the advice of the advisory committee established in accordance with subsection 6, paragraph A, shall establish standards for what is considered an unsafe trip and shall consider previous violations of this section when issuing or reissuing educational trip leader permits.

Sec. 10. 12 MRSA §12904, as amended by PL 2011, c. 253, §35, is further amended to read:

§12904. Exceptions

This chapter does not apply to the operation of canoes or kayaks. This chapter does not apply to guides or youth camp trip leaders or educational trip leaders

licensed under chapter 927 or motorboat operators licensed under chapter 935, unless those persons are in the business of conducting commercial whitewater trips.

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

Effective June 11, 2021.

CHAPTER 163

H.P. 1231 - L.D. 1660

An Act To Modify Dental Licensure Requirements To Consider Credentialed Individuals from Other Jurisdictions

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 sole purpose of the Board of Dental Practice is to protect the public health and welfare by ensuring that the public is served by competent and honest practitioners and by establishing minimum standards of proficiency; and

Whereas, the sole reliance on the accreditation status provided by the American Dental Association Commission on Dental Accreditation to doctoral degree programs in dentistry and dental hygiene degree programs has created unnecessary barriers for otherwise qualified applicants to obtain licensure in dentistry and dental hygiene; and

Whereas, the sole reliance on licensure in good standing from another state or Canadian province has created unnecessary barriers for otherwise qualified applicants from other jurisdictions to obtain licensure under the Dental Practice Act; and

Whereas, immediate enactment of this legislation is necessary to give the Board of Dental Practice statutory authority to consider on a case-by-case basis an applicant's educational equivalency in meeting the educational qualifications for licensure and to consider on a case-by-case basis an applicant's licensure in good standing from another jurisdiction; 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:

Sec. 1. 32 MRSA §18342, sub-§1, ¶A, as enacted by PL 2015, c. 429, §21, is amended to read:

A. Verification of either a doctoral degree in dentistry from a dental school program accredited by the American Dental Association Commission on Dental Accreditation or its successor organization or the educational equivalent of a doctoral degree in dentistry, as ~~required~~ determined by the board rule; and

Sec. 2. 32 MRSA §18342, sub-§2, ¶A, as enacted by PL 2015, c. 429, §21, is amended to read:

A. Verification of an active dental license in good standing issued under the laws of another state ~~or a Canadian province~~, a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental professions; and

Sec. 3. 32 MRSA §18342, sub-§3, ¶A, as enacted by PL 2015, c. 429, §21, is amended to read:

A. Verification of either a doctoral degree in dentistry from a dental school program accredited by the American Dental Association Commission on Dental Accreditation or its successor organization or the educational equivalent of a doctoral degree in dentistry, as ~~required~~ determined by the board rule;

Sec. 4. 32 MRSA §18342, sub-§3, ¶B, as enacted by PL 2015, c. 429, §21, is amended to read:

B. Verification that the applicant has been licensed as a dentist in good standing issued under the laws of this State or has an active dental license in good standing issued under the laws of another state ~~or a Canadian province~~, a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental professions;

Sec. 5. 32 MRSA §18344, sub-§1, ¶B, as corrected by RR 2015, c. 2, §22, is amended by amending subparagraph (3) to read:

(3) An active dental hygiene license in good standing issued under the laws of another state ~~or a Canadian province~~, a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental professions;

Sec. 6. 32 MRSA §18345, sub-§1, ¶A, as amended by PL 2017, c. 388, §9, is further amended by amending subparagraph (1) to read:

(1) Verification of an associate degree or higher in dental hygiene from a program accredited by the American Dental Association Commission on Dental Accreditation; or its successor organization or the educational equivalent of a dental hygiene degree, as determined by the board; or

Sec. 7. 32 MRSA §18345, sub-§3, ¶A, as enacted by PL 2015, c. 429, §21, is amended to read:

A. Verification of an active dental hygiene license in good standing issued under the laws of another state ~~or a Canadian province~~, a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental professions; and

Sec. 8. 32 MRSA §18346, sub-§2, ¶A, as enacted by PL 2015, c. 429, §21, is amended to read:

A. Verification of an active denturist license in good standing issued under the laws of another state ~~or a Canadian province~~, a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental professions; and

Sec. 9. 32 MRSA §18347, as enacted by PL 2015, c. 429, §21, is amended to read:

§18347. Endorsement; applicants authorized to practice in another jurisdiction

The board is authorized, at its discretion, to waive the examination requirements and issue a license or grant an authority to an applicant who is licensed under the laws of another state ~~or a Canadian province~~, a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental professions who furnishes proof, satisfactory to the board, that the requirements for licensure under this chapter have been met. Applicants must comply with the provisions set forth in section 18341.

1. Applicants licensed in another jurisdiction.

An applicant for licensure or seeking authority under this chapter who is licensed under the laws of another jurisdiction is governed by this subsection.

A. An applicant who is licensed in good standing at the time of application to the board under the laws of another state ~~or a Canadian province~~, a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental professions may qualify for licensure by submitting evidence to the board that the applicant has held a substantially equivalent, valid license for at least 3 consecutive years immediately preceding the application to the board at the level of licensure applied for in this State.

B. An applicant who does not meet the requirements of paragraph A but is licensed in good standing at the time of application to the board under the laws of another state ~~or a Canadian province~~, a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental professions may qualify for licensure by submitting evidence satisfactory to the board that

the applicant's qualifications for licensure are substantially similar to the requirements in this chapter for the relevant license.

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

Effective June 11, 2021.

CHAPTER 164

S.P. 19 - L.D. 12

An Act To Require Annual Information Reporting by the Maine Information and Analysis Center

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

Sec. 1. 25 MRSA c. 201 is enacted to read:

CHAPTER 201

MAINE INFORMATION AND ANALYSIS CENTER

§1801. Maine Information and Analysis Center annual reporting requirement

The Department of Public Safety, Maine Information and Analysis Center, a cooperative effort between the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency and the State Police, established by executive order of the Governor and referred to in this chapter as "the center," shall report annually in writing by April 1st beginning in 2022 to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters regarding the performance of the center. The report must include a general narrative about the types of cases, crimes, incidents and reports the center has reviewed and evaluated in a manner that protects personal privacy and the integrity of the work of the center. The report must include both privacy audits performed in the prior year and de-identified information from those audits regarding the cases, crimes, incidents and reports on which the center worked during the prior year that were reviewed during the audits.

See title page for effective date.

CHAPTER 165

S.P. 46 - L.D. 38

An Act To Clarify the Timing of an Appeal of a Finding Regarding Involuntary Mental Health Treatment at a Designated Nonstate Mental Health Institution

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

Sec. 1. 34-B MRSA §3861, sub-§3, ¶F, as amended by PL 2011, c. 657, Pt. DD, §4, is further amended to read:

F. The provisions of this paragraph apply to the review and appeal of an order of the clinical review panel entered under paragraph B.

(1) The order of the clinical review panel at a state mental health institute is final agency action that may be appealed to the Superior Court in accordance with Rule 80C of the Maine Rules of Civil Procedure.

(2) The order of the clinical review panel at a designated nonstate mental health institution may be reviewed by the commissioner or the commissioner's designee upon receipt of a written request from the patient submitted no later than one business day after the patient receives the order of the clinical review panel. Within 3 business days of receipt of the request for review, the designated nonstate mental health institution shall submit the full clinical review panel record to the commissioner or the commissioner's designee. Within 3 business days of receipt of the request for review, the patient and the designated nonstate mental health institution may submit written arguments to the commissioner or the commissioner's designee. The commissioner or the commissioner's designee shall review the full clinical review panel record and issue a written decision and any written arguments submitted pursuant to this subparagraph for abuse of discretion, error of law or findings not supported by substantial evidence in the record. Within 3 business days of the receipt of the full clinical review panel record and any written arguments, the commissioner or the commissioner's designee shall issue a decision. The decision of the commissioner or the commissioner's designee may affirm the order, modify the order or vacate the order. The decision of the commissioner or the commissioner's designee takes effect one business day after the commissioner or the commissioner's designee issues a

written decision. The decision of the commissioner or the commissioner's designee is final agency action that may be appealed to the Superior Court in accordance with Rule 80C of the Maine Rules of Civil Procedure.

See title page for effective date.

**CHAPTER 166
H.P. 80 - L.D. 114**

**An Act To Address Airboat
Operation in the State**

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

Sec. 1. 12 MRSA §13068-A, sub-§10, as amended by PL 2019, c. 662, §§1 and 2, is further amended to read:

10. Operating motorboat that exceeds noise limits. The following provisions govern noise limits.

A. A person may not operate a motorboat in such a manner as to exceed:

- (1) A noise level of 90 decibels when subjected to a stationary sound level test with and without cutouts engaged and as prescribed by the commissioner; or
- (2) A noise level of 75 decibels when subjected to an operational test measured with and without cutouts engaged and as prescribed by the commissioner.

As used in this paragraph, "motorboat" does not include an "airboat," which has the same meaning as in paragraph ~~A-1~~ A-2.

~~A-1. A person may not operate an airboat in such a manner as to exceed noise level limits established by the commissioner by rule. Rules adopted under this paragraph are routine technical rules as described in Title 5, chapter 375, subchapter 2-A. For purposes of this paragraph, "airboat" means a flat-bottomed watercraft propelled by an aircraft type propeller and powered by either an aircraft engine or an automotive engine.~~

A-2. A person may not operate an airboat:

- (1) If the noise level of the airboat exceeds 90 decibels as measured in a stationary sound level test as prescribed by SAE standards J-2005;
- (2) Between the hours of 7 p.m. and 7 a.m. in such a manner as to exceed a noise level of 75 decibels on the "A" scale as measured by the SAE standards J-1970, referred to in this paragraph as "the shoreline test," except to the extent necessary to achieve headway speed when

leaving a boat launch or to move the airboat from a stationary position on a tidal flat; or

(3) After 7 a.m. and before 7 p.m. in such a manner as to exceed a noise level of 90 decibels as measured by the shoreline test, except to the extent necessary to achieve headway speed when leaving a boat launch or to move the airboat from a stationary position on a tidal flat.

For purposes of this paragraph, "airboat" means a flat-bottomed watercraft propelled by an aircraft-type propeller and powered by either an aircraft engine or an automotive engine and "SAE standards" means technical standards adopted by the Society of Automotive Engineers.

This paragraph does not apply to the operation of an airboat by a marine patrol officer appointed under section 6025, subsection 1, a game warden or a municipal law enforcement officer.

This paragraph is repealed on September 30, 2022.

B. The following penalties apply to violations of this subsection.

- (1) A person who violates this subsection commits a civil violation for which a fine of not less than \$300 nor more than \$500 may be adjudged.
- (2) A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

C. This subsection does not apply to motorboats that are operating in a regatta or race approved by the commissioner under section 13061.

Sec. 2. Stakeholder group on airboat noise issues. The Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife, referred to in this section as "the commissioners," shall convene a stakeholder group on issues related to airboat noise, referred to in this section as "the stakeholder group."

1. Formation. The stakeholder group must include a marine patrol officer and a game warden appointed by the commissioners. The commissioners shall also invite the following to serve as members of the stakeholder group: 3 commercial marine shellfish harvesters who operate airboats; 3 resident coastal property owners; 2 municipal marine shellfish officers; and 2 coastal municipal administrators. The commissioners or the commissioners' designees serve as cochairs of the stakeholder group. The cochairs shall call and convene the first meeting of the stakeholder group no later than 30 days following the effective date of this section.

2. Duties. The stakeholder group:

A. Shall examine and determine airboat mechanical systems and adjustments that result in the lowest practically achievable airboat decibel levels;

B. Shall examine and determine available federal or other funding to assist airboat owners in addressing any identified deficiencies in their airboat mechanical systems to achieve the results determined under paragraph A; and

C. May examine any related issues that the stakeholder group determines appropriate, including but not limited to establishing and restoring shellfish harvester access to coastal tidal areas, airboat operational techniques to allow for lower decibel levels and appropriate training and equipment for state and municipal law enforcement officers.

3. Staff; information. The commissioners shall provide necessary staffing services to the stakeholder group. Within existing resources, the commissioners shall arrange for input from experts in airboat noise. The commissioners shall also ensure that local sound data related to airboat use on inland and coastal waters using SAE standards J-1970, SAE standards J-34 and SAE standards J-2005 testing procedures is gathered and provided to the stakeholder group. For the purposes of this subsection, "SAE standards" means technical standards adopted by the Society of Automotive Engineers.

4. Report. By January 15, 2022, the commissioners shall report to the Joint Standing Committee on Marine Resources and the Joint Standing Committee on Inland Fisheries and Wildlife the findings and recommendations of the stakeholder group, including any recommended legislation. After receiving the report, the Joint Standing Committee on Inland Fisheries and Wildlife may report out a bill relating to airboats to the 130th Legislature.

See title page for effective date.

CHAPTER 167

H.P. 105 - L.D. 149

An Act To Facilitate Licensure for Credentialed Individuals from Other Jurisdictions

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

Sec. 1. 10 MRSA §8003, sub-§2-A, ¶M, as enacted by PL 2017, c. 173, §2, is amended to read:

M. To exercise discretionary authority, after consultation with the appropriate licensing boards if applicable board, commission or personnel administering a regulatory function of the office, to review and determine on a case-by-case basis examination and licensing eligibility for applications for

licensure submitted by individuals who identify themselves as veterans with military service, experience and training; ~~and~~

Sec. 2. 10 MRSA §8003, sub-§2-A, ¶N, as enacted by PL 2017, c. 173, §2, is amended to read:

N. To exercise discretionary authority, after consultation with the appropriate licensing board, commission or personnel administering a regulatory function of the office, to waive examination fees and license fees for applicants for licensure who identify themselves as veterans with military service, experience and training; ~~and~~

Sec. 3. 10 MRSA §8003, sub-§2-A, ¶O is enacted to read:

O. To exercise discretionary authority, after consultation with the appropriate licensing board, commission or personnel administering a regulatory function of the office, to waive, on a case-by-case basis, documentation requirements for licensure submitted by applicants for licensure educated in or with relevant experience or licensure in other jurisdictions, including other states, United States territories, foreign nations and foreign administrative divisions, as long as the waiver does not reduce the requisite standards of proficiency for the licensed profession or occupation. The Director of the Office of Professional and Occupational Regulation may adopt rules to implement this paragraph. Rules adopted pursuant to this paragraph are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A;

Sec. 4. 10 MRSA §8003, sub-§2-A, ¶P is enacted to read:

P. To exercise discretionary authority, after consultation with the appropriate licensing board, commission or personnel administering a regulatory function of the office, to waive examination fees and license fees set pursuant to paragraph D for applicants for licensure educated in or with relevant experience or licensure in other jurisdictions, including other states, United States territories, foreign nations and foreign administrative divisions. The Director of the Office of Professional and Occupational Regulation may adopt rules to implement this paragraph. Rules adopted pursuant to this paragraph are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A;

Sec. 5. 10 MRSA §8003, sub-§2-A, ¶Q is enacted to read:

Q. To adopt rules defining, as appropriate for licensing purposes, the term "jurisdiction" to mean a state, a United States territory, a foreign nation or a foreign administrative division that issues a license

or credential. Rules adopted pursuant to this paragraph are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A; and

Sec. 6. 10 MRSA §8003, sub-§2-A, ¶R is enacted to read:

R. To accept funds from the Federal Government, from any political subdivision of the State or from any individual, foundation or corporation and to expend those funds for purposes consistent with this section. The Director of the Office of Professional and Occupational Regulation may also provide grants to nongovernmental entities for purposes consistent with this section.

Sec. 7. 10 MRSA §8003, sub-§5-A, ¶D, as amended by PL 2011, c. 286, Pt. B, §2, is further amended by amending subparagraph (5) to read:

(5) Grant inactive status licenses to licensees in accordance with rules that may be adopted by each office, board or commission. The fee for an inactive status license may not exceed the statutory fee cap for license renewal set forth in the governing law of the office, board or commission. Licensees in inactive status are required to pay license renewal fees for renewal of an inactive status license and may be required to pay a reinstatement fee as set by the Director of the Office of Professional and Occupational Regulation if the license is reactivated on a date other than the ordinary renewal date of the license. Any rules of an office, board or commission regulating inactive status licensure must describe the obligations of an inactive status licensee with respect to any ongoing continuing education requirement in effect for licensees of the office, board or commission and must set forth any requirements for reinstatement to active status, which requirements may include continuing education. Rules adopted pursuant to this subparagraph are routine technical rules as described in Title 5, chapter 375, subchapter 2-A; and

Sec. 8. 10 MRSA §8003, sub-§5-A, ¶D, as amended by PL 2011, c. 286, Pt. B, §2, is further amended by amending subparagraph (6) to read:

(6) Delegate to staff the authority to review and approve applications for licensure pursuant to procedures and criteria established by rule. Rules adopted pursuant to this subparagraph are routine technical rules as described in Title 5, chapter 375, subchapter 2-A; and

Sec. 9. 10 MRSA §8003, sub-§5-A, ¶D, as amended by PL 2011, c. 286, Pt. B, §2, is further amended by enacting a new subparagraph (7) to read:

(7) Exercise discretionary authority to grant provisional licenses to applicants for licensure

educated in or with relevant experience or licensure in other jurisdictions, including other states, United States territories, foreign nations and foreign administrative divisions. For purposes of this subparagraph, "provisional license" means a license issued for a defined period of time and with the requirement that the licensee meet certain established conditions in order to maintain the provisional license or to gain full licensure. The office, board or commission may adopt rules to implement this subparagraph. Rules adopted pursuant to this subparagraph are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 10. 10 MRSA §8003-H is enacted to read:
§8003-H. Licensure by endorsement

The Office of Professional and Occupational Regulation, referred to in this section as "the office," including the licensing boards and commissions within the office, shall establish a process to issue a license by endorsement to an applicant who presents proof of licensure by another jurisdiction of the United States as long as the other jurisdiction maintains substantially equivalent license requirements for the licensed profession or occupation and as long as:

1. Good standing. The applicant is in good standing in all jurisdictions in which the applicant holds or has held a license. For purposes of this subsection, "good standing" means that the applicant does not have a complaint, allegation or investigation pending, does not have a license that is suspended or subject to practice restrictions and has never surrendered a license or had a license revoked;

2. No cause for denial. No cause for denial of a license exists under section 8003, subsection 5-A, paragraph A or under any other law; and

3. Fee. The applicant pays the fee, if any, pursuant to section 8003, subsection 2-A, paragraph D.

The office, or a licensing board or commission within the office, may require an applicant to pass a jurisprudence examination if such an examination is required to be passed for licensure pursuant to law or rule of the office, licensing board or commission.

The office, including the licensing boards and commissions within the office, shall adopt rules to implement this section. Rules adopted pursuant to this paragraph are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 168
H.P. 184 - L.D. 263**

**An Act To Make Technical
Changes to Maine's Marine
Resources Laws**

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

Sec. 1. 12 MRSA §6072-A, sub-§8, as amended by PL 2021, c. 52, §12, is further amended to read:

8. Rules; general and lease application. The commissioner may adopt rules to implement the provisions of this section. Within 180 days of the effective date of this section, the commissioner shall adopt rules regarding a limited-purpose lease application. The rules must require an applicant to, at a minimum, meet the requirements of section 6072, subsection 2, paragraph E and section 6072, subsection 4, paragraphs A, B, C, E, F, G and J. The rules must also require an applicant to provide to the department proof of access to the lease area. If access will be across riparian land, the applicant shall provide to the department the written permission of every riparian owner whose land will be used to access the lease area. The commissioner may adopt rules to add or delete authorization for the holder of an aquaculture lease that is held only for scientific research purposes to grow specific species and to use specific gear on the lease site. A change in authorization is not an adjudicatory proceeding. The rules must provide for notice of proposed changes in gear authorization to the public, riparian landowners and the municipality in which the lease is located and an opportunity to submit written comments on the proposal. Authorization to add species or gear must be consistent with the findings made under subsection 13 when the lease was approved.

Sec. 2. 12 MRSA §6073-C, as amended by PL 2017, c. 296, §2 and affected by §10, is further amended to read:

§6073-C. Harvester license exemption; scallop aquaculture

The holder of a lease issued under section 6072, 6072-A or 6072-B or a license issued under section 6072-C is exempt from any requirement under sections 6701, 6702 and 6703 to hold a separate license for the removal, possession or transport of scallops from the leased area or the licensed gear ~~when the final product form is the adductor muscle only~~, except that, beginning May 1, 2018, a person may not sell organisms cultured on the lease site or under the limited-purpose aquaculture license without a license issued under section 6810-B. ~~This exemption does not apply to scallops in any other form.~~

Sec. 3. 12 MRSA §6174, sub-§3, as amended by PL 2003, c. 248, §3, is further amended to read:

3. Penalty. Whoever violates a rule commits a civil violation for which a fine of not less than \$100 for each violation may be adjudged, unless another penalty is provided.

Sec. 4. 12 MRSA §6301, sub-§2, ¶D, as amended by PL 2005, c. 434, §3, is further amended to read:

D. A shellfish sanitation certificate issued under section 6856 expires on ~~May~~ March 31st of each year;

Sec. 5. 12 MRSA §6431-B, sub-§2, as enacted by PL 2017, c. 197, §9, is amended to read:

2. Penalties. A person may not fish or have on board a vessel a lobster trap unless the lobster trap is tagged in accordance with rules adopted pursuant to subsection 1. A person who violates ~~a rule adopted pursuant to subsection 1~~ this subsection commits:

A. A civil violation for which a fine of \$250 must be adjudged if the person fishes 25 or fewer traps that are not tagged in accordance with rules adopted pursuant to subsection 1; and

B. A Class D crime if the person fishes more than 25 traps that are not tagged in accordance with rules adopted pursuant to subsection 1.

Sec. 6. 12 MRSA §6810-B, sub-§5, as enacted by PL 2017, c. 296, §9, is amended to read:

5. Exemption; limited-purpose aquaculture license for personal use or research. Notwithstanding subsections 2, 3 and 4, ~~the holder of a limited-purpose aquaculture license issued under section 6072-C may remove, possess or transport within the state limits or organisms cultured under that license, subject to all other applicable requirements of this Part~~ an aquaculture license is not required for an aquaculture lease holder or a holder of a limited-purpose aquaculture license issued under section 6072-C who is using that lease or license only for personal use or for research purposes.

See title page for effective date.

**CHAPTER 169
H.P. 303 - L.D. 419**

**An Act Regarding Voluntary
Participation in Work Projects
by Inmates Who Are Pretrial,
Presentence and Sentenced**

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

Sec. 1. 30-A MRSA §1606, as amended by PL 2019, c. 113, Pt. C, §80, is further amended to read:

§1606. Prisoner voluntary participation in public works projects and in work projects within the jails

1. Participation Voluntary participation in public works projects authorized. The sheriff in charge of a county jail, or the sheriff of a county that shares a regional jail with other counties, may permit certain inmates of that jail, who have been sentenced, to voluntarily participate in public works-related projects or in the improvement of property owned by charitable organizations in that county or another county. A project or improvement must be supervised by the sheriff of the county in which the project or improvement is being conducted. The sheriff may request payment from charitable organizations for the transportation of the prisoners and for the transportation and per diem compensation for any guards corrections officers who accompany the prisoners. For the purposes of this section, "charitable organization" means any nonprofit organization organized or incorporated in this State or having a principal place of business in this State that is exempt from federal income taxation under the United States Internal Revenue Code of 1986, Section 501(a), because the nonprofit organization is described in the United States Internal Revenue Code of 1986, Section 501(c)(3).

1-B. Voluntary participation in work projects within the jails. The sheriff in charge of a county jail, or the sheriff of a county that shares a regional jail with other counties, may permit certain inmates of that jail who are detained at the jail pretrial or presentence to voluntarily participate in work projects within the jail and on jail property when under supervision and as approved by the sheriff.

2. Sentence prorated. Inmates participating in a public works-related project or an improvement of property owned by a charitable organization under ~~this section~~ subsection 1 may have their sentences to the jail prorated at the rate of up to one day removed from the sentences for every 16 hours of participation in the project, except that inmates committed to the custody of the sheriff for nonpayment of fines under Title 17-A, section 1711 must have their sentences prorated at the rate that is applicable to the individual inmate pursuant to Title 17-A, section 1711, subsection 4, paragraph A, subparagraph (1).

3. Participation not deemed employment. ~~Participation in this type of~~ Voluntary participation in a work project under subsection 1 or 1-B may not be deemed employment under section 1605, subsections 3 to 8.

See title page for effective date.

**CHAPTER 170
S.P. 198 - L.D. 491**

An Act To Give Special Weight to Discriminatory Motive in Sentencing for False Public Alarm or Report

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

Sec. 1. 17-A MRSA §1501, sub-§8, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

8. Permit sentences based on factors of crime committed. Permit sentences that do not diminish the gravity of offenses, with reference to the factors, among others, of:

A. The age of the victim, particularly of a victim of an advanced age or of a young age who has a reduced ability to self-protect or who suffers more significant harm due to age; ~~and~~

B. The selection by the person of the victim or of the property that was damaged or otherwise affected by the crime because of the race, color, religion, sex, ancestry, national origin, physical or mental disability, sexual orientation or homelessness of the victim or of the owner or occupant of that property; and

C. The discriminatory motive of the person in making a false public alarm or report in violation of section 509, subsection 1; and

See title page for effective date.

**CHAPTER 171
S.P. 204 - L.D. 521**

An Act To Modify the Rule-making Process for Establishing County and Municipal Jail Standards

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

Sec. 1. 34-A MRSA §1208, sub-§1, as enacted by PL 1983, c. 581, §§10 and 59, is amended to read:

1. Establishment. The commissioner shall establish both mandatory and desirable standards for all county and municipal detention facilities, setting forth requirements for maintaining safe, healthful and secure facilities. Standards adopted pursuant to this subsection must be evidence-based, must take into consideration cost impact and must reflect best practices for the operation and administration of jails.

Sec. 2. 34-A MRSA §1208-B, as corrected by RR 2019, c. 2, Pt. A, §32, is amended to read:

§1208-B. Standards, policies and procedures applicable to jails

1. Establishment. The commissioner shall establish mandatory standards, policies and procedures for jails. The standards, policies and procedures must be established by rule and must be evidence-based, must take into consideration cost impact and must reflect best practices for the administration and operation of jails. The rules must include policies and procedures for assisting jails to achieve compliance and for imposing penalties for noncompliance.

A. The standards, policies and procedures must address record keeping and reporting of financial data, capital improvement planning, jail staffing, administration and management of prisoners, transfer of inmates, notification to prisoners of prohibition on contact with victims and other persons, pre-trial assessments and services, evidence-based programming, literacy programs, mental health and substance use disorder programs and correctional officer training.

B. In administering and distributing funding to the jails pursuant to section 1210-D, subsection 4, the commissioner shall:

(1) Require reporting of data that indicates average daily population of prisoners, that excludes federal prisoners, that indicates sending and receiving jails for transferred prisoners and that is useful in calculating the distributions to the counties pursuant to section 1210-D, subsection 4; and

(2) Consider the performance of each jail in meeting the standards established pursuant to this section. The commissioner shall work with the jails to assist them in achieving compliance with the standards. The commissioner shall enforce the standards by imposition of monetary penalties upon a county for noncompliance by the county jail or regional jail. A monetary penalty imposed under this subsection may not in any fiscal year exceed the County Jail Operations Fund distribution payable to a county for a fiscal year pursuant to section 1210-D, subsection 4.

2. Rulemaking. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A. Rules adopted pursuant to this section must take effect January 1, 2016.

See title page for effective date.

CHAPTER 172
H.P. 434 - L.D. 591

An Act Regarding Agency
Liquor Store Licensing

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

Sec. 1. 28-A MRSA §453, sub-§1-A, as enacted by PL 2019, c. 74, §1, is amended to read:

1-A. Limitation on number of agency liquor stores. The bureau may license up to:

A. ~~Eleven~~ Twelve agency liquor stores in a municipality with a population over 60,000;

B. ~~Ten~~ Eleven agency liquor stores in a municipality with a population over 45,000 but less than 60,001;

C. ~~Nine~~ Ten agency liquor stores in a municipality with a population over 30,000 but less than 45,001;

D. ~~Eight~~ Nine agency liquor stores in a municipality with a population over 20,000 but less than 30,001;

E. Seven agency liquor stores in a municipality with a population over 15,000 but less than 20,001;

F. Six agency liquor stores in a municipality with a population over 10,000 but less than 15,001;

G. Four agency liquor stores in a municipality with a population of at least 5,001 but less than 10,001;

H. Three agency liquor stores in a municipality with a population of at least 2,000 but less than 5,001; and

I. One agency liquor store in a municipality with a population less than 2,000.

The bureau may issue one additional agency liquor store license beyond those otherwise authorized by this subsection in a municipality with a population of less than 10,000. The bureau may consider the impact of seasonal population or tourism and other related information provided by the municipality requesting an additional agency liquor store license.

This subsection may not be construed to reduce the number of agency liquor stores the bureau may license in a municipality as of June 30, 2009.

See title page for effective date.

CHAPTER 173
H.P. 576 - L.D. 771

An Act To Amend the Laws
Governing Wastewater
Treatment Plant Operator
Certification

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

Sec. 1. 5 MRSA §10051, sub-§1, as amended
by PL 2005, c. 65, Pt. C, §3, is further amended to read:

1. **Jurisdiction.** Except as provided in section 10004; Title 8, section 279-B; Title 10, section 8003; Title 20-A, sections 10712 and 10713; Title 29-A; and Title 32, chapters 2-B, 62, 114 and 135; and Title 38, section 342, the District Court has exclusive jurisdiction upon complaint of any agency or, if the licensing agency fails or refuses to act within a reasonable time, upon complaint of the Attorney General to revoke or suspend licenses issued by the agency and has original jurisdiction upon complaint of an agency to determine whether renewal or reissuance of a license of that agency may be refused.

Sec. 2. 32 MRSA c. 62, headnote is amended to read:

CHAPTER 62

SEWAGE TREATMENT WASTEWATER
TREATMENT PLANT OPERATORS

Sec. 3. 32 MRSA §4171, as amended by PL 2017, c. 137, Pt. A, §1, is further amended to read:

§4171. Definitions

As used in this chapter, unless the context otherwise indicates, the following words shall have the following meanings.

1. **Board.** "Board" shall mean means the Board of Environmental Protection.

2. **Certificate.** "Certificate" shall mean means a certificate of competency issued by the board department stating that the an applicant has met the requirements for the specified operator classification.

2-A. **Commissioner.** "Commissioner" means the Commissioner of Environmental Protection.

2-B. **Department.** "Department" means the Department of Environmental Protection.

3. **Operator.** "Operator" shall mean the means a person who has direct responsibility for the operation of any wastewater treatment plant serving a public purpose. The person who shall be certified shall be the person who has management responsibility over the plant. Shift operators or other is certified by the department as being competent to supervise, manage or operate a wastewater treatment plant and to ensure that a

wastewater treatment plant is operated in accordance with state law, rules and licenses. Other employees under the supervision or management of the manager an operator in responsible charge may but need not be certified.

3-A. **Operator in responsible charge.** "Operator in responsible charge" means an operator certified by the department, with a certificate in good standing, at or above the classification for the wastewater treatment plant in which the operator is designated by the wastewater treatment plant owner to be the operator responsible for supervising, managing or operating the wastewater treatment plant and ensuring that the wastewater treatment plant is operated in accordance with state law, rules and licenses.

4. **Wastewater treatment plant.** "Wastewater treatment plant" shall mean means the facility or group of units provided for the treatment of wastewater, either or both sewage and industrial wastes, and for the reduction and handling of sewage removed from such wastes to meet the requirements of a state pollutant discharge elimination system permit or a waste discharge license under Title 38, section 413.

Sec. 4. 32 MRSA §4172, first ¶, as amended by PL 1989, c. 890, Pt. A, §4 and affected by §40, is further amended to read:

The commissioner department shall classify establish the classifications for all wastewater treatment plants actually used or intended for use by the public with due regard to the size, type, character of wastewater to be treated and other physical conditions affecting those treatment plants and shall specify whether each classification requires the employment of an operator and the qualifications the operator in responsible charge must have to successfully manage and supervise successfully the operation of those facilities so as to protect the public health or prevent nuisance conditions or unlawful pollution conditions. A wastewater treatment plant required by its classification to employ an operator may employ more than one operator but must designate one operator as the operator in responsible charge for the facility.

Sec. 5. 32 MRSA §4173, as amended by PL 1989, c. 890, Pt. A, §4 and affected by §40, is further amended to read:

§4173. Certification

The commissioner department shall certify persons as to their competency to successfully manage and supervise successfully the operation of wastewater treatment plants of each classification established pursuant to section 4172. All operators and operators in responsible charge must be certified, except that a certification is not required of for an operator or operator in responsible charge who is a registered licensed professional engineer in good standing.

Sec. 6. 32 MRSA §4173-A, as amended by PL 1987, c. 510, is further amended by amending the section headnote to read:

§4173-A. ~~Continuing education~~ Educational program

Sec. 7. 32 MRSA §4173-A, sub-§1, as enacted by PL 1983, c. 832, §1, is amended to read:

1. Training. ~~The Department of Environmental Protection department shall administer a continuing an educational program for people engaged in water pollution control activities. This program shall must provide advanced training in the technical and legal aspects of water pollution control, and coordinate and distribute information about all water pollution control training programs available in the State training in the supervision, management and operation of sewage collection and wastewater treatment systems.~~

Sec. 8. 32 MRSA §4173-A, sub-§3, as amended by PL 1987, c. 510, is further amended to read:

3. Self supporting. This program shall must be self-supporting from fees, grants or other sources of revenue.

Sec. 9. 32 MRSA §4174, as amended by PL 2019, c. 315, §1, is further amended to read:

§4174. Examination; criteria; standards

~~The commissioner department shall hold provide for at least one examination each year for the purpose of examining candidates for certification pursuant to section 4173 at a time and place designated by the commissioner department.~~

~~The Department of Environmental Protection department shall establish the criteria and conditions for the classification of wastewater treatment plants or systems, using as a basis the standards established by the New England Water Pollution Control Association.~~

~~The Department of Environmental Protection department shall establish by rule the qualifications, conditions and licensing standards and procedures for the certification of individuals to act as operators or operators in responsible charge.~~

~~The Department of Environmental Protection may allow an operator to review with department staff an operator certification test that the operator has completed in order to identify subject areas for which questions were answered incorrectly and further study is advisable.~~

Sec. 10. 32 MRSA §4175, as amended by PL 1999, c. 547, Pt. B, §§69 and 78 and affected by §80, is further amended to read:

§4175. Certificates

~~The commissioner department shall issue certificates attesting to the competency of individuals to act as operators or operators in responsible charge. The certificate shall must indicate the classification level of the systems or wastewater treatment plants for the operation of which the individual is qualified to act as an operator or an operator in responsible charge.~~

~~Certificates shall continue in effect unless revoked by the District Court expire after a term established by the department. The department shall establish the qualifications, conditions and licensing standards and procedures for renewal of certificates.~~

~~The District Court may revoke the certificate of an operator, in accordance with Title 4, chapter 5, when it is found that the operator has practiced fraud or deception; that reasonable care, judgment or the application of the operator's knowledge or ability was not used in the performance of the operator's duties; or that the operator is incompetent or unable properly to perform the operator's duties.~~

~~Operators whose certificates are invalidated under this section may be issued new certificates of a like classification provided appropriate proof of competency is presented to the commissioner.~~

~~This chapter shall may not be construed to affect or prevent the practice of any other legally recognized profession.~~

Sec. 11. 32 MRSA §4175-A is enacted to read:

§4175-A. Compliance and enforcement

Notwithstanding Title 5, section 10051, after written notice and opportunity for a hearing pursuant to Title 5, chapter 375, subchapter 4, the department may revoke or suspend the certificate of an operator or operator in responsible charge when it finds that the person has:

1. Practiced fraud or deception. Practiced fraud or deception;

2. Failed to use reasonable care or judgment or properly apply knowledge. Failed to use reasonable care or judgment or to apply the requisite knowledge, ability or ethical standards in the performance of the person's required duties;

3. Failed to operate in compliance. Failed to manage or supervise a wastewater treatment plant in a manner that ensures that the wastewater treatment plant is operated in compliance with state law, rules and licenses;

4. Violated law, rules, licenses or standards. Violated state law, rules or licenses or ethical standards as set forth in department rules;

5. Lost or did not possess competency. Lost the competency required for certification or did not possess the competency required at the time of certification; or

6. Unable to properly perform. Demonstrated that the person is unable to properly perform the person's required duties.

An operator or operator in responsible charge whose certificate is revoked under this section may apply for reinstatement of a certification of a like classification if appropriate proof of competency is presented to the department. The department may establish a more stringent proof of competency and procedures for the reinstatement of certification for an operator or operator in responsible charge whose certificate has been revoked.

Sec. 12. 32 MRSA §4175-B is enacted to read:
§4175-B. Department contracting

The department may contract for or otherwise employ or retain services to fulfill the department's duties under this chapter, including for the administration of an educational program pursuant to section 4173-A, the provision of examinations pursuant to section 4174 and the issuance of certificates pursuant to section 4175.

Sec. 13. 32 MRSA §4176, first ¶, as amended by PL 1989, c. 890, Pt. A, §6 and affected by §40, is further amended to read:

The commissioner department, upon application therefor, may issue a certificate, without examination, in a comparable classification, to any person who holds a certificate in any state, territory or possession of the United States or any country, providing if the requirements for certification of operators under which the person's certificate was issued do not conflict with this chapter and are of a standard not lower than that specified by rules adopted under this chapter. The issuance of a certificate without examination does not exempt a person from any other requirement of an operator or an operator in responsible charge aside from the examination requirement. A person so certified is subject to disciplinary action under section 4175-A.

Sec. 14. 32 MRSA §4177, as amended by PL 1973, c. 625, §223, is repealed.

Sec. 15. 32 MRSA §4178, first ¶, as enacted by PL 1969, c. 237, is amended to read:

This chapter shall apply only to conventional wastewater treatment plants which are separate and apart from other facilities applies to all operators and operators in responsible charge and any wastewater treatment plant that is used to meet the requirements of a state pollutant discharge elimination system permit or waste discharge license under Title 38, section 413.

Sec. 16. 32 MRSA §4179, first ¶, as amended by PL 2019, c. 315, §2, is further amended to read:

The Department of Environmental Protection department shall adopt rules to administer this chapter that include, but are not limited to, provisions establishing the basis for classification of wastewater treatment

plants in accordance with section 4172 and provisions establishing requirements for examinations, qualifications and ethical standards required of candidates to obtain certification and procedures for examination of candidates. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 17. 32 MRSA §4181, first ¶, as amended by PL 1989, c. 890, Pt. A, §8 and affected by §40, is further amended to read:

It is unlawful for any person, firm or corporation, both either municipal and or private, to operate a wastewater treatment plant unless the competency of the operator or operator in responsible charge is certified to by the commissioner department under this chapter. It is unlawful for any person to perform the duties of an operator, as defined, or operator in responsible charge without being duly certified under this chapter. The commissioner department may further grant a waiver for a period not exceeding one year for the operation of a wastewater treatment plant serving not more than 500 services in the event the wastewater treatment plant can demonstrate, to the department's satisfaction, that the certification requirements cannot be met.

Sec. 18. 32 MRSA §4182, first ¶, as enacted by PL 1969, c. 237, is amended to read:

Any person, firm or corporation, both either municipal and or private, violating any provision of this chapter or the rules and regulations adopted thereunder pursuant to this chapter is guilty of a misdemeanor Class E crime and may also be subject to civil enforcement actions under Title 38, section 347-A and civil monetary penalties as established under Title 38, section 349. Each day of operation in violation of this chapter or any rules and regulations adopted thereunder shall constitute pursuant to this chapter constitutes a separate offense.

See title page for effective date.

**CHAPTER 174
H.P. 587 - L.D. 782**

**An Act To Implement the
Recommendations of the
Department of Corrections for
Certified Batterer Intervention
Programming**

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

Sec. 1. 17-A MRSA §1501, sub-§9, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

9. Recognize domestic violence and certified batterers' domestic violence intervention programs.

Recognize domestic violence as a serious crime against the individual and society and to recognize ~~batterers'~~ domestic violence intervention programs certified pursuant to Title 19-A, section 4014 as the most appropriate and effective community intervention in cases involving domestic violence.

Sec. 2. 17-A MRSA §1804, sub-§6, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

6. Exception to limits when person ordered to complete ~~batterers'~~ domestic violence intervention program and pay restitution. If the State pleads and proves that the enumerated Class D or Class E crime was committed by the person against a family or household member and the court orders the person to complete a certified ~~batterers'~~ domestic violence intervention program as defined in Title 19-A, section 4014, the person may be placed on probation for a period not to exceed 2 years, except that, on motion by the person's probation officer, the person or the court, the term of probation must be terminated by the court when the court determines that the person has:

- A. Served at least one year of probation;
- B. Completed the certified ~~batterers'~~ domestic violence intervention program;
- C. Paid in full any victim restitution ordered; and
- D. From the time the period of probation commenced until the motion for termination is heard, met all other conditions of probation.

As used in this subsection, "enumerated Class D or Class E crime" means any Class D crime in chapter 9, any Class D or Class E crime in chapter 11, the Class D crimes described in sections 302 and 506-B and the Class D crimes described in sections 554, 555 and 758.

Sec. 3. 17-A MRSA §1807, sub-§2, ¶D, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

D. Undergo, as an outpatient, available medical or psychiatric treatment, or to enter and remain, as a voluntary patient, in a specified institution when required for that purpose. Failure to comply with this condition is considered only as a violation of probation and may not, in itself, authorize involuntary treatment or hospitalization. ~~The court may not order and the State may not pay for the person to attend a batterers' intervention program unless the program is certified under Title 19-A, section 4014;~~

Sec. 4. 17-A MRSA §1807, sub-§2, ¶D-1 is enacted to read:

D-1. Complete a certified domestic violence intervention program. The court may not order and the State may not pay for the person to attend a domestic violence intervention program unless the program is certified under Title 19-A, section 4014;

Sec. 5. 17-A MRSA §1807, sub-§4, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

4. Findings or explanation required in certain cases when completion of ~~batterers'~~ domestic violence intervention program is not ordered as a condition of probation. If an individual is convicted of a crime under chapter 9 or 13 or section 758 that the State pleads and proves was committed by the individual against a spouse, domestic partner or sexual partner; a former spouse, domestic partner or sexual partner; a victim with whom the individual is living or lived as a spouse; or a victim who is or was a dating partner of the individual and the court does not order as a condition of probation that the individual complete a ~~batterers'~~ domestic violence intervention program certified pursuant to Title 19-A, section 4014, the court shall make findings on the record of the court's reasons for not ordering the individual to complete a ~~batterers'~~ certified domestic violence intervention program. If a plea agreement submitted to the court in accordance with Rule 11A(b) of the Maine Rules of Unified Criminal Procedure does not contain a provision ordering the individual to complete a ~~batterers'~~ certified domestic violence intervention program, the attorney for the State shall indicate, in a writing submitted to the court, the basis for the plea agreement's not including completion of a ~~batterers'~~ certified domestic violence intervention program. For purposes of this subsection, "dating partner" means a victim currently or formerly involved in dating the individual, whether or not the individual and the victim are or were sexual partners. For purposes of this subsection, "domestic partner" means one of 2 unmarried adults who are domiciled together under a long-term arrangement that evidences a commitment to remain responsible indefinitely for each other's welfare.

Sec. 6. 17-A MRSA §2102, sub-§1, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

1. Information provided to victim. ~~When practicable, the~~ The attorney for the State shall make a good faith effort to inform each victim of the following:

- A. The details of a plea agreement, including a deferred disposition, before it is submitted to the court;
- B. The right to comment on a plea agreement, including a deferred disposition, pursuant to section 2103;
- C. The proposed dismissal or filing of an indictment, information or complaint pursuant to the Maine Rules of Unified Criminal Procedure, Rule 48, before that action is taken;
- D. The time and place of the trial;
- E. The time and place of sentencing;
- F. The right to participate at sentencing pursuant to section 2104; ~~and~~

F-1. The termination of probation pursuant to section 1804, subsection 6; and

G. The right to comment on the proposed early termination of probation, early termination of administrative release or conversion of probation to administrative release, pursuant to section 2105.

Sec. 7. 17-A MRSA §2108, sub-§2, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

2. Disclosure to law enforcement or victims' service agency. Records that pertain to a victim's current address or location or that contain information from which a victim's current address or location could be determined may be disclosed only to:

A. A state agency if necessary to carry out the statutory duties of that agency;

B. A criminal justice agency if necessary to carry out the administration of criminal justice or the administration of juvenile justice;

C. A victims' service agency with a written agreement with a criminal justice agency to provide services as a victim advocate; ~~or~~

D. A person or agency upon request of the victim;;

E. A certified domestic violence intervention program in which the defendant in a criminal proceeding involving the victim has enrolled or will enroll;
or

F. The domestic violence center serving the same county as the certified domestic violence intervention program in which the defendant in a criminal proceeding involving the victim has enrolled or will enroll.

Sec. 8. 19-A MRSA §1653, sub-§2, ¶E, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

E. The order of the court may not include a requirement that the State pay for the defendant to attend a ~~batterers'~~ domestic violence intervention program unless the program is certified under section 4014.

Sec. 9. 19-A MRSA §4013, sub-§1, ¶A, as amended by PL 2019, c. 188, §1, is further amended by amending subparagraph (9-F) to read:

(9-F) One member, appointed by the Governor, who has experience working in ~~batterers'~~ domestic violence intervention programs;

Sec. 10. 19-A MRSA §4013, sub-§4, ¶A, as amended by PL 2001, c. 240, §2 and PL 2003, c. 689, Pt. B, §7, is further amended to read:

A. The chair of the commission shall appoint members of the panel who have experience in providing services to victims of domestic and sexual abuse and shall include at least the following: the Chief Medical Examiner, a physician, a nurse,

a law enforcement officer, the Commissioner of Health and Human Services, the Commissioner of Corrections, the Commissioner of Public Safety, a judge as assigned by the Chief Justice of the Supreme Judicial Court, a representative of the Maine Prosecutors Association, an assistant attorney general responsible for the prosecution of homicide cases designated by the Attorney General, an assistant attorney general handling child protection cases designated by the Attorney General, a victim-witness advocate, a mental health service provider, a facilitator of a certified ~~batterers'~~ domestic violence intervention program under section 4014 and 3 persons designated by a statewide coalition for family crisis services. Members who are not state officials serve a 2-year term without compensation, except that of those initially appointed by the chair, 1/2 must be appointed for a one-year term.

Sec. 11. 19-A MRSA §4014, as amended by PL 2013, c. 424, Pt. B, §8, is further amended to read:

§4014. ~~Certification of batterers'~~ Certified domestic violence intervention programs

1. Rules establishing standards and procedures for certification. The Department of Corrections, referred to in this section as the "department," shall adopt rules pursuant to the Maine Administrative Procedure Act, in consultation with the Maine Commission on Domestic and Sexual Abuse, that establish standards and procedures for certification of ~~batterers'~~ domestic violence intervention programs. The department, in consultation with the commission, shall review and certify programs that meet the standards. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

3. Information sharing with certified domestic violence intervention programs. In a criminal proceeding that results in the issuance of a court order that directs a person to complete a certified domestic violence intervention program, within 7 days of the issuance of the order, the attorney for the State shall provide to the certified domestic violence intervention program in which the person has enrolled or will enroll:

A. The incident report from a law enforcement agency submitted to the attorney for the State that is most relevant to the criminal proceeding, which the certified domestic violence intervention program is authorized to receive pursuant to Title 16, section 805, subsection 5; and

B. The last known contact information for the victim in the criminal proceeding.

Sec. 12. 22 MRSA §4036, sub-§1, ¶I, as amended by PL 1995, c. 694, Pt. D, §43 and affected by Pt. E, §2, is further amended to read:

I. The court may not order and the State may not pay for the defendant to attend a ~~batterers'~~ domestic

violence intervention program unless the program is certified under Title 19-A, section 4014.

Sec. 13. 34-A MRSA §1206-A, sub-§1, ¶B, as amended by PL 2017, c. 407, Pt. A, §151, is further amended to read:

B. "Community intervention program" means a program operated at the community level providing services designed to intervene in the risk factors for reoffending, including, but not limited to, mental health, sex offender treatment, social service and substance use disorder treatment programs, but not including a ~~batterers' domestic violence~~ intervention program under Title 19-A, section 4014.

Sec. 14. 34-A MRSA §1214, sub-§5, as amended by PL 2017, c. 407, Pt. A, §153, is further amended to read:

5. Report regarding ~~batterers domestic violence~~ intervention programs. Beginning January 2003 and annually thereafter, the department shall report to the joint standing committee of the Legislature having jurisdiction over criminal justice matters regarding the work of ~~batterers domestic violence~~ intervention programs. The report must include information regarding: meeting program benchmarks and goals, developing and implementing new programs, measuring effectiveness of existing programs and communicating and coordinating efforts with providers of substance use disorder services, literacy support and other services with whom ~~batterers~~ persons ordered to complete a domestic violence intervention program may need to work in order to participate meaningfully in a ~~batterers domestic violence~~ intervention program.

See title page for effective date.

**CHAPTER 175
S.P. 225 - L.D. 822**

An Act To Affirm That Food Seeds Are a Necessity in Maine

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

Sec. 1. 10 MRSA §1105, sub-§1, ¶C, as amended by PL 2019, c. 126, §1, is further amended to read:

C. "Necessities" includes food for human or animal consumption; seeds; potable water; pharmaceutical products, including prescription medications; wearing apparel; shoes; building materials; gas and electricity for light, heat and power; ice; fuel of all kinds; and fertilizer and fertilizer ingredients; together with tools, utensils, implements, machinery and equipment required for the actual

production or manufacture of the same. "Necessities" includes any other vital or necessary good or service except those:

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

See title page for effective date.

**CHAPTER 176
H.P. 605 - L.D. 837**

An Act To Amend the Child and Family Services and Child Protection Act

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

Sec. 1. 22 MRSA §4002, sub-§1, as amended by PL 2015, c. 360, §2, is further amended to read:

1. Abuse or neglect. "Abuse or neglect" means a threat to a child's health or welfare by physical, mental or emotional injury or impairment, sexual abuse or exploitation including under Title 17-A, sections 282, 852, 853 and 855; or deprivation of essential needs, or lack of protection from these or failure to ensure compliance with school attendance requirements, by a person responsible for the child. "Abuse or neglect" also means truancy under Title 20-A, section 3272, subsection 2, paragraph ~~B~~ C or section 5051-A, subsection 1, paragraph C; or D when truancy is the result of neglect by a person responsible for the child. "Abuse or neglect" also means a threat to a child's health or welfare caused by child sex trafficking by any person, regardless of whether or not the person is responsible for the child.

Sec. 2. 22 MRSA §4002, sub-§3-B is enacted to read:

3-B. Child sex trafficking. "Child sex trafficking" means the recruitment, harboring, transportation, provision or obtaining of a child for the purposes of a commercial sex act as defined in 22 United States Code, Section 7102(4).

Sec. 3. 22 MRSA §4002, sub-§6, ¶B, as amended by PL 2007, c. 304, §11, is further amended to read:

B. Deprivation of adequate food, clothing, shelter, supervision or care or education when the child is at least 7 years of age and has not completed grade 6;

Sec. 4. 22 MRSA §4002, sub-§6, ¶B-2 is enacted to read:

B-2. Truancy under Title 20-A, section 3272, subsection 2, paragraph C or section 5051-A, subsection 1, paragraph C or D;

Sec. 5. 22 MRSA §4008, sub-§1-A is enacted to read:

1-A. Disclosure. The department may determine that for the purposes of disclosure under this section records are limited to only records created by the department in connection with its duties under this chapter.

See title page for effective date.

CHAPTER 177

H.P. 641 - L.D. 885

An Act To Promote Bulk Retail Purchasing

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

Sec. 1. 7 MRSA §219-A is enacted to read:

§219-A. Reusable containers

The department shall ensure that its rules, established in accordance with the commissioner's rule-making authority in section 12, and guidelines neither preclude business owners from allowing nor require business owners to allow consumers to supply their own containers for the bulk purchase of shelf-stable food and nonfood items. The department shall provide technical assistance and education to business owners and consumers regarding best practices for the use of reusable containers.

Sec. 2. Review and report. The Department of Agriculture, Conservation and Forestry shall review its rules and guidelines to ensure they are in compliance with the Maine Revised Statutes, Title 7, section 219-A. By February 1, 2022, the department shall provide a report on its progress toward implementation of the requirements of Title 7, section 219-A to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business.

See title page for effective date.

CHAPTER 178
S.P. 304 - L.D. 952

An Act To Limit Liability Regarding Donations of Menstrual Products

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

Sec. 1. 14 MRSA §173 is enacted to read:

§173. Immunity for menstrual product donations

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

A. "Apparently usable" means, with respect to a product, that the product meets all quality and labeling standards imposed by federal, state and local laws and regulations even if the product may not be readily marketable.

B. "Menstrual product" means a sanitary napkin, tampon, liner, cup, underwear or any similar item used by an individual with respect to menstruation.

2. Immunity for donor. Notwithstanding any other provision of law, a good faith donor of menstrual products that are apparently usable at the time they are donated to a bona fide charitable or nonprofit organization for free distribution is immune from civil or criminal liability arising from injury or death due to the condition of the menstrual products, unless the injury or death is a direct result of the gross negligence, recklessness or intentional misconduct of the donor.

3. Immunity of distributor. Notwithstanding any other provision of law, a bona fide charitable or nonprofit organization and any employee or volunteer of that organization who in good faith receive and distributes menstrual products that are apparently usable at the time they are distributed are immune from civil or criminal liability arising from an injury or death due to the condition of the menstrual products, unless the injury or death is a direct result of the gross negligence, recklessness or intentional misconduct of the organization employee or volunteer.

4. Application. This section applies to all good faith donations of menstrual products that are not readily marketable due to appearance, grade, surplus or other conditions, but nothing in this section restricts the authority of any appropriate agency to regulate or bar the use of those menstrual products for use.

5. Immunity of facilities. Notwithstanding any provision of law to the contrary, a hospital or other health care facility licensed by the Department of Health and Human Services that, in good faith and in accordance with guidelines established by the recipient organization, donates menstrual products that are apparently usable at the time they are donated to a bona fide

charitable or nonprofit organization for free distribution is immune from civil or criminal liability arising from injury, illness or death due to the condition of the menstrual products, unless the injury, illness or death is a direct result of intentional misconduct of the donor. Nothing in this subsection prevents a licensed hospital or health care facility from receiving the immunity provided in subsection 2 if the donor qualifies for immunity under the terms of that subsection.

See title page for effective date.

**CHAPTER 179
H.P. 837 - L.D. 1159**

**An Act To Amend the
Membership Requirements of
the Board of Pesticides Control**

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

Sec. 1. 22 MRSA §1471-B, sub-§1, as amended by PL 2019, c. 192, §1, is further amended to read:

1. Board established. The Board of Pesticides Control is established by Title 5, section 12004-D, subsection 3, within the Department of Agriculture, Conservation and Forestry. Except as provided in this chapter, the board must be composed of 7 members, appointed by the Governor, subject to approval by the joint standing committee of the Legislature having jurisdiction over agricultural matters and confirmation by the Senate. To provide the knowledge and experience necessary for carrying out the duties of the board, the board must consist of the following members: one person with practical experience and knowledge regarding the agricultural use of chemicals; one person who has practical experience and knowledge regarding the use of chemicals in forest management; one person from the medical community; a scientist from the University of Maine System specializing in agronomy, entomology or plant pathology having practical experience and expertise in integrated pest management; one commercial applicator; and 2 persons appointed to represent the public. ~~One of the~~ The 2 members appointed to represent the public must have ~~practical experience and knowledge of methods of sustainable management of indoor or outdoor pests a demonstrated interest in environmental protection.~~ A member appointed to represent the public may not have a financial interest in activities regulated by the board and may not be an individual who has been or is licensed, certified or given a permit in this State or any other state for activities regulated by the board. The term must be for 4 years, except that of the initial appointees, 2 serve 4-year terms, 2 serve 3-year terms, 2 serve 2-year terms and one serves a one-year term. Any vacancy must be filled by an appointment for the remainder of the unexpired term.

Sec. 2. Transition. The Governor shall appoint members of the board representing the public who meet the criteria of this Act within 60 days of the effective date of this Act. Notwithstanding the term limits of members of the board in section 1, a member of the board representing the public who does not meet the criteria for a member representing the public under section 1 serving on the effective date of this Act serves until the member's replacement has been confirmed by the Senate.

See title page for effective date.

**CHAPTER 180
H.P. 850 - L.D. 1172**

**An Act To Delay State-
mandated Teacher and
Principal Evaluation**

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

Sec. 1. Temporary waiver of educator performance evaluations. Notwithstanding any provision of law to the contrary, except for teachers in the 2nd year of a probationary period as described in the Maine Revised Statutes, Title 20-A, section 1055, subsection 10, a school administrative unit is not required to evaluate an educator as defined in Title 20-A, section 13701, subsection 1 pursuant to a performance evaluation and professional growth system developed in accordance with Title 20-A, chapter 508 during the 2021-2022 school year.

See title page for effective date.

**CHAPTER 181
H.P. 891 - L.D. 1216**

**An Act To Amend the State
Tax Laws**

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

PART A

Sec. A-1. 20-A MRSA §12545, as amended by PL 2015, c. 328, §1, is further amended to read:

§12545. Report

By February 1, ~~2024~~ 2022, each accredited Maine community college, college and university, as defined in section 12541, subsection 1, shall report to the department on efforts to promote the program and to train admissions and financial aid staff about the program. By ~~March~~ February 1, 2024 ~~2022~~, the department shall report findings and recommendations regarding the program to the joint standing committee of the Legislature

having jurisdiction over education and cultural affairs and the joint standing committee of the Legislature having jurisdiction over taxation matters. By ~~March~~ February 1, 2021 ~~2022~~, the Department of Administrative and Financial Services, Bureau of Revenue Services, Office of Tax Policy shall report on implementation of the educational opportunity tax credit, including statistics on credits claimed, to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and the joint standing committee of the Legislature having jurisdiction over taxation matters. The Office of Tax Policy, in conjunction with the State Economist and the Department of Labor, shall include in its report an analysis of the costs of the credits claimed and the impact of the program on the State's labor force. After receipt and review of the information required under this section, the joint standing committee of the Legislature having jurisdiction over education and cultural affairs or the joint standing committee of the Legislature having jurisdiction over taxation matters may report out to the Legislature a bill regarding the program.

Sec. A-2. 22 MRSA §2430, sub-§3, as amended by PL 2017, c. 452, §21, is further amended to read:

3. Uses of the fund. The fund may be used for expenses of the department to administer this chapter or for research in accordance with subsection 5, as allocated by the Legislature. ~~To the extent that funds remain in the fund after the expenses of the department to administer this chapter and for research in accordance with subsection 5, any remaining funds must be used to fund:~~

~~A. The cost of the tax deductions provided pursuant to Title 36, section 5122, subsection 2, paragraph PP and Title 36, section 5200 A, subsection 2, paragraph BB. By June 1st annually, the State Tax Assessor shall determine the cost of those deductions during the prior calendar year and report that amount to the State Controller, who shall transfer that amount from the remaining funds in the fund to the General Fund; and~~

~~B. The cost of the position in the Department of Administrative and Financial Services, Bureau of Revenue Services to administer the tax deductions provided pursuant to Title 36, section 5122, subsection 2, paragraph PP and Title 36, section 5200 A, subsection 2, paragraph BB. By June 1st annually, the Commissioner of Administrative and Financial Services shall determine the cost of the position in the bureau to administer those deductions during the prior calendar year and report that amount to the State Controller, who shall transfer that amount from the remaining funds in the fund to the General Fund.~~

Sec. A-3. 36 MRSA §199-C, sub-§3, as amended by PL 2015, c. 328, §2, is further amended to read:

3. Specific tax expenditure review. By June 1, ~~2021~~ 2022, the committee shall review the income tax credit under section 5217-D to determine whether the credit should be retained, repealed or modified. The committee shall consider information provided by the Office of Tax Policy within the bureau and the Department of Education pursuant to Title 20-A, section 12545.

Sec. A-4. 36 MRSA §2519, as amended by PL 2011, c. 548, §18, is further amended to read:

§2519. Ratio of tax on foreign insurance companies

An insurance company incorporated ~~by in the District of Columbia~~, a state or possession of the United States or province of Canada whose laws impose upon insurance companies chartered by this State a greater tax than is provided in this chapter shall pay the same tax upon business done by it in this State, in place of the tax provided in any other section of this chapter. If the insurance company fails to pay the tax as provided in section 2521-A, the assessor shall certify that failure to the Superintendent of Insurance, who shall suspend the insurance company's right to do business in this State. For purposes of this section, an insurance company incorporated by another country is deemed to be incorporated by the state, district or possession of the United States where it has elected to make its deposit and establish its principal agency in the United States. For nonadmitted insurance premiums subject to section 2531, the rate applied pursuant to this section must be the highest rate that the state, district, possession or province applies to nonadmitted insurance premiums taxed in that state, district or possession or province.

Sec. A-5. 36 MRSA §5122, sub-§2, ¶X, as amended by PL 2017, c. 170, Pt. D, §3, is further amended to read:

X. The taxpayer's pro rata share of an amount that was previously added back to federal taxable income ~~pursuant to section 5200 A, subsection 1, paragraph N; section 5200 A, subsection 1, paragraph T; section 5200 A, subsection 1, paragraph Y, subparagraph (2); section 5200 A, subsection 1, paragraph AA, subparagraph (2); section 5200 A, subsection 1, paragraph BB; or section 5200 A, subsection 1, paragraph CC, subparagraph (2)~~ by a corporation of which the taxpayer is a shareholder and by which, absent an S corporation election, the corporation could have reduced its federal taxable income for the taxable year pursuant to section 5200-A, subsection 2, paragraph M, R, V, Y, Z or AA or FF;

Sec. A-6. 36 MRSA §5195, sub-§7, as enacted by PL 2019, c. 380, §2, is amended to read:

7. Federal adjustment. "Federal adjustment" means an adjustment to an item or amount determined under the Code that affects the computation of a taxpayer's Maine tax liability resulting from a partnership-level audit or other action by the IRS or an amended federal return, refund claim or administrative adjustment request filed by a taxpayer. A federal adjustment is positive to the extent that it increases taxable income and is negative to the extent that it decreases taxable income, as determined under this Part.

Sec. A-7. 36 MRSA §5196, sub-§1, as enacted by PL 2019, c. 380, §2, is amended to read:

1. General rule. Except in the case of final federal adjustments required to be reported for federal purposes under the Code, Section 6225(a)(2) under federal law or regulations to be taken into account by the partnership in the partnership return for the adjustment year or other year, a partner shall, in accordance with section 5227-A, report and pay any amount due with respect to adjustments arising from a partnership-level audit or other action by the IRS that is reported by the taxpayer on a timely filed amended federal income tax return, including a return or other similar report filed pursuant to the Code, Section 6225(c)(2), or a federal claim for refund by filing a federal adjustments report with the assessor for the reviewed year and, if applicable, paying the additional tax, penalties and interest due no later than 180 days after the final determination date.

In the case of a partnership with partners required to file a federal adjustments report pursuant to this subsection and included in a composite return or subject to withholding under section 5250-B in the reviewed year, the partnership shall file an amended composite return and amended withholding return as required by the assessor and pay any additional tax, penalties and interest due no later than 180 days after the final determination date.

Sec. A-8. 36 MRSA §5196, sub-§3, as enacted by PL 2019, c. 380, §2, is amended to read:

3. Partnership reporting and payment. An audited partnership or a partnership that has filed an administrative adjustment request is subject to tax with respect to final federal adjustments without regard to the election under the Code, Section 6226(a). The amount of tax is determined as provided in this subsection.

A. An audited partnership or a partnership that has filed an administrative adjustment request shall file a completed federal adjustments report, including the distributive share of the adjustment paid by partners under subsection 1 and other information required by the assessor, and, if subject to tax under this subsection, pay the tax due no later than 180 days after the final determination date.

B. The tax due or a refund allowed pursuant to this subsection is determined as follows:

(1) Exclude from final federal adjustments the distributive share of adjustments properly allocable to partners pursuant to subsection 1 and adjustments required under federal law or regulations to be taken into account by the partnership in the partnership return for the adjustment year or other year;

(2) Exclude from final federal adjustments the distributive share of adjustments reported to direct exempt partners not subject to tax on unrelated business taxable income;

(3) For the total distributive shares of the remaining final federal adjustments, remove the portion of such adjustments this State is prohibited from taxing under the Constitution of Maine or the United States Constitution, net of any expenses incurred in production of that income, that are not otherwise excluded pursuant to this paragraph;

(4) For the total distributive shares of the remaining final federal adjustments reported to direct corporate partners subject to tax under chapter 817, and to direct exempt partners subject to tax on unrelated business taxable income, apportion and allocate such adjustments as provided under chapter 821 and multiply the resulting amount by the highest tax rate under section 5200;

(5) For the total distributive shares of the remaining final federal adjustments reported to direct partners that are nonresident partners subject to tax under section 5111 or 5160, determine the amount of such adjustments that is Maine-source income under sections 5142 and 5192 and multiply the resulting amount by the highest tax rate under section 5111 for the applicable tax year;

(6) For the total distributive shares of the remaining final federal adjustments reported to tiered partners:

(a) Determine the amount of such adjustments that is of a type that would be subject to sourcing under section 5142, ~~excluding section 5142, subsection 3,~~ and calculate the portion of this amount sourced to this State;

(b) Determine the amount of such positive adjustments that is income of a type that would not be subject to sourcing by a nonresident partner under section 5142, ~~subsection 3;~~ and

(c) Determine the portion of ~~the amount~~ positive adjustments determined in division (b) that can be established to the sat-

isfaction of the assessor to be properly allocable to indirect partners that are non-resident partners or other partners not subject to tax on the adjustments;

(d) Determine the amount of such negative adjustments that is of a type that would not be subject to sourcing by a non-resident partner under section 5142; and

(e) Determine the portion of negative adjustments determined in division (d) that can be established to the satisfaction of the assessor to be properly allocable to indirect partners that are resident partners or other partners subject to tax on the adjustments;

(7) Multiply the total of the amounts determined in subparagraph (6), divisions (a) and (b), reduced by the amount determined in subparagraph (6), ~~division divisions (c) and (e)~~, by the highest tax rate under section 5111;

(8) For the total distributive shares of the remaining final federal adjustments reported to resident direct partners subject to tax under section 5111 or 5160, multiply that amount by the highest tax rate under section 5111 for the applicable tax year; ~~and~~

(9) Add the amounts determined in subparagraphs (4), (5), (7) and (8), ~~along with interest and penalties as provided in sections 186 and 187-B, respectively;~~

(10) If the result in subparagraph (9) is a positive amount, compute interest and penalties pursuant to sections 186 and 187-B, respectively, and add these amounts to the amount computed in subparagraph (9); and

(11) A negative amount computed pursuant to subparagraph (9) must be treated as an overpayment of tax by the partnership for which a claim for refund may be made by the partnership.

C. Notwithstanding section 5219-H, a partnership may not claim any of the credits in chapter 822 against the tax imposed by this subsection. However, a partnership may claim a credit for income taxes imposed on and paid by the partnership to another state of the United States, a political subdivision of any such state, the District of Columbia or any political subdivision of a foreign country that is analogous to a state of the United States with respect to the distributive shares of the final federal adjustments reported to resident direct partners included in the calculation pursuant to paragraph B, subparagraph (8) and paid by the partnership to this State. The credit under this paragraph is calculated

in the same manner as the credit allowed by section 5217-A.

Sec. A-9. 36 MRSA §5196, sub-§4, as enacted by PL 2019, c. 380, §2, is amended to read:

4. Tiered partners. The direct partners and indirect partners of an audited partnership or of a partnership that has filed an administrative adjustment request that are tiered partners, and all the partners of those tiered partners that are subject to tax under section 5111, 5160 or 5200, are subject to the reporting and payment requirements of this section.

Sec. A-10. 36 MRSA §5196, sub-§5, as enacted by PL 2019, c. 380, §2, is amended to read:

5. Effect of partnership reporting and payment of amounts due. Except for adjustments required to be reported and the tax paid under subsection 1 and adjustments required under federal law or regulations to be taken into account by the partnership in the partnership return for the adjustment year or other year, the proper reporting of final federal adjustments and payment of amounts due by a partnership under subsections 3 and 4 relieves the partners of the partnership of any tax liability resulting from their distributive shares of the adjustments so reported. The direct partners or indirect partners may not take any deduction or credit for this amount or claim a refund of the amount in this State. The direct partners or indirect partners may not take a deduction, credit or refund with respect to any negative adjustment accounted for in subsection 3, paragraph B, subparagraphs (2) to (11).

Sec. A-11. 36 MRSA §5196, sub-§6, as enacted by PL 2019, c. 380, §2, is amended to read:

6. Failure of audited partnership, partnership that has filed an administrative adjustment request or tiered partner to report or pay. ~~Nothing in this~~ This section prevents ~~does not prevent~~ the assessor from assessing direct partners or indirect partners for taxes they owe, using the best information available, in the event that a partnership or tiered partner fails to timely make any report or payment required by this subchapter for any reason.

Sec. A-12. 36 MRSA §5219-X, sub-§6 is enacted to read:

6. Reporting. A taxpayer allowed a credit under subsection 2 shall report to the Department of Economic and Community Development, for each tax credit awarded, the dollar amount of the tax credit, the number of direct manufacturing jobs created and the dollar amount of capital investment in manufacturing.

Sec. A-13. 36 MRSA §5219-XX, as enacted by PL 2019, c. 628, §3, is amended to read:

§5219-XX. Renewable chemicals tax credit

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

A. "Biobased content" means the total mass of organic carbon derived from renewable biomass, expressed as a percentage, determined by testing representative samples using the ASTM International D6866 standard test methods.

A-1. "Cellulose nanomaterial" means any cellulose-based material, extracted from trees, plants, aquaculture sources or by-products from their manufacturing using either a chemical, mechanical or enzymatic process or a combination of these processes, that has at least one external dimension in the range of one to 100 nanometers.

B. "Renewable biomass" has the same meaning as in 7 United States Code, Section 8101(13).

C. "Renewable chemical" means a substance, compound or mixture renewable chemical, as defined in 7 United States Code, Section 8101(14), that:

- (1) Is the product of, or reliant upon, biological conversion, thermal conversion or a combination of biological and thermal conversion of renewable biomass or is a cellulose nanomaterial;
- (2) Is sold or used by the taxpayer:
 - (a) For the production of ~~chemical products~~ chemicals, polymers, plastics or formulated products; or
 - (b) As a chemical, polymer, plastic or formulated product;
- (3) Is not less than 95% biobased content, as determined by testing representative samples using the ASTM International D6866 standard test methods; and
- (4) Is not sold or used for production of any, or sold as, food, feed or fuel, including any biofuel as defined under section 5219-X, subsection 1, except that "renewable chemical" may include:
 - (a) Cellulosic sugars used to produce aquaculture feed; and
 - (b) A food additive, supplement, vitamin, nutraceutical or pharmaceutical that does not provide caloric value and is not considered food or feed.

2. Credit allowed. A taxpayer engaged in the production of renewable chemicals in the State who has complied with subsection 5 and the rules adopted under that subsection is allowed a credit against the tax imposed by this Part on income derived during the taxable year from the production of renewable chemicals in the

amount of 8¢ per pound of renewable chemical produced in the State as long as the taxpayer demonstrates to the Department of Economic and Community Development that at least 75% of the employees of the contractors hired or retained to harvest renewable biomass used in the production of the renewable chemicals meet the eligibility conditions specified in the Employment Security Law.

If the taxpayer does not contract directly with those hired or retained to harvest the renewable biomass, the taxpayer may obtain the necessary documentation under this subsection from the landowner or other entity that contracts directly.

3. Reporting. A taxpayer allowed a credit under subsection 2 shall report to the Department of Economic and Community Development, for each tax credit awarded, the dollar amount of the tax credit, the number of direct manufacturing jobs created, ~~the number of related indirect jobs created~~ and the dollar amount of capital investment in manufacturing. ~~Indirect jobs include but are not limited to jobs in logging and support services.~~

4. Limitation. A person entitled to a tax credit under this section for any taxable year may carry over and apply the portion of any unused credits to the tax liability on income derived from the production of renewable chemicals for any one or more of the next succeeding 10 taxable years. The credit allowed, including carryovers, may not reduce the tax otherwise due under this Part to less than zero.

5. Information reporting and 3rd-party testing; rules. A taxpayer engaged in the production of renewable chemicals that is claiming a credit under subsection 2 shall provide information to the assessor regarding the renewable chemicals being produced, including the weight of renewable chemicals produced during the tax year, the type of renewable biomass used and any other information required by the assessor to determine compliance with this section. The assessor shall adopt rules requiring 3rd-party testing of the renewable chemicals to ensure the accuracy of the reported information. Rules adopted pursuant to this subsection are routine technical rules as provided in Title 5, chapter 375, subchapter 2-A.

This section applies to tax years beginning on or after January 1, 2021.

Sec. A-14. 36 MRSA §5242, as amended by PL 2017, c. 211, Pt. D, §12, is further amended by adding at the end a new paragraph to read:

A person who is required by the assessor to furnish a return of information in accordance with this section on or after January 31, 2022 and who fails to do so, or who willfully furnishes a false or fraudulent return of information, is subject to a penalty of \$50 for each such failure.

Sec. A-15. PL 2019, c. 628, §4 is amended to read:

Sec. 4. Report. By February 1, 2024, the Department of Economic and Community Development shall submit a report relating to the usage of the renewable chemicals tax credit under the Maine Revised Statutes, Title 36, section 5219-XX and the biofuel commercial production and commercial use tax credit under Title 36, section 5219-X to the joint standing committees of the Legislature having jurisdiction over taxation and innovation, development, economic advancement and business matters. Notwithstanding Title 36, section 191, the State Tax Assessor may disclose to an authorized representative of the Department of Economic and Community Development information required to prepare this report. The report must include:

- 1. For each tax credit awarded:
 - A. The dollar amount of the tax credit;
 - B. The number of direct manufacturing jobs created ~~and the number of related indirect jobs created;~~ and
 - C. The dollar amount of capital investment in manufacturing; and
- 2. The amount in pounds of renewable chemical and gallons of biofuel produced for which ~~the~~ a credit was claimed.

PART B

Sec. B-1. 36 MRSA §1752, sub-§5 is amended to read:

5. In this State or in the State. "In this State" or "in the State" means within the exterior limits of the State of Maine and includes all territory within these limits owned by or ceded to the United States of America and includes sales of tangible personal property and taxable services sourced in this State pursuant to section 1819.

Sec. B-2. 36 MRSA §1752, sub-§11, ¶B, as amended by PL 2019, c. 607, Pt. B, §1, is further amended by amending subparagraph (3) to read:

(3) The sale, to a person engaged in the business of renting automobiles, of automobiles, integral parts of automobiles or accessories to automobiles, for rental or for use in an automobile rented for a period of less than one year. ~~For the purposes of this subparagraph, "automobile" includes a pickup truck or van with a gross vehicle weight of less than 26,000 pounds;~~

Sec. B-3. 36 MRSA §1752, sub-§11, ¶B, as amended by PL 2019, c. 607, Pt. B, §1, is further amended by enacting a new subparagraph (3-A) to read:

(3-A) The sale, to a person primarily engaged in the business of renting automobiles, of

pickup trucks or vans with a gross vehicle weight of less than 26,000 pounds, integral parts of such vehicles or accessories for such vehicles, for rental or for use in such a vehicle rented for a period of less than one year;

Sec. B-4. 36 MRSA §1754-B, sub-§1-A, as amended by PL 2019, c. 401, Pt. B, §10 and c. 441, §3, is repealed.

Sec. B-5. 36 MRSA §1754-B, sub-§1-B, as enacted by PL 2019, c. 401, Pt. B, §11 and by PL 2019, c. 441, §4, is repealed and the following enacted in its place:

1-B. Persons required to register. Except as otherwise provided in this section and section 1951-C, the following persons, other than casual sellers, shall register with the assessor and collect and remit taxes in accordance with the provisions of this Part:

A. Every person that has a substantial physical presence in this State and that makes sales of tangible personal property or taxable services in this State, including, but not limited to:

(1) Every person that makes sales of tangible personal property or taxable services, whether or not at retail, that maintains in this State any office, manufacturing facility, distribution facility, warehouse or storage facility, sales or sample room or other place of business;

(2) Every person that makes sales of tangible personal property or taxable services that does not maintain a place of business in this State but makes retail sales in this State or solicits orders, by means of one or more salespeople within this State, for retail sales within this State; and

(3) Every lessor engaged in the leasing of tangible personal property located in this State that does not maintain a place of business in this State but makes retail sales to purchasers from this State;

B. Every person that makes sales of tangible personal property or taxable services in this State if the person's gross sales from delivery of tangible personal property or taxable services into this State in the previous calendar year or current calendar year exceeds \$100,000;

C. Every person that has a substantial physical presence in this State and that makes retail sales in this State of tangible personal property or taxable services on behalf of a principal that is outside of this State if the principal is not the holder of a valid registration certificate;

D. Every agent, representative, salesperson, solicitor or distributor that has a substantial physical

presence in this State and that receives compensation by reason of sales of tangible personal property or taxable services made outside this State by a principal for use or other consumption in this State;

E. Every person that manages or operates in the regular course of business or on a casual basis a hotel, rooming house or tourist or trailer camp in this State or that collects or receives rents on behalf of a hotel, rooming house or tourist or trailer camp in this State;

F. Every person that operates a transient rental platform and reserves, arranges for, offers, furnishes or collects or receives consideration for the rental of living quarters in this State;

G. Every room remarketer;

H. Every person that makes retail sales in this State of tangible personal property or taxable services on behalf of the owner of that property or the provider of those services;

I. Every person not otherwise required to be registered that sells tangible personal property to the State and is required to register as a condition of doing business with the State pursuant to Title 5, section 1825-B;

J. Every person that holds a wine direct shipper license under Title 28-A, section 1403-A; and

K. A marketplace facilitator if the marketplace facilitator's gross sales of tangible personal property or taxable services in this State in the previous calendar year or current calendar year exceeds \$100,000.

For the purposes of this paragraph, the marketplace facilitator's gross sales include sales facilitated on behalf of marketplace sellers and any sales of tangible personal property or taxable services made directly by the marketplace facilitator.

Sec. B-6. 36 MRSA §1819, sub-§2, as enacted by PL 2019, c. 401, Pt. B, §18, is amended to read:

2. Sourcing for sales of tangible personal property and taxable services. The retail sale of tangible personal property or a taxable service is sourced in this State pursuant to this subsection.

A. When the tangible personal property or taxable service is received by the purchaser at a business location of the seller, the sale is sourced to that business location.

B. When the tangible personal property or taxable service is not received by the purchaser at a business location of the seller, the sale is sourced to the location where receipt by the purchaser or the purchaser's donee occurs, including the location indicated by instructions for delivery to the purchaser or donee known to the seller.

C. For a sale when paragraphs A and B do not apply, the sale is sourced to the location indicated by an address for the purchaser that is available from the business records of the seller that are maintained in the ordinary course of the seller's business when use of this address does not constitute bad faith.

D. For a sale when paragraphs A to C do not apply, the sale is sourced to the location indicated by an address for the purchaser obtained during the consummation of the sale, including the address of a purchaser's payment instrument, if no other address is available, when use of this address does not constitute bad faith.

E. When paragraphs A to D do not apply, including the circumstance in which the seller is without sufficient information to apply paragraphs A to D, the location is determined by the address from which tangible personal property was shipped, from which the tangible personal property or taxable service transferred electronically was first available for transmission by the seller or from which the service was provided, disregarding for these purposes any location that merely provided the digital transfer of the tangible personal property or taxable service sold.

Sec. B-7. Application. This Part applies to sales occurring on or after January 1, 2022.

PART C

Sec. C-1. 36 MRSA §383, sub-§2, as enacted by PL 1999, c. 487, §1, is amended to read:

2. Assessment ratio. The State Tax Assessor may establish procedures and adopt rules, in accordance with the Maine Administrative Procedure Act, designed to ensure that the ratio ~~certified~~ declared by the municipal assessors or the assessors of primary assessing areas is accurate within ~~20%~~ 10% of the state valuation ratio last determined, unless adequate evidence is presented to the State Tax Assessor by the municipalities to justify a different assessment ratio.

Sec. C-2. 36 MRSA §655, sub-§1, ¶U, as enacted by PL 2019, c. 440, §3, is amended by repealing the 2nd blocked paragraph.

Sec. C-3. 36 MRSA §656, sub-§1, ¶K, as enacted by PL 2019, c. 440, §4, is amended by repealing the 2nd blocked paragraph.

Sec. C-4. 36 MRSA §661, sub-§6 is enacted to read:

6. Audits; determinations of bureau. The bureau may audit the records of a municipality to ensure compliance with this subchapter. The bureau may independently review the records of a municipality to determine if exemptions subject to reimbursement under this

section have been properly approved. If the bureau determines that an exemption was improperly approved, the bureau shall ensure, either by setoff against other payments due the municipality or otherwise, that the municipality is not reimbursed for the exemption. A municipality that is aggrieved by a determination of the bureau under this section may appeal pursuant to section 151.

Sec. C-5. 36 MRSA §689, as enacted by PL 1997, c. 643, Pt. HHH, §3 and affected by §10, is amended to read:

§689. Audits; determinations of bureau

The bureau ~~has the authority to~~ may audit the records of a municipality to ensure compliance with this subchapter. The bureau may independently review the records of a municipality to determine if homestead exemptions have been properly approved. If the bureau determines that a homestead exemption was improperly approved, the bureau shall ensure, either by setoff against other payments due the municipality or otherwise, that the municipality is not reimbursed for the exemption. A municipality that is aggrieved by a determination of the bureau under this ~~subchapter~~ section may appeal pursuant to section 151.

Sec. C-6. 36 MRSA §697, as amended by PL 2017, c. 211, Pt. A, §11, is further amended to read:

§697. Audits; determination of bureau

The bureau may audit the records of a municipality to ensure compliance with this subchapter. The bureau may independently review the records of a municipality to determine if exemptions have been properly approved. If the bureau determines that an exemption was ~~improperly approved for any of the 3 years immediately preceding the determination~~, the bureau shall ensure, by setoff against other payments due the municipality ~~under this subchapter or subchapter 4-B~~ or otherwise, that the municipality is not reimbursed for the exemption. A municipality that is aggrieved by a determination of the bureau under this ~~subchapter~~ section may appeal pursuant to section 151.

PART D

Sec. D-1. 36 MRSA §1760, sub-§45, ¶A-4, as corrected by RR 2011, c. 2, §40, is amended to read:

A-4. If the property is brought into this State solely to conduct activities directly related to a declared state disaster or emergency, at the request of the State, a county, city, town or political subdivision of the State or a registered business, the property is owned by a person not otherwise required to register as a seller under section 1754-B and the property is present in this State only during a disaster period. As used in this paragraph, "declared state disaster or emergency" ~~has and~~ "disaster period" have the same meaning as in Title 10, section 9902, subsection ~~subsections~~ subsections 1 and ~~"disaster period"~~

~~means the period of 60 days that begins with the date of the Governor's proclamation of a state of emergency or the declaration by the President of the United States of a major disaster or major emergency, whichever occurs first 2, respectively; or~~

Sec. D-2. 36 MRSA §5102, sub-§6-C, as enacted by PL 2011, c. 622, §4 and affected by §7, is amended to read:

6-C. Disaster period. ~~"Disaster period" means the period of 60 days that begins with the date of the Governor's proclamation of a state of emergency or the declaration by the President of the United States of a major disaster or major emergency, whichever occurs first has the same meaning as in Title 10, section 9902, subsection 2.~~

Sec. D-3. Machinery or equipment used in production. The definition of "primarily" in the Maine Revised Statutes, Title 36, section 1752, subsection 9-A, is modified by replacing "time" with "days in use" if the 2-year period described in that definition includes any portion of the state of emergency declared by the Governor due to the pandemic related to coronavirus disease 2019, also known as COVID-19.

Sec. D-4. Credit for income tax paid to other taxing jurisdictions. For tax years beginning in 2021, when determining whether compensation for personal services performed as an employee working remotely from a location in this State is derived from sources in another jurisdiction for purposes of the credit for income tax paid to other taxing jurisdictions, allowed pursuant to the Maine Revised Statutes, Title 36, section 5217-A, notwithstanding section 5142, the compensation is sourced to that jurisdiction if:

1. The employee was engaged in performing services from a location outside of this State immediately prior to a state of emergency declared by the Governor due to the pandemic related to coronavirus disease 2019, referred to in this section as COVID-19, or declared by the jurisdiction where the employee was engaged in performing those services;
2. The employee commenced working remotely from this State, as to those services or proportion of services referred to in subsection 1, due to the COVID-19 pandemic and during either this State's or the other jurisdiction's state of emergency related to the COVID-19 pandemic;
3. The services were performed prior to January 1, 2022 and during either this State's or the other jurisdiction's state of emergency;
4. The compensation is sourced by that jurisdiction as derived from or connected with sources in that jurisdiction under the law of that jurisdiction; and
5. The employee does not qualify for an income tax credit in that jurisdiction for Maine income taxes paid as a result of the compensation.

The State Tax Assessor may adopt routine technical rules as defined in Title 5, chapter 375, subchapter 2-A as necessary to implement this section.

PART E

Sec. E-1. 36 MRSA §5102, sub-§10, as amended by PL 2011, c. 655, Pt. QQ, §4 and affected by §8, is further amended to read:

10. Taxable corporation. "Taxable corporation" means, for any taxable year, a corporation that has nexus with this State pursuant to section 5200-B, including any corporation with income subject to federal tax under the Code, Section 1374 or 1375, and that has, at any time during that taxable year, realized Maine net income and includes any S-corporation with realized Maine net income that is subject to federal tax under the Code, Section 1374 and 1375.

Sec. E-2. 36 MRSA §5200-B is enacted to read:
§5200-B. Corporate income tax nexus

1. Nexus established. A corporation has nexus with this State, for the purposes of the tax imposed under section 5200, if that corporation:

A. Is organized or commercially domiciled in this State; or

B. Is organized or commercially domiciled outside this State, if the corporation's property, payroll or sales, as calculated pursuant to subsection 2, in this State exceed any of the following thresholds for the taxable year:

- (1) For property, \$250,000;
- (2) For payroll, \$250,000;
- (3) For sales, \$500,000; or
- (4) Twenty-five percent of the corporation's property, payroll or sales.

2. Property, payroll and sales defined; calculation. For purposes of this section, property, payroll and sales are calculated as provided under chapter 821 and associated rules adopted by the assessor, except that the sales calculation does not exclude sales of tangible personal property under section 5211, subsection 14, paragraph B. For a taxpayer permitted or required to use a special apportionment method under section 5211, subsection 17, the property, payroll and sales used to determine nexus under this section must be consistent with the property, payroll and sales used for the special apportionment method.

3. Corporate partners. A corporation that holds an interest directly or indirectly in a partnership has nexus with this State if the partnership is organized or commercially domiciled in this State or if the partnership's property, payroll or sales, as calculated pursuant to subsection 2, in this State exceed any of the thresholds in subsection 1, paragraph B.

4. Federal protection. A state that is without jurisdiction to impose a tax on the net income of a taxpayer because that taxpayer comes under the protection of 15 United States Code, Sections 381 to 384, does not gain jurisdiction to impose such a tax because the taxpayer's property, payroll or sales in the State exceed a threshold established in subsection 1.

Sec. E-3. 36 MRSA §5211, sub-§14, as amended by PL 2009, c. 571, Pt. GG, §1 and affected by §2, is further amended to read:

14. Sales factor formula. The sales factor is a fraction, the numerator of which is the total sales of the taxpayer in this State during the tax period, and the denominator of which is the total sales of the taxpayer everywhere during the tax period. ~~For purposes of calculating the sales factor, "total sales of the taxpayer" includes sales of the taxpayer and of any member of an affiliated group with which the taxpayer conducts a unitary business. The formula must exclude from both the numerator and the denominator sales of tangible personal property delivered or shipped by the taxpayer, regardless of F.O.B. point or other conditions of the sale, to a purchaser within a state in which the taxpayer is not taxable within the meaning of subsection 2, unless any member of an affiliated group with which the taxpayer conducts a unitary business is taxable in that state in the same manner as a taxpayer is taxable under subsection 2.~~

A. For purposes of calculating the sales factor, "total sales of the taxpayer" includes sales of the taxpayer and of any member of an affiliated group with which the taxpayer conducts a unitary business.

B. The sales factor formula must exclude from both the numerator and the denominator sales of tangible personal property delivered or shipped by the taxpayer, regardless of F.O.B. point or other conditions of the sale, to a purchaser within a state in which the taxpayer is not taxable within the meaning of subsection 2, unless any member of an affiliated group with which the taxpayer conducts a unitary business is taxable in that state in the same manner as a taxpayer is taxable under subsection 2.

Sec. E-4. Application. This Part applies to tax years beginning on or after January 1, 2022.

See title page for effective date.

**CHAPTER 182
H.P. 896 - L.D. 1221**

**An Act To Implement the
Recommendations of the Right
To Know Advisory Committee
Concerning Public Records
Exceptions**

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

Sec. 1. 10 MRSA §1107, first ¶, as amended by PL 1991, c. 137, §4, is further amended to read:

The Attorney General upon the Attorney General's own initiative or upon petition of 50 or more citizens of this State, shall investigate all seeming violations of sections 1102-A and 1105 to 1107, all contracts, combinations or conspiracies in restraint of trade or commerce, and all monopolies, and may require, by summons, the attendance and testimony of witnesses and the production of books and papers before the Attorney General relating to any such matter under investigation. The summons must be served in the same manner as summons for witnesses in criminal cases, and all provisions of law relating thereto apply to summonses issued under this section so far as they are applicable. All investigations or hearings thereunder or connected therewith to which witnesses are summoned or called upon to testify or to produce books, records or correspondence are ~~public or private at the choice of the person summoned~~ confidential and must be held in the county where the act to be investigated is alleged to have been committed, or if the investigation is on petition it must be held in the county in which the petitioners reside. Books, records or correspondence produced in response to a summons issued under this section may be disclosed by the Attorney General with the consent of the producing party and in court pleadings or other papers filed in court. The expense of such investigation must be paid from the appropriation provided by Title 5, section 203.

Sec. 2. 12 MRSA §550-B, sub-§6, as amended by PL 2013, c. 405, Pt. C, §7, is further amended to read:

6. Information use. Information collected by the Division of Geology, Natural Areas and Coastal Resources, Maine Geological Survey under this section is subject to Title 1, chapter 13, subchapter 1, ~~unless the well drilling company to whom the information belongs or pertains requests that it be designated as confidential and the bureau has determined it contains proprietary information. For the purposes of this subsection, "proprietary information" means information that is a trade secret or production, commercial or financial information the disclosure of which would impair the competitive position of the person submitting the infor-~~

~~mation and would make available information not otherwise publicly available.~~ The Division of Geology, Natural Areas and Coastal Resources, Maine Geological Survey shall make information collected under this chapter available to any federal, state or municipal entity or authorized agent of such entity.

See title page for effective date.

**CHAPTER 183
H.P. 948 - L.D. 1287**

**An Act To Allow Unlicensed
Persons To Sell Caskets To
Bury Human Remains**

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

Sec. 1. 32 MRSA §1400, sub-§5, as amended by PL 2001, c. 169, §2, is further amended to read:

5. Practice of funeral service. "Practice of funeral service" means the engagement of a person in the care or disposition of the human remains or in the practice of disinfecting and preparing by embalming or otherwise the human remains for the funeral service, transportation of human remains to the place of burial or cremation, or the practice of helping to meet the emotions and disposition of the bereaved or the practice of funeral directing or embalming as presently known, whether under these titles or designations or otherwise. "Practice of funeral service" also means making arrangements for funeral services ~~or selling funeral supplies to the public~~ or making financial arrangements for the rendering of such services ~~or the sale of such supplies.~~ "Practice of funeral service" does not mean the ownership or operation of a cemetery, crematorium, mausoleum or columbarium or any other facility used for burial of human remains. "Practice of funeral service" does not include the transportation of human remains by an authorized person. "Practice of funeral service" does not include the manufacturing or selling of caskets or alternative containers.

A license for the practice of funeral service as used in this chapter is the license given to a person who is engaged in the practice of funeral service as above defined.

See title page for effective date.

CHAPTER 184
H.P. 1010 - L.D. 1376

**An Act To Clarify and
Enhance Maine's Fish and
Wildlife Laws**

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

Sec. 1. 12 MRSA §10151, sub-§5, as amended by PL 2019, c. 639, §1, is further amended to read:

5. Meetings. All regular and special meetings of the advisory council must be public meetings and must be held in a public meeting place convenient for the public, except as permitted under paragraph A. Public comment must be accepted at regular and special meetings of the advisory council. Comments may be restricted to subjects before the advisory council at the meeting and consistent with any applicable requirements and limitations of the Maine Administrative Procedure Act. Public notice of all regular and special advisory council meetings must be published in a daily newspaper of general circulation in the geographic area where the meeting is scheduled at least 7 days and not more than 21 days prior to the meeting except in circumstances when emergency rulemaking is necessary. That notice must include an agenda or statement of purpose of the meeting. That notice may be combined with any other notice of the meeting required by law.

A. Notwithstanding any provision of law to the contrary, the advisory council may conduct a public meeting using telephonic, video, electronic or other means of remote participation if:

(1) Notice of the public meeting has been given in accordance with this subsection and the notice includes the method by which the public may attend in accordance with subparagraph 3;

(2) Each member who is participating in the public meeting is able to hear and speak to all other members during the public meeting and members of the public attending the public meeting in the location identified in the notice are able to hear all members participating at other locations;

(3) The advisory council determines that the public may participate through telephonic, video, electronic or other similar means of remote participation; and

(4) All votes taken during the public meeting are taken by roll call vote.

Sec. 2. 12 MRSA §11109-A, sub-§3, ¶B, as amended by PL 2007, c. 492, §2, is further amended to read:

B. One deer in accordance with subsection ~~2~~ 2-A, paragraph ~~B~~ A; and

Sec. 3. 12 MRSA §11154, sub-§2, as amended by PL 2017, c. 427, §11 and affected by §19 and amended by c. 458, §1, is repealed and the following enacted in its place:

2. Issuance of moose hunting permits. In accordance with section 11552, the commissioner may issue moose hunting permits and may establish the number of moose hunting permits to be issued for each wildlife management district established by the commissioner by rule open to moose hunting. No more than 8% of the moose hunting permits may be issued to nonresidents. No more than 2% of the moose hunting permits may be issued to hunting outfitters in accordance with subsection 14.

Sec. 4. 12 MRSA §11154, sub-§9-A, as enacted by PL 2013, c. 226, §2, is repealed.

Sec. 5. 12 MRSA §11154, sub-§10, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is repealed.

Sec. 6. 12 MRSA §11217, sub-§2, ¶I is enacted to read:

I. A person who has lawfully killed and registered a wild turkey may sell the plumage, wing bones, beard and lower legs of that animal.

Sec. 7. 12 MRSA §11217, sub-§3-A is enacted to read:

3-A. Prohibition on selling live wildlife. A person may not sell any live wildlife unless authorized pursuant to section 12152 and the commissioner's rules related to the unrestricted species list or as otherwise provided in this Part.

Sec. 8. 12 MRSA §12501, sub-§5, as repealed and replaced by PL 2013, c. 538, §40, is repealed.

Sec. 9. 12 MRSA §12551-A, sub-§2, ¶E, as enacted by PL 2017, c. 164, §20, is amended to read:

E. When licensed under this section, receive, possess for resale, sell or offer to sell gift baitfish or gift smelts ~~without an appropriate and valid license issued under subsection 3.~~

Sec. 10. 12 MRSA §12708, sub-§1, ¶B, as amended by PL 2017, c. 325, §1 and c. 403, Pt. A, §1 and affected by §4, is further amended by amending subparagraph (57) to read:

(57) Plymouth Bog WMA - Plymouth, ~~De-~~ troit, Burnham - Penobscot County, Somerset County and Waldo County; ~~and~~

Sec. 11. 12 MRSA §12708, sub-§1, ¶B, as amended by PL 2017, c. 325, §1 and c. 403, Pt. A, §1 and affected by §4, is further amended by amending subparagraph (58) to read:

(58) Such other areas as the commissioner designates, by rules adopted in accordance with section 12701, as state-owned wildlife management areas; ~~and~~

Sec. 12. 12 MRSA §12708, sub-§1, ¶B, as amended by PL 2017, c. 325, §1 and c. 403, Pt. A, §1 and affected by §4, is further amended by enacting subparagraph (59) to read:

(59) Pleasant Bay WMA - Addison - Washington County.

Sec. 13. 12 MRSA §13106-A, sub-§15, ¶A, as enacted by PL 2003, c. 655, Pt. B, §394 and affected by §422, is amended by amending subparagraph (2) to read:

(2) On the rear at least one ~~lamp~~ taillight capable of displaying a red light visible at a distance of at least 100 feet behind the snowmobile.

Sec. 14. 12 MRSA §13106-A, sub-§19, ¶A, as enacted by PL 2003, c. 655, Pt. B, §394 and affected by §422, is amended by amending subparagraph (1) to read:

(1) On public ways in accordance with subsections 5, ~~6, 7~~ and 8 or on controlled access highways in accordance with subsection 3, paragraph A;

Sec. 15. 12 MRSA §13154-A, sub-§1, as enacted by PL 2003, c. 655, Pt. B, §404 and affected by §422 and enacted by c. 695, Pt. B, §12 and affected by Pt. C, §1, is amended to read:

1. Minimum age. Except as provided in subsection ~~5~~ 6, a person under 10 years of age may not operate an ATV.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

Sec. 16. 12 MRSA §13155, sub-§11, as enacted by PL 2007, c. 70, §1, is amended to read:

11. Member Members of United States Armed Forces armed forces permanently stationed in State. ~~A person is~~ The following persons are eligible to register an ATV owned by ~~that person~~ them at the resident fee ~~if that person is:~~

A. Serving ~~A person serving~~ in the Armed Forces of the United States ~~and who~~ is permanently stationed at a military or naval post, station or base in the State; ~~or~~ and

B. The spouse ~~or child~~ and children of a the person ~~under described in~~ paragraph A if the spouse ~~or child and children~~ permanently ~~resides~~ reside with that person.

A member of the ~~Armed Forces of the United States stationed in the State~~ armed forces described in paragraph A or the spouse or child of that member who desires to register an ATV ~~in this State~~ shall present certification from the commander of the ~~member's military or naval~~ post, station or base, or from the commander's designated agent, that the member is permanently stationed at that post, station or base. Registration fees for registrations pursuant to this subsection must be allocated as if the person registering the ATV was a resident of the municipality in which the post, station or base is situated.

Sec. 17. 12 MRSA §13157-A, sub-§13, as enacted by PL 2003, c. 655, Pt. B, §414 and affected by §422, is amended to read:

13. Operating ATV without protective headgear. ~~Notwithstanding Title 29-A, section 2083, a~~ A person under 18 years of age may not operate an ATV without protective headgear.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

Sec. 18. 12 MRSA §13157-A, sub-§14, as enacted by PL 2003, c. 655, Pt. B, §414 and affected by §422, is amended to read:

14. Carrying passenger on ATV without headgear. ~~Notwithstanding Title 29-A, section 2083, a~~ A person may not carry a passenger under 18 years of age on an ATV unless the passenger is wearing protective headgear.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

Sec. 19. 12 MRSA §13157-A, sub-§16, ¶A, as enacted by PL 2003, c. 655, Pt. B, §414 and affected by §422, is amended by amending subparagraph (2) to read:

(2) The ATV must have mounted on the rear at least one taillight capable of displaying a red light that must be visible at a distance of at least 100 feet behind the ATV.

Sec. 20. 12 MRSA §13157-A, sub-§19, ¶A, as enacted by PL 2003, c. 655, Pt. B, §414 and affected by §422, is amended by amending subparagraph (1) to read:

(1) Public ways in accordance with subsections ~~3~~, ~~6~~, ~~7~~, ~~8~~ and ~~9~~ or on controlled access highways in accordance with subsection 3, paragraph A;

See title page for effective date.

CHAPTER 185

H.P. 1141 - L.D. 1536

An Act Regarding Municipal Public Hearings on Citizen-initiated Municipal Referenda

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

Sec. 1. 30-A MRSA §2528, sub-§5, as amended by PL 2003, c. 569, §2, is further amended by amending the first blocked paragraph to read:

The municipal officers shall hold a public hearing on the subject of the article at least 10 days before the day for voting on the article. The public hearing must be held in a manner that solicits and allows for a discussion on the merits of the article. At least 7 days before the date set for the hearing, the municipal officers shall give notice of the public hearing by having a copy of the proposed article, together with the time and place of hearing, posted in the same manner required for posting a warrant for a town meeting under section 2523. The municipal officers shall make a return on the original notice stating the manner of notice and the time it was given.

See title page for effective date.

CHAPTER 186

H.P. 1219 - L.D. 1635

An Act To Make Minor Changes and Corrections to Statutes Administered by the Department of Environmental Protection

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

Sec. 1. 29-A MRSA §2054, sub-§1, ¶G, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

G. "Hazardous material response vehicle" means a vehicle equipped for and used in response to re-

ports of emergencies resulting from actual or potential releases, spills or leaks of, or other exposure to, hazardous substances that is authorized by a mutual aid agreement pursuant to Title 37-B, section 795, subsection 3 and approved by the local emergency planning committee or committees whose jurisdiction includes the area in which the vehicle operates. "Hazardous material response vehicle" includes vehicles used by employees of the division of response services within the Department of Environmental Protection to respond to oil and hazardous materials incidents within the State.

Sec. 2. 32 MRSA §10008, as amended by PL 2001, c. 231, §9, is further amended to read:

§10008. Reciprocity

A person who ~~is a resident of the State and~~ has been certified in another state as an underground oil storage tank installer or underground oil storage tank inspector may, upon payment of a fee as established under section 10012, obtain a certification as an underground oil storage tank installer or underground oil storage tank inspector, if that person submits satisfactory evidence of certification as an underground oil storage tank installer or underground oil storage tank inspector in another state under qualifications equivalent to those specified in this chapter.

Sec. 3. 38 MRSA §352, sub-§5-A, as amended by PL 2019, c. 374, §1 and c. 526, §2, is further amended by amending Table II to read:

TABLE II

WASTE MANAGEMENT FEES - ANNUAL LICENSE

MAXIMUM FEES IN DOLLARS

TITLE 38 SECTION	PROCESSING FEE	ANNUAL LICENSE FEE
1278, Asbestos abatement		
A. Asbestos abatement contractor	\$0	\$650
B. Asbestos abatement worker	0	50
C. Asbestos consultant	0	650
D. Asbestos analytical laboratory	0	400
E. Training provider	0	500
F. Other categories of asbestos professionals except asbestos abatement workers	0	100
G. Notification		

1. Project size greater than 100 square feet or 100 linear feet and less than 500 square feet or 2,500 linear feet	100	0	1. New or expanded for the acceptance of municipal or special wastes, or both	3,500	5,000
2. Project size 500 square feet or 2,500 linear feet, or greater, and less than 1,000 square feet or 5,000 linear feet	150	0	2. Municipally owned and operated solid waste incinerators with licensed capacity of 10 tons per day or less	3,500	1,000
3. Project size 1,000 square feet or 5,000 linear feet, or greater	300	0	C. Transfer station and storage facility	750	175
1304, Waste management			D. Tire storage facility	400	450
A. Septage disposal			F. Processing facility other than municipal solid waste composting	700	700
1. Landspreading	\$550	\$250	G. Beneficial use activities other than agronomic utilization		
2. Storage	50	75	3. Fuel substitution	700	500
B. Residuals compost facility			4. Beneficial use without risk assessment	700	200
1. Type I	150	150	5. Beneficial use with risk assessment	1,400	500
3. Type II and Type III less than 3,500 cubic yards	700	500	H. Permit by rule for ongoing activities	100	100
5. Type II and Type III 3,500 cubic yards or greater	1,400	850	3109, Redemption centers	0	400
C. Land application of sludges and residuals					
1. Sites with program approval					
a. Industrial sludge	150	250			
b. Municipal sludge	75	200			
c. Bioash	75	200			
d. Wood ash	50	125			
e. Food waste	50	125			
f. Other residuals	50	125			
2. Sites without program approval					
a. Industrial sludge	300	550			
b. Municipal sludge	150	250			
c. Bioash	150	250			
d. Wood ash	75	200			
e. Food waste	75	200			
f. Other	75	200			
1310-N, Solid waste facility siting					
A. Landfill					
1. Existing, nonsecure municipal solid waste landfills accepting waste from fewer than 15,000 people	3,500	1,000			
2. Existing, nonsecure municipal solid waste landfills accepting waste from more than 15,000 people	3,500	3,500			
3. New or expanded for secure landfill	5,000	8,500			
5. Nonsecure wood waste or demolition debris landfills, or both, if less than or equal to 6 acres	700	750			
B. Incineration facilities					

Sec. 4. 38 MRSA §353, sub-§4-A, as enacted by PL 1993, c. 332, §1, is repealed.

Sec. 5. 38 MRSA §480-E, sub-§14 is enacted to read:

14. Minor expansion of structures in a coastal sand dune system. The department may authorize a one-time expansion of an existing residential or commercial structure in a coastal sand dune system through permit by rule if:

A. The footprint of the expansion is contained within an impervious area that existed on January 1, 2021;

B. The footprint of the expansion is no further seaward than the existing structure;

C. The height of the expansion is within the height restriction of any applicable law or ordinance; and

D. The expansion conforms to the standards for expansion of a structure contained in the municipal shoreland zoning ordinance adopted pursuant to article 2-B.

For the purposes of this subsection, "structure" does not include a seawall, retaining wall, closed fence or other structure used to stabilize the shoreline or to prevent the movement of sand or water. For the purposes of this subsection, expansion of an existing structure does not include a change from one type of structure to another.

Sec. 6. 38 MRSA §480-Q, sub-§31, as amended by PL 2011, c. 538, §9, is repealed.

Sec. 7. 38 MRSA §1303-C, sub-§38, as enacted by PL 1989, c. 585, Pt. E, §4, is amended to read:

38. Transport. "Transport" means the movement of hazardous or solid waste, waste oil, sludge or septage from the point of generation to any intermediate points and finally to the point of ultimate disposition. Movement of hazardous waste on the site where it is generated or on the site of a licensed waste facility for hazardous waste is not "transport." Movement of waste oil on the site where it is generated or on the site of a licensed waste oil dealer's facility is not "transport."

Sec. 8. 38 MRSA §1303-C, sub-§43, as enacted by PL 1989, c. 585, Pt. E, §4, is repealed.

Sec. 9. 38 MRSA §1319-H, sub-§1, ¶A, as amended by PL 1989, c. 878, Pt. H, §9, is further amended to read:

A. Any person who applies for a license for a hazardous waste or waste oil facility shall pay the appropriate fee. An application for a license will not be considered complete and will not be processed until this fee is received. Application fees are as follows.

- (1) Disposal facility.....\$10,000
- (2) Commercial treatment facility.....7,000
- (3) On-site treatment facility.....4,000
- (4) Other waste facility for hazardous waste, including storage facilities2,500
- (5) Waste oil storage facility.....2,500
- (6) Treatment facility under license by rule provisions where the hazardous waste treated is 1,000 kilograms or less per calendar month.....75
- (7) All other facilities for hazardous waste under license by rule provisions.....400
- (8) Facility post-closure license.....2,000

Sec. 10. 38 MRSA §1319-H, sub-§2, as amended by PL 1989, c. 878, Pt. H, §10, is further amended to read:

2. Annual fees. Licensed hazardous waste and waste oil facilities are subject to the following annual fees.

- A. Disposal facility \$1,500
- B. Commercial treatment facility and on-site treatment facility1,000
- C. Other waste facilities for hazardous waste, including storage facilities500
- D. Waste oil storage facility500
- E. Treatment facility under license by rule provisions where the hazardous waste treated is 1,000 kilograms or less per calendar month.....100

F. All other facilities for hazardous waste under license by rule provisions.....200

G. Facility post-closure license.....500

Sec. 11. 38 MRSA §1319-I, sub-§3, as amended by PL 2005, c. 549, §4, is further amended to read:

3. Fee for transportation into Maine from out of state. If hazardous waste or waste oil is transported into Maine from out of state, the person who first transports the hazardous waste or waste oil into Maine shall pay the fee indicated by the schedules outlined in subsection 2 for hazardous waste or subsection 4-A for waste oil, as if that person were the waste oil dealer.

Sec. 12. 38 MRSA §1319-I, sub-§4-A, as amended by PL 2005, c. 549, §5, is further amended to read:

4-A. Fee on waste oil sale or disposal. A fee of 2¢ a gallon on each gallon of waste oil transported, collected or stored must be paid by the waste oil dealer handler or transporter that first transports, collects or stores that waste oil. ~~Waste A waste oil dealers handler and transporter shall maintain records sufficient to determine whether the dealer handler or transporter is liable for any and all fees imposed pursuant to this subsection and shall submit such records to the commissioner as required by rule of the board.~~

Sec. 13. 38 MRSA §1319-J, first ¶, as enacted by PL 1981, c. 478, §7, is amended to read:

Any person who permits, causes or is responsible for a discharge or threatened discharge of hazardous waste or waste oil shall reimburse the State for all costs incurred, including personnel costs, in the removal of the discharge or threatened discharge. Funds recovered under this section ~~shall~~ must be deposited to the account from which they were expended. Requests for reimbursement, if not made within 30 days of demand, ~~shall~~ must be turned over to the Attorney General for collection.

Sec. 14. 38 MRSA §1319-O, sub-§2, ¶A, as amended by PL 2019, c. 315, §12, is further amended to read:

A. The department may adopt rules relating to the transportation, collection and treatment, storage and disposal of waste oil to protect public health, safety and welfare and the environment. The rules may include, without limitation, rules requiring licenses for waste oil ~~dealers and transporters and waste oil facilities including waste oil management facilities,~~ the location of waste oil treatment, storage and disposal sites ~~that are operated by waste oil dealers,~~ evidence of financial capability and manifest systems for waste oil. ~~A person licensed by the department to transport or handle hazardous waste is not required to obtain a waste oil dealer's license, but the hazardous waste license must include any~~

~~terms or conditions determined necessary by the department relating to the transportation or handling of waste oil.~~

Sec. 15. 38 MRSA §1319-X, as enacted by PL 1993, c. 383, §38, is amended by amending the section headnote to read:

§1319-X. Criteria for development of waste oil storage facilities and biomedical waste facilities

Sec. 16. 38 MRSA §1319-X, first ¶, as enacted by PL 1993, c. 383, §38, is amended to read:

The following criteria for facility development apply to an application for a waste oil storage facility or a new or substantially modified biomedical waste treatment or disposal facility in addition to other criteria established by law or rule for those facilities.

Sec. 17. 38 MRSA §1319-X, last ¶, as enacted by PL 1993, c. 383, §38, is amended to read:

The department may not issue a license for a waste oil storage facility if the proposed facility overlies a significant ground water aquifer or a primary sand and gravel recharge area.

Sec. 18. 38 MRSA §1611, sub-§3, ¶A, as amended by PL 2019, c. 617, Pt. J, §1, is further amended to read:

A. Beginning January 15, 2021 a retail establishment may ~~use~~ provide a recycled paper bag or a reusable bag made of plastic to bag products at the point of sale as long as the retail establishment charges a fee of at least 5¢ per bag.

(1) All amounts collected pursuant to this paragraph are retained by the retail establishment and may be used for any lawful purpose.

(2) A retail establishment may not rebate or otherwise reimburse a customer any portion of the fee charged pursuant to this paragraph.

Sec. 19. 38 MRSA §3113, sub-§1-A is enacted to read:

1-A. Licensing fees. An applicant under this section shall include the following fees with a license application and an annual license renewal application.

A. An applicant for approval of a redemption center shall submit a \$100 license fee with an initial application and subsequent annual applications.

B. An applicant for approval as an initiator of deposit:

(1) Of a small brewery as defined in Title 28-A, section 2, subsection 29 or a small winery as defined in Title 28-A, section 2, subsection 29-B that produces no more than 50,000 gallons of its product or a bottler of water that annually sells no more than 250,000 containers, each containing no more than one gallon

of its product, shall submit an annual license fee of \$50;

(2) Of a small beverage producer whose total production of all beverages from all combined manufacturing locations is less than 50,000 gallons annually shall submit an annual license fee of \$50; and

(3) Other than under subparagraphs (1) or (2) shall submit an annual license fee of \$500.

C. An applicant for approval as a contracted agent for the collection of beverage containers shall submit a \$500 annual license fee with each application.

See title page for effective date.

CHAPTER 187

S.P. 536 - L.D. 1649

An Act To Make the Shared Living Program Accessible for Persons with Intellectual Disabilities or Autism

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

Sec. 1. 34-B MRSA §5437, first ¶, as amended by PL 2011, c. 542, Pt. A, §101, is further amended to read:

The department shall establish a contingency fund for use by ~~community-based intermediate care facilities for persons with intellectual disabilities or autism and department clients residing in licensed boarding and foster homes or intermediate care facilities or participating in appropriate day treatment programs who qualify for services under this chapter.~~ appropriate day treatment programs who qualify for services under this chapter. This fund must be used in accordance with the following provisions.

See title page for effective date.

CHAPTER 188

S.P. 426 - L.D. 1320

An Act To Allow Maine Shareholders of Banks and Members and Corporators of Credit Unions To Hold Virtual Meetings

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

Whereas, under current law, banks and credit unions chartered in this State are prohibited from holding

annual and special meetings remotely and from authorizing participation in a meeting by means of remote communication; and

Whereas, complying with this requirement during the COVID-19 pandemic has been difficult; and

Whereas, this legislation makes clear that all banks and credit unions chartered in this State may hold meetings remotely and authorize shareholders, members or corporators of those banks and credit unions to participate in annual and special meetings by means of remote communication; and

Whereas, it is important this legislation take effect as soon as possible so that banks and credit unions may hold meetings remotely and authorize shareholders, members or corporators of those banks and credit unions to participate in annual and special meetings by means of remote communication as the COVID-19 pandemic continues; 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:

Sec. 1. 9-B MRSA §325, sub-§3, ¶E, as enacted by PL 1975, c. 500, §1, is amended to read:

E. Meetings of the corporators or members ~~shall~~ must be held at the institution's principal office, ~~or~~ at such other place in the area of this State served by the institution as the notice ~~shall designate~~ designates or by means of remote communication under paragraph F.

Sec. 2. 9-B MRSA §325, sub-§3, ¶F is enacted to read:

F. The board of directors may authorize, subject to guidelines and procedures as the board may adopt, a meeting of corporators or members to be conducted by means of remote communication with no fixed place or may authorize a corporator or member who is not physically present at a meeting of corporators or members to join the meeting by means of remote communication. A corporator or member or holder of a proxy of a corporator or member in a meeting of corporators or members held remotely or who joins a meeting of corporators or members by means of remote communication may:

- (1) Participate in the meeting;
- (2) Be deemed present in person at the meeting; and
- (3) Vote at the meeting if the institution has implemented reasonable measures:

(a) To verify that a person who has joined by means of remote communication a meeting of corporators or members is a corporator, member or holder of a proxy of a corporator or member;

(b) To provide a corporator, member or holder of a proxy of a corporator or member who has joined by means of remote communication a meeting of corporators or members a reasonable opportunity to participate in the meeting and to vote on matters submitted to the corporators and members, including an opportunity to communicate with, read and hear the proceedings, substantially concurrently with the proceedings; and

(c) To maintain a record of the presence of and a vote or any other action taken by a corporator, member or holder of a proxy of a corporator or a member who has joined by means of remote communication a meeting of corporators and members.

Sec. 3. 9-B MRSA §846, sub-§1, as amended by PL 2003, c. 322, §35, is further amended to read:

1. Time and notice. The annual meeting of the members of a credit union must be held at such time and place as the board of directors may determine, but not later than 180 days after the close of the fiscal year. Special meetings may be called at any time by a majority of the directors, and must be called by the clerk upon written request of 25 members or 5% of the total members entitled to vote as of the date of request, whichever number is greater. Notwithstanding this section, the maximum number of members required to call a special meeting may not exceed 500. Notice of all meetings of the members must be given in the manner prescribed in the bylaws. A credit union may adopt bylaws that allow annual and special meetings to be conducted by means of remote communication or authorize members to participate in a meeting by means of remote communication as described in section 325, subsection 3, paragraph F or Title 13-C, section 709.

Sec. 4. 9-B MRSA §872, sub-§2, as enacted by PL 1975, c. 500, §1, is amended to read:

2. Plan and adoption. The merger ~~shall~~ must be pursuant to a plan agreed upon by a majority of the board of directors of each credit union joining in the merger; and approved by the affirmative vote of a majority of the members voting ~~in person at meetings~~, or by proxy at meetings of each credit union called for that purpose or by written consent of the majority of the members of each credit union. If permitted in the credit union's bylaws, members may vote for the merger by

means of remote communication, or by mail ballot received by the credit union no later than the date and time announced for the meeting.

Sec. 5. 13-C MRSA §701, sub-§2, as enacted by PL 2001, c. 640, Pt. A, §2 and affected by Pt. B, §7, is amended to read:

2. Place. Annual shareholders' meetings may be held in or out of the State at the place stated in or fixed in accordance with a corporation's bylaws. If no place is stated in or fixed in accordance with the bylaws, annual meetings must be held at the corporation's principal office or, if authorized by the board of directors, by means of remote communication pursuant to section 709.

Sec. 6. 13-C MRSA §709, as enacted by PL 2011, c. 274, §26, is amended to read:

§709. Remote participation in annual and special meetings

1. Participation by means of remote communication. ~~Shareholders~~ A meeting of shareholders may be held by means of remote communication and shareholders of any class or series may participate in any meeting of shareholders by means of remote communication to the extent the board of directors authorizes participation for the class or series. Participation by means of remote communication is subject to guidelines and procedures adopted by the board of directors and must be in conformity with subsection 2.

2. Shareholder presence and voting. Shareholders participating in a shareholders' meeting by means of remote communication are deemed present and may vote at the meeting if the corporation has implemented reasonable measures:

A. To verify that each person participating remotely is a shareholder or holder of a proxy of a shareholder; ~~and~~

B. To provide the shareholders or holders of a proxy of a shareholder a reasonable opportunity to participate in the meeting and to vote on matters submitted to the shareholders or holders of a proxy of a shareholder, including an opportunity to communicate and to read or hear the proceedings of the meeting, substantially concurrently with the proceedings; ~~and~~

C. To maintain a record of the presence of and a vote or any other action taken by a shareholder or holder of a proxy of a shareholder who has joined by means of remote communication a meeting of shareholders.

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

Effective June 14, 2021.

**CHAPTER 189
H.P. 27 - L.D. 61**

**An Act To Include
Grandparents under Maine's
Family Medical Leave Laws**

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

Sec. 1. 26 MRSA §843, sub-§4, ¶D, as repealed and replaced by PL 2007, c. 519, §1, is amended to read:

D. A child, domestic partner's child, grandchild, domestic partner's grandchild, parent, domestic partner, sibling or spouse with a serious health condition;

See title page for effective date.

**CHAPTER 190
H.P. 34 - L.D. 68**

**An Act To Support Life and
Career Readiness Education in
Maine**

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

Sec. 1. 20-A MRSA §4711, as amended by PL 2019, c. 106, §1, is further amended to read:

§4711. Elementary course of study

The basic course of study for the elementary schools must provide for the instruction of all students in life and career and education development readiness, English language arts, world languages, health education and physical education, mathematics, science and technology, social studies and visual and performing arts, as described in the parameters for essential instruction and graduation requirements subject to the schedule specified in section 6209. Health education must include instruction that addresses the relationship between physical and mental health in order to enhance student understanding of attitudes toward and behavior relating to mental illness and to eliminate the stigma associated with mental illness.

Sec. 2. 20-A MRSA §4712, as amended by PL 2019, c. 106, §2, is further amended to read:

§4712. Junior high school or middle school course of study

The basic course of study for the junior high schools or middle schools must provide for the instruction of all students in life and career and education development readiness, English language arts, health education and physical education, mathematics, science and technology, social studies, visual and performing

arts and world languages, as described in the parameters for essential instruction and graduation requirements subject to the schedule specified in section 6209. Health education must include instruction that addresses the relationship between physical and mental health in order to enhance student understanding of attitudes toward and behavior relating to mental illness and to eliminate the stigma associated with mental illness.

Sec. 3. 20-A MRSA §4721, sub-§1, as enacted by PL 2009, c. 313, §13, is amended to read:

1. Comprehensive program of instruction. A secondary school shall provide a comprehensive program of instruction of at least 2 years in length, which must meet the requirements of this chapter and the parameters for essential instruction and graduation requirements established under section 6209. The program must include instruction for all students in life and career and education development readiness, English language arts, health education and physical education, mathematics, science and technology, social studies, visual and performing arts and world languages.

Sec. 4. 20-A MRSA §4730 is enacted to read:
§4730. Life and career readiness standards

Recognizing that students will choose to enter the workforce in different ways and consistent with the life and career readiness standards pursuant to section 6209, each school administrative unit shall offer relevant opportunities that may include interactive experiences and allow for direct exposure between students and a variety of career options to help students develop habits of efficacy, resourcefulness and adaptability as the students take steps to create and implement postsecondary school plans.

Sec. 5. 20-A MRSA §6209, first ¶, as amended by PL 2015, c. 489, §3, is further amended to read:

The department in consultation with the state board shall establish and implement a comprehensive, statewide system of learning results, which may include a core of standards in English language arts and mathematics for kindergarten to grade 12 established in common with the other states, as set forth in this section and in department rules implementing this section and other curricular requirements. The department must establish accountability standards at all grade levels in the areas of mathematics; reading; and science and technology. The department shall establish parameters for essential instruction in English language arts; mathematics; science and technology; social studies; life and career and education development readiness; visual and performing arts; health, physical education and wellness; and world languages. Only a public school, a public charter school as defined in section 2401, subsection 9 or a private school approved for tuition purposes that enrolls at least 60% publicly funded students, as determined by the previous school year's October and April average

enrollment, is required to participate in the system of learning results set forth in this section and in department rules implementing this section and other curricular requirements. The commissioner shall develop accommodation provisions for instances where course content conflicts with sincerely held religious beliefs and practices of a student's parent or guardian. The system must be adapted to accommodate children with disabilities as defined in section 7001, subsection 1-B.

Sec. 6. 20-A MRSA §6209, sub-§2, ¶A, as amended by PL 2007, c. 259, §5, is repealed and the following enacted in its place:

A. Life and career readiness;

Sec. 7. 20-A MRSA §6209, sub-§3, as amended by PL 2007, c. 259, §5, is further amended to read:

3. Career and education development; world World languages; visual and performing arts. By the end of the 2007-2008 school year, each local school administrative unit shall implement standards in the areas of ~~career and education development~~, world languages and visual and performing arts. Notwithstanding any other provision of this chapter, the commissioner is authorized to establish rules for inclusion of some portion of the standards in visual and performing arts for the graduating class of 2011-2012.

See title page for effective date.

CHAPTER 191

H.P. 84 - L.D. 118

An Act To Address Maine's Shortage of Behavioral Health Services for Minors

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

Sec. 1. 34-B MRSA §15003, sub-§9, as amended by PL 2019, c. 343, Pt. DDD, §7, is further amended to read:

9. Reports. The department shall report by ~~August~~ January 1st of each year to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the following matters:

A. The operation of the program, including ~~fiscal status of the accounts and funds from all sources, including blended, pooled and flexible funding, related to children's mental health care in the departments; numbers of children and families served and their residences by county; numbers of children transferred to care in this State and the types of care to which they were transferred; any waiting lists; delays in delivering services;~~ the progress of the

~~departments department in developing new resources implementing improvement strategies; and appeals procedures requested, held and decided; including the results of decided appeals and audits; and evaluations done on the program;~~

~~B. The experiences of the departments in coordinating program administration and care delivery, including, but not limited to, progress on management information systems; uniform application forms, procedures and assessment tools; case coordination and case management; the use of pooled and blended funding; and initiatives Initiatives in acquiring and using federal and state funds grant funding; and~~

~~C. Barriers to improved delivery of care to children and their families and the progress of the departments department in overcoming those barriers; and~~

~~D. The number of children served by crisis providers and the number of children who waited for the appropriate level of behavioral health treatment in a hospital emergency room during the preceding year. The department shall make a reasonable effort to obtain information from providers, including implementing a standardized system for the reporting of data. Data collected pursuant to this paragraph must protect the confidentiality of all persons involved to the same extent as otherwise required by state or federal law or rule.~~

Sec. 2. 34-B MRSA §15003, sub-§10, as amended by PL 2019, c. 343, Pt. DDD, §8, is repealed.

Sec. 3. Standardized data. The Department of Health and Human Services shall work with hospitals to develop a consistent and reliable system of data definitions and data collection to identify the number of children with behavioral needs who remain in hospital emergency rooms after they no longer need a medical hospital level of care pursuant to the Maine Revised Statutes, Title 34-B, section 15003, subsection 9, paragraph D. The data must include the length of stay of a child in hospital beyond 48 hours after the child no longer needs a hospital level of care and the reasons for the extended stay, including, but not limited to, the lack of an appropriate hospital or residential bed or lack of community services. In the department’s annual report due to the Legislature pursuant to Title 34-B, section 15003, subsection 9, for January 1, 2022, the annual report must include a description of the progress in developing standardized data pursuant to this section.

See title page for effective date.

**CHAPTER 192
H.P. 161 - L.D. 226**

**An Act To Limit the Use of
Hydrofluorocarbons To Fight
Climate Change**

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

Sec. 1. 38 MRSA §1612 is enacted to read:

§1612. Hydrofluorocarbon use restrictions

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

A. "Aerosol propellant" means a liquefied or compressed gas, including, but not limited to, a cosolvent that is used in whole or in part to expel a liquid or other material from a self-pressurized container containing that liquid or other material or from a separate container.

B. "Air conditioning equipment" means chillers used exclusively for the comfort cooling of occupied spaces.

C. "Built-in household refrigerator or freezer" means a refrigerator, refrigerator-freezer or freezer designed for residential use that:

(1) Has 7.75 cubic feet, or 220 liters, or greater total refrigerated volume and 24 inches or less depth not including doors, handles and custom front panels;

(2) Has sides that are not finished and are not designed to be visible after installation;

(3) Is designed, intended and marketed exclusively to be installed completely encased by cabinetry or panels that are attached during installation and securely fastened to adjacent cabinetry, walls or flooring; and

(4) Is equipped with an integral factory-finished face or that accepts a custom front panel.

D. "Capital cost" means an expense incurred in the production of goods or in the rendering of services, including, but not limited to, the cost of engineering; the cost of the purchase and installation of components or systems and instrumentation; and contractor and construction fees.

E. "Centrifugal chiller" means air conditioning equipment that uses a centrifugal compressor in a vapor-compression refrigeration cycle and is designed for comfort cooling. "Centrifugal chiller" does not include air conditioning equipment used for industrial process cooling and refrigeration.

F. "Cold storage warehouse" means a cooled facility designed to store meat, produce, dairy products and other products prior to the delivery of those products to other locations for sale to the ultimate consumer.

G. "Compact household refrigerator or freezer" means a refrigerator, refrigerator-freezer or freezer designed for residential use that has a total refrigerated volume of less than 7.75 cubic feet or 220 liters.

H. "Component" means a part of a refrigeration system, including, but not limited to, a condensing unit, compressor, condenser, evaporator or receiver and all of the refrigeration system's connections and subassemblies without which the refrigeration system would not properly function or would be subject to failure.

I. "End use" means a process or class of specific applications within an industry sector.

J. "Flexible polyurethane" means a nonrigid synthetic foam containing polymers of urethane radicals, including, but not limited to, foam used in furniture, bedding, chair cushions and shoe soles.

K. "Foam" means a product with a cellular structure, or a substance used to produce a product with a cellular structure formed via a foaming process, including materials that undergo hardening via chemical reaction or phase transition.

L. "Heat pump" means a device designed for the comfort heating or cooling of residential or commercial spaces, whether air sourced, water sourced or ground sourced, including, but not limited to, a mini-split heat pump. "Heat pump" does not include air conditioning equipment.

M. "Household refrigerator or freezer" means a refrigerator, refrigerator-freezer, freezer or miscellaneous residential refrigeration appliance that is designed for residential use. "Household refrigerator or freezer" does not include a compact household refrigerator or freezer or a built-in household refrigerator or freezer.

N. "Integral skin polyurethane" means a self-skinning polyurethane foam, including, but not limited to, foam used in automobile steering wheels and dashboards.

O. "Light duty vehicle" has the same meaning as "car" or "light duty truck" as defined in Title 5, section 1812-E.

P. "Metered dose inhaler" means a device that delivers a measured amount of medication as a mist that an individual can inhale and that consists of a pressurized canister of medication in a case with a mouthpiece.

Q. "Miscellaneous residential refrigeration appliance" means a residential refrigeration appliance that is smaller than a refrigerator, refrigerator-freezer or freezer and that is designed for residential use, including, but not limited to, a cooler, a cooler compartment and a combination cooler-refrigeration or cooler-freezer product.

R. "New" means, with regard to a product or equipment:

(1) A product or equipment that is manufactured after the date of an applicable prohibition under subsection 2; or

(2) Equipment that is substantially expanded or modified after the date of an applicable prohibition under subsection 2 such that the capital cost of the expansion or modification exceeds 50% of the cost of replacing the entire system of which that equipment is a part.

S. "Phenolic insulation board" means phenolic insulation, including, but not limited to, insulation used for roofing and walls.

T. "Phenolic insulation bunstock" means phenolic insulation that is a large solid box-like structure that can be cut into specific custom lengths and shapes.

U. "Polyolefin" means foam sheets and tubes made of polyolefin.

V. "Polystyrene extruded boardstock and billet" means a foam formed from styrene polymers that is produced on extruding machines in the form of continuous foam slabs that can be cut and shaped into panels to be used for insulation of roofing, walls, flooring and pipes.

W. "Polystyrene extruded sheet" means polystyrene foam including foam used for packaging and buoyancy or flotation, including, but not limited to, foam made into food-service items, such as hinged polystyrene containers, food trays, plates, bowls and retail egg containers.

X. "Positive displacement chiller" means a vapor compression cycle chiller that uses a positive displacement compressor and is typically used for commercial comfort air conditioning. "Positive displacement chiller" does not include a chiller used for industrial process cooling and refrigeration.

Y. "Refrigerant gas" or "refrigerant" means a substance, including blends and mixtures of substances, that is used for heat transfer purposes.

Z. "Refrigerated food processing and dispensing equipment" means retail food refrigeration equipment that is designed to process and dispense food and beverages that are intended for immediate or near-immediate consumption, including, but not

limited to, chilled and frozen beverages, ice cream and whipped cream. "Refrigerated food processing and dispensing equipment" does not include water coolers or units designed to exclusively cool and dispense water.

AA. "Refrigeration equipment" means a stationary device that is designed to contain and use refrigerant gas to establish or maintain colder than ambient temperatures in a confined space, including, but not limited to, retail food refrigeration equipment, a household refrigerator or freezer and a cold storage warehouse.

BB. "Remote condensing unit" means retail food refrigeration equipment that has a central condensing portion and may consist of one or more compressors, condensers or receivers assembled into a single unit, which may be located outside a retail sales area, including, but not limited to, such units that are commonly installed in convenience stores, specialty shops such as bakeries or butcher shops, supermarkets, restaurants and other locations where food is stored, served or sold.

CC. "Residential use" means use by an individual of a substance, or a product containing a substance, in or around a permanent or temporary household, during recreation or for any personal use or enjoyment. "Residential use" does not include use within a household for commercial or medical applications or use in automobiles, watercraft or aircraft.

DD. "Retail food refrigeration equipment" means equipment designed to store and display chilled or frozen goods for commercial sale, including, but not limited to, stand-alone units, refrigerated food processing and dispensing equipment, remote condensing units, supermarket systems and vending machines.

EE. "Retrofit" means to replace the refrigerant contained in refrigeration equipment with a different refrigerant, including, but not limited to, any related modifications to the refrigeration equipment required to maintain its operation and reliability following refrigerant replacement.

FF. "Rigid polyurethane and polyisocyanurate laminated boardstock" means laminated board insulation made with polyurethane or polyisocyanurate foam, including, but not limited to, insulation for roofing and walls.

GG. "Rigid polyurethane appliance foam" means polyurethane insulation foam used in domestic appliances.

HH. "Rigid polyurethane high-pressure 2-component spray foam" means a liquid polyurethane foam system sold as 2 parts, such as an A side and a B side, in nonpressurized containers and that is field-applied or factory-applied in situ using

high-pressure proportioning pumps, to 800 to 1,600 pounds per square inch, and an application gun to mix and dispense the chemical components.

II. "Rigid polyurethane in commercial refrigeration" means polyurethane insulation for pipes, walls and metal doors in retail food refrigeration equipment.

JJ. "Rigid polyurethane low-pressure 2-component spray foam" means a liquid polyurethane foam system sold as 2 parts, such as an A side and a B side, in containers that are pressurized to less than 250 pounds per square inch during manufacture for application without pumps and that is typically applied in situ relying upon a liquid blowing agent or gaseous blowing agent that also serves as a propellant.

KK. "Rigid polyurethane marine flotation foam" means buoyancy or flotation foam used in boat and ship manufacturing for both structural and flotation purposes.

LL. "Rigid polyurethane one-component foam sealant" means a polyurethane foam typically packaged in aerosol cans that is applied in situ using a gaseous blowing agent that also serves as a propellant for the aerosol formulation.

MM. "Rigid polyurethane sandwich panels" means a polyurethane foam sandwiched between outer structural layers and used to provide insulation in walls and doors, including for insulation in commercial refrigeration equipment and garage doors.

NN. "Rigid polyurethane slabstock" means a rigid closed-cell polyurethane foam formed into slabstock insulation for panels and pipes.

OO. "Stand-alone low-temperature unit" means a stand-alone unit that maintains food or beverages at temperatures at or below 32 degrees Fahrenheit.

PP. "Stand-alone medium-temperature unit" means a stand-alone unit that maintains food or beverages at temperatures above 32 degrees Fahrenheit.

QQ. "Stand-alone unit" means a retail refrigerator, freezer or reach-in cooler, whether open or with doors, that has fully integrated refrigeration components and a refrigeration circuit that may be completely brazed or welded and that is fully charged with refrigerant during manufacture and typically requires only an electricity supply to begin operation.

RR. "Substance" means any chemical or blend of chemicals intended for an end use listed in subsection 2 or regulated by the department by rule adopted pursuant to subsection 6.

SS. "Supermarket system" means a multiplex or centralized retail food refrigeration equipment system that is designed to cool or refrigerate and that operates using racks of compressors installed in a machinery room, including both a direct and an indirect system.

TT. "Use," with regard to a substance, includes, but is not limited to, consumption, incorporation or inclusion in a manufacturing process or product in the State; consumption for an end use in the State; and consumption, incorporation or inclusion in an intermediate application in the State, such as formulation or packaging for other subsequent applications. "Use" does not include residential use but does include manufacturing for the purpose of residential use.

UU. "Vending machine" means self-contained retail food refrigeration equipment that dispenses goods that must be kept cold or frozen.

2. Prohibitions. Except as provided in subsection 3 and in accordance with rules adopted by the department pursuant to this section, a person may not sell, lease, rent, install or enter into commerce in the State any product or equipment that uses or will use the following specified substances that are hydrofluorocarbons with high global warming potential for the following specified air conditioning, refrigeration, foam or aerosol propellant end uses.

A. Beginning January 1, 2022:

(1) For aerosol propellants in new products, the following substances are prohibited: HFC-125, HFC-134a, HFC-227ea and blends of HFC-227ea and HFC-134a;

(2) For new compact household refrigerators or freezers, the following substances are prohibited: FOR12A, FOR12B, HFC-134a, KDD6, R-125/290/134a/600a (55.0/1.0/42.5/1.5), R-404A, R-407C, R-407F, R-410A, R-410B, R-417A, R-421A, R-421B, R-422A, R-422B, R-422C, R-422D, R-424A, R-426A, R-428A, R-434A, R-437A, R-438A, R-507A, RS-24 (2002 formulation), RS-44 (2003 formulation), SP34E and THR-03;

(3) For retrofitted supermarket systems, the following substances are prohibited: R-404A, R-407B, R-421B, R-422A, R-422C, R-422D, R-428A, R-434A and R-507A;

(4) For new supermarket systems, the following substances are prohibited: HFC-227ea, R-404A, R-407B, R-421B, R-422A, R-422C, R-422D, R-428A, R-434A and R-507A;

(5) For retrofitted remote condensing units, the following substances are prohibited:

R-404A, R-407B, R-421B, R-422A, R-422C, R-422D, R-428A, R-434A and R-507A;

(6) For new remote condensing units, the following substances are prohibited: HFC-227ea, R-404A, R-407B, R-421B, R-422A, R-422C, R-422D, R-428A, R-434A and R-507A;

(7) For retrofitted stand-alone units, the following substances are prohibited: R-404A and R-507A;

(8) For new stand-alone medium-temperature units, the following substances are prohibited: FOR12A, FOR12B, HFC-134a, HFC-227ea, KDD6, R-125/290/134a/600a (55.0/1.0/42.5/1.5), R-404A, R-407A, R-407B, R-407C, R-407F, R-410A, R-410B, R-417A, R-421A, R-421B, R-422A, R-422B, R-422C, R-422D, R-424A, R-426A, R-428A, R-434A, R-437A, R-438A, R-507A, RS-24 (2002 formulation), RS-44 (2003 formulation), SP34E and THR-03;

(9) For new stand-alone low-temperature units, the following substances are prohibited: HFC-227ea, KDD6, R-125/290/134a/600a (55.0/1.0/42.5/1.5), R-404A, R-407A, R-407B, R-407C, R-407F, R-410A, R-410B, R-417A, R-421A, R-421B, R-422A, R-422B, R-422C, R-422D, R-424A, R-428A, R-434A, R-437A, R-438A, R-507A and RS-44 (2003 formulation);

(10) For new refrigerated food processing and dispensing equipment, the following substances are prohibited: HFC-227ea, KDD6, R-125/290/134a/600a (55.0/1.0/42.5/1.5), R-404A, R-407A, R-407B, R-407C, R-407F, R-410A, R-410B, R-417A, R-421A, R-421B, R-422A, R-422B, R-422C, R-422D, R-424A, R-428A, R-434A, R-437A, R-438A, R-507A and RS-44 (2003 formulation);

(11) For retrofitted vending machines, the following substances are prohibited: R-404A and R-507A;

(12) For new rigid polyurethane and polyisocyanurate laminated boardstock, the following substances are prohibited: HFC-134a, HFC-245fa, HFC-365mfc and any blends of those substances;

(13) For new flexible polyurethane, the following substances are prohibited: HFC-134a, HFC-245fa, HFC-365mfc and any blends of those substances;

(14) For new integral skin polyurethane, the following substances are prohibited: HFC-134a, HFC-245fa, HFC-365mfc and any blends of those substances; Formacel TI; and Formacel Z-6;

(15) For new polystyrene extruded sheet, the following substances are prohibited: HFC-134a, HFC-245fa, HFC-365mfc and any blends of those substances; Formacel TI; and Formacel Z-6;

(16) For new phenolic insulation board and new phenolic insulation bunstock, the following substances are prohibited: HFC-143a, HFC-134a, HFC-245fa, HFC-365mfc and any blends of those substances;

(17) For new rigid polyurethane slabstock and other new rigid polyurethane, the following substances are prohibited: HFC-134a, HFC-245fa, HFC-365mfc and any blends of those substances; Formacel TI; and Formacel Z-6;

(18) For new rigid polyurethane appliance foam, the following substances are prohibited: HFC-134a, HFC-245fa, HFC-365mfc and any blends of those substances; Formacel TI; and Formacel Z-6;

(19) For new rigid polyurethane in commercial refrigeration and new rigid polyurethane sandwich panels, the following substances are prohibited: HFC-134a, HFC-245fa, HFC-365mfc and any blends of those substances; Formacel TI; and Formacel Z-6;

(20) For new polyolefin, the following substances are prohibited: HFC-134a, HFC-245fa, HFC-365mfc and any blends of those substances; Formacel TI; and Formacel Z-6;

(21) For new rigid polyurethane one-component foam sealants, the following substances are prohibited: HFC-134a, HFC-245fa and any blends of those substances; blends of HFC-365mfc with 4% or more HFC-245fa; commercial blends of HFC-365mfc with 7% to 13% HFC-227ea and the remainder HFC-365mfc; and Formacel TI;

(22) For new household refrigerators or freezers, the following substances are prohibited: FOR12A, FOR12B, HFC-134a, KDD6, R-125/290/134a/600a (55.0/1.0/42.5/1.5), R-404A, R-407C, R-407F, R-410A, R-410B, R-417A, R-421A, R-421B, R-422A, R-422B, R-422C, R-422D, R-424A, R-426A, R-428A, R-434A, R-437A, R-438A, R-507A, RS-24 (2002 formulation), RS-44 (2003 formulation), SP34E and THR-03;

(23) For new vending machines, the following substances are prohibited: FOR12A, FOR12B, HFC-134a, KDD6, R-125/290/134a/600a (55.0/1.0/42.5/1.5), R-404A, R-407C, R-410A, R-410B, R-417A, R-421A, R-422B, R-422C, R-422D, R-426A, R-437A, R-438A, R-507A, RS-24 (2002 formulation) and SP34E;

(24) For new rigid polyurethane marine flotation foam, the following substances are prohibited: HFC-134a, HFC-245fa, HFC-365mfc and any blends of those substances; Formacel TI; and Formacel Z-6;

(25) For new polystyrene extruded boardstock and billet, the following substances are prohibited: HFC-134a, HFC-245fa, HFC-365mfc and any blends of those substances; Formacel TI; Formacel B; and Formacel Z-6;

(26) For new rigid polyurethane high-pressure 2-component spray foam, the following substances are prohibited: HFC-134a, HFC-245fa and any blends of those substances; blends of HFC-365mfc with 4% or more HFC-245fa; commercial blends of HFC-365mfc with 7% to 13% HFC-227ea and the remainder HFC-365mfc; and Formacel TI; and

(27) For new rigid polyurethane low-pressure 2-component spray foam, the following substances are prohibited: HFC-134a, HFC-245fa and any blends of those substances; blends of HFC-365mfc with 4% or more HFC-245fa; commercial blends of HFC-365mfc with 7% to 13% HFC-227ea and the remainder HFC-365mfc; and Formacel TI.

B. Beginning January 1, 2023:

(1) For new cold storage warehouses, the following substances are prohibited: HFC-227ea, R-125/290/134a/600a (55.0/1.0/42.5/1.5), R-404A, R-407A, R-407B, R-410A, R-410B, R-417A, R-421A, R-421B, R-422A, R-422B, R-422C, R-422D, R-423A, R-424A, R-428A, R-434A, R-438A, R-507A and RS-44 (2003 composition); and

(2) For new built-in household refrigerators or freezers, the following substances are prohibited: FOR12A, FOR12B, HFC-134a, KDD6, R-125/290/134a/600a (55.0/1.0/42.5/1.5), R-404A, R-407C, R-407F, R-410A, R-410B, R-417A, R-421A, R-421B, R-422A, R-422B, R-422C, R-422D, R-424A, R-426A, R-428A, R-434A, R-437A, R-438A, R-507A, RS-24 (2002 formulation), RS-44 (2003 formulation), SP34E and THR-03.

C. Beginning January 1, 2024:

(1) For new centrifugal chillers, the following substances are prohibited: FOR12A, FOR12B, HFC-134a, HFC-227ea, HFC-236fa, HFC-245fa, R-125/134a/600a (28.1/70/1.9), R-125/290/134a/600a (55.0/1.0/42.5/1.5), R-404A, R-407C, R-410A, R-410B, R-417A, R-421A, R-422B, R-422C, R-422D, R-423A, R-424A, R-434A, R-438A, R-507A, RS-44 (2003 composition) and THR-03; and

(2) For new positive displacement chillers, the following substances are prohibited: FOR12A, FOR12B, HFC-134a, HFC-227ea, KDD6, R-125/134a/600a (28.1/70/1.9), R-125/290/134a/600a (55.0/1.0/42.5/1.5), R-404A, R-407C, R-410A, R-410B, R-417A, R-421A, R-422B, R-422C, R-422D, R-424A, R-434A, R-437A, R-438A, R-507A, RS-44 (2003 composition), SP34E and THR-03.

3. Exemptions. In accordance with rules adopted by the department pursuant to this section, the following exemptions apply to the prohibitions in subsection 2.

A. Except in the case of retrofitted products or equipment regulated under this section, the prohibitions in this section do not apply to the use of a product or equipment regulated under this section that is acquired by a person prior to the date of an applicable prohibition under subsection 2 on the selling, leasing, renting, installing or entering into commerce in the State of that product or equipment.

B. A product or equipment regulated under this section that is manufactured prior to the date of an applicable prohibition under subsection 2 on the selling, leasing, renting, installing or entering into commerce in the State of that product or equipment may be sold in, imported into, exported from, distributed in, installed in and used in the State after that date.

C. The department may approve a waiver request submitted by a person to allow that person to sell, lease, rent, install or enter into commerce in the State for a period of not more than 2 years a product or equipment that is otherwise prohibited from sale, lease, rental, installation or entry into commerce pursuant to this section and the rules adopted pursuant to this section. The department shall adopt rules establishing the process by which a person may submit such a waiver request and the criteria to be used by the department in assessing and approving or denying such waiver requests. The department shall require a person submitting such a waiver request to pay to the department a reasonable fee to cover the department's costs in assessing and approving or denying such waiver requests.

D. Heat pumps are not subject to the prohibitions in this section.

E. The following end uses of the substance HFC-134a are not subject to the prohibitions in this section:

- (1) As an aerosol propellant in new cleaning products designed to remove grease, flux and other soils from electrical equipment;
- (2) For new refrigerant flushes;

(3) In a new product for sensitivity testing of smoke detectors;

(4) As a new lubricant or freeze spray for electrical equipment or electronics;

(5) As a new spray for aircraft maintenance purposes;

(6) As a new spray containing corrosion preventive compounds that is used in the maintenance of aircraft, electrical equipment, electronics or military equipment;

(7) As a new pesticide for use near electrical wires, in aircraft, in total release insecticide foggers or in certified organic use pesticides for which the federal Environmental Protection Agency has specifically disallowed all other lower global warming potential propellants;

(8) As a new mold release agent or mold cleaner;

(9) As a new lubricant or cleaner for spinnerets for synthetic fabrics;

(10) As a new duster spray specifically used for the removal of dust from photographic negatives, semiconductor chips, specimens under electron microscopes and energized electrical equipment;

(11) As a new adhesive or sealant in canisters for commercial use;

(12) As a new document preservation spray;

(13) As a new wound care spray, new topical cooling spray for pain relief or new product for removing bandage adhesives from skin; and

(14) As a new air conditioning refrigerant for military marine vessels when the department has determined that reasonable efforts have been made to ascertain that other alternatives are not technically feasible due to performance or safety requirements.

F. The substances HFC-134a and HFC-227ea and blends of HFC-227ea and HFC-134a are not subject to the prohibitions in this section when used as an aerosol propellant for new metered dose inhalers approved by the United States Department of Health and Human Services, Food and Drug Administration for medical purposes.

G. The substances HFC-134a and R-404A are not subject to the prohibitions in this section when used as a new air conditioning refrigerant in spacecraft intended for human occupancy and related support equipment when the department has determined that reasonable efforts have been made to ascertain that other alternatives are not technically feasible due to performance or safety requirements.

H. Until January 1, 2025, the prohibitions in this section do not apply to:

(1) New foams, excluding rigid polyurethane one-component foam sealants, when used in space-related and aeronautics-related applications when the department has determined that reasonable efforts have been made to ascertain that other alternatives are not technically feasible due to performance or safety requirements; and

(2) New rigid polyurethane high-pressure 2-component spray foams and new rigid polyurethane low-pressure 2-component spray foams, when used in military or space-related and aeronautics-related applications when the department has determined that reasonable efforts have been made to ascertain that other alternatives are not technically feasible due to performance or safety requirements.

I. Any product or equipment the end use of which is regulated under this section is exempt from the prohibitions in this section and the rules adopted pursuant to this section if such state regulation of the product or equipment is preempted by federal statute or regulation, so long as that federal preemption remains in effect.

4. Record keeping. In accordance with rules adopted by the department pursuant to this section, a person that manufactures for sale or entry into commerce in the State a product or equipment regulated under this section shall maintain for 5 years, and shall make available to the department upon request, records sufficient to demonstrate that the product or equipment does not contain any substances prohibited for an applicable end use regulated under this section or that the product or equipment is exempt from the prohibitions in this section pursuant to subsection 3.

5. Venting prohibition. In accordance with rules adopted by the department, a person may not intentionally or knowingly vent or otherwise release into the environment any prohibited substance identified pursuant to subsection 2 when maintaining, servicing, repairing or disposing of a product or equipment regulated under this section that was sold, leased, rented, installed or entered into commerce in the State prior to the date of an applicable prohibition under subsection 2 for that product or equipment. The prohibition under this subsection does not apply to a person who causes such a release if that release is de minimis and the person caused the release while engaged in a good faith attempt to recycle or recover the prohibited substance in a product or equipment regulated under this section.

6. Rulemaking. The department shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

A. In its initial adoption of rules to implement this section, the department may not regulate a substance or end use not specifically identified in this section. Subsequent to that initial adoption of rules, the department may amend its adopted rules to regulate or exempt, consistent with this section, substances that are hydrofluorocarbons with high global warming potential and air conditioning, refrigeration, foam or aerosol propellant end uses that are not specifically identified in this section or for other purposes consistent with this section.

B. Prior to adopting or amending rules to implement this section, the department shall consult with the Department of Public Safety, Office of the State Fire Marshal regarding the effects of any proposed rules on safety-related requirements and restrictions in state or local building codes and in other related state laws and rules.

C. The department may not adopt by rule a prohibition pursuant to this section that is applicable to new light duty vehicles unless a substantially similar prohibition has been adopted in another state and is in effect in that other state.

D. If, pursuant to the federal Clean Air Act, 42 United States Code, Section 7671k, the United States Environmental Protection Agency approves a hydrofluorocarbon blend with a global warming potential of 750 or less for foam blowing of polystyrene extruded boardstock and billet or rigid polyurethane low-pressure 2-component spray foam, the department may initiate rulemaking to amend its rules adopted pursuant to this section to address that federal action.

See title page for effective date.

CHAPTER 193

H.P. 234 - L.D. 330

**An Act To Improve the Process
of Disposal of Hospice
Medications Used in the Home**

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

Sec. 1. 22 MRSA §8624 is enacted to read:

§8624. Medication disposal

A hospice provider who provides services to a client in the home of the client or the family of the client or another person shall provide a written policy to the client or family as part of developing the care plan. The written policy must include, but is not limited to, the following:

1. Care plan guidance. Clarification of the hospice provider, client and family roles and expectations

regarding the prescribing and administering of controlled substances;

2. Safe use and storage. Requirements for management for safe use and storage of controlled substances in the home;

3. Disposal expected. Requirements for documentation that the client's family is expected to safely and appropriately dispose of any medications, especially controlled substances, after the client has died;

4. Safe disposal. Information on safe and environmentally sound disposal of medications;

5. Disposal method. Requirements for return envelopes or disposal kits or any other method of collection or disposal that the pharmacy providing the medication or the hospice provider has provided or recommended to the client and the family that is consistent with Maine Drug Enforcement Agency recommendations and requirements;

6. Notice of letter after death. Requirements for advance notice that the hospice provider will send a letter to the client's family after the client has died with a reminder that the family is expected to dispose of medications; and

7. Documentation. Requirements for signed documentation, retained by the hospice provider, from the client or family that the written policy has been provided and discussed in a language and manner that the client can understand.

The hospice provider shall send a letter to the family within 30 days of the death of the client stating that the family is expected to dispose of any medications with the information on safe and environmentally sound disposal that was provided at the time of developing the care plan.

For the purposes of this section, "controlled substances" has the same meaning as in section 7246, subsection 1.

Sec. 2. Division of licensing and certification within the Department of Health and Human Services medication disposal policy. The division of licensing and certification within the Department of Health and Human Services shall establish minimum criteria for the written policy for medication disposal required by hospice providers licensed pursuant to the Maine Revised Statutes, Title 22, chapter 1681 providing services to hospice clients in the home of the client or the client's family. The criteria for the written policy used by hospice providers must comply with the requirements of 42 Code of Federal Regulations, Section 418.106 or any subsequent federal regulations and Title 22, section 8624.

See title page for effective date.

**CHAPTER 194
H.P. 244 - L.D. 346**

**An Act Requiring the Use of
Propane and Natural Gas
Detectors**

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

Sec. 1. 25 MRSA §2469 is enacted to read:

§2469. Fuel gas detectors

1. Fuel gas detector. As used in this section, unless the context otherwise indicates, "fuel gas detector" means a device:

- A. With an assembly that incorporates a sensor control component and an alarm notification that detects elevations in propane, natural gas or any liquified petroleum gas;
- B. That sounds a warning alarm; and
- C. That is approved or listed for the purpose specified in paragraph B by a nationally recognized independent testing laboratory.

A fuel gas detector may be battery-operated, plugged into an electrical outlet or hardwired.

2. Fuel gas detector required. The building owner shall install, or cause to be installed, in accordance with the manufacturer's requirements at least one approved fuel gas detector in every room containing an appliance fueled by propane, natural gas or any liquified petroleum gas in:

- A. Each unit in any building of multifamily occupancy;
- B. A fraternity house, sorority house or dormitory that is affiliated with an educational facility;
- C. A children's home, emergency children's shelter, children's residential care facility, shelter for homeless children or specialized children's home as defined in Title 22, section 8101, subsections 1, 2, 4, 4-A and 5, respectively;
- D. A hotel, motel or inn;
- E. A mixed use occupancy that contains a dwelling unit;
- F. A business occupancy;
- G. A mercantile occupancy; or
- H. An assembly occupancy.

3. Residential rental units. In a residential rental unit occupied under the terms of a rental agreement or under a month-to-month tenancy:

- A. At the time of each occupancy, the landlord shall provide fuel gas detectors in accordance with

subsection 2 if fuel gas detectors are not already present. Each fuel gas detector must be in working condition. After notification, in writing, by the tenant of any deficiencies in a fuel gas detector, the landlord shall repair or replace the fuel gas detector. If the landlord did not know and had not been notified of the need to repair or replace a fuel gas detector, the landlord's failure to repair or replace the fuel gas detector may not be considered evidence of negligence in a subsequent civil action arising from death, property loss or personal injury; and

B. The tenant shall keep the fuel gas detectors in working condition by keeping the fuel gas detectors connected to the electrical service in the building or keeping charged batteries in battery operated fuel gas detectors, by testing the fuel gas detectors periodically and by refraining from disabling the fuel gas detectors.

4. Transfer of building. A person who, after January 1, 2022, acquires by sale or exchange a building listed in subsection 2, paragraph A shall install fuel gas detectors in accordance with subsection 2 in the acquired building within 30 days of acquisition or occupancy of the building, whichever is later, if fuel gas detectors in accordance with subsection 2 are not already present, and shall certify at the closing of the transaction that fuel gas detectors will be installed. This certification must be signed and dated by the person acquiring the building. A fuel gas detector must be installed in accordance with the manufacturer's requirements at the time of installation in each area containing an appliance fueled by propane, natural gas or liquified petroleum gas. A person may not have a claim for relief against a property owner, a property purchaser, an authorized agent of a property owner or purchaser, a person in possession of real property, a closing agent or a lender for any damages resulting from the operation, maintenance or effectiveness of a fuel gas detector. Violation of this subsection does not create a defect in title.

5. Penalties. A person who violates this section commits a civil violation for which a fine of not more than \$500 for each violation may be adjudged. The court may waive any penalty or cost against a violator upon satisfactory proof that the violation was corrected within 10 days of the issuance of a complaint.

6. Liability. Nothing in this section gives rise to any action against an owner required to comply with subsection 2 or 3 if the owner has conducted an inspection of the required fuel gas detectors immediately after installation and has reinspected the fuel gas detectors prior to occupancy by each new tenant, unless the owner has been given at least 24 hours' actual notice of a defect or failure of the fuel gas detector to operate properly and has failed to take action to correct the defect or failure.

7. Noninterference. A person may not knowingly interfere with or make inoperative any fuel gas detector

required by this section, except that the owner or the agent of an owner of a building may temporarily disconnect a fuel gas detector in a dwelling unit or common area only for construction or rehabilitation activities when such activities are likely to activate the fuel gas detector or make it inactive. The fuel gas detector must be immediately reconnected at the cessation of construction or rehabilitation activities each day, regardless of the intent to return to construction or rehabilitation activities on succeeding days.

Sec. 2. Application. Notwithstanding the Maine Revised Statutes, Title 25, section 2469, subsection 2, paragraphs F, G and H, a business occupancy, a mercantile occupancy or an assembly occupancy in existence on January 1, 2022 shall comply with Title 25, section 2469, subsection 2 by January 1, 2026.

Sec. 3. Effective date. This Act takes effect January 1, 2022.

Effective January 1, 2022.

CHAPTER 195

S.P. 194 - L.D. 487

An Act Regarding Certain Employees of and To Provide for the Payment of Certain Filing Fees to the Public Advocate

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

Sec. 1. 35-A MRSA §708, sub-§4-A is enacted to read:

4-A. Filing fee to Office of the Public Advocate. When an applicant pays a filing fee to the commission pursuant to subsection 4, the applicant shall, at the same time, pay to the Office of the Public Advocate a filing fee not to exceed 3/100 of 1% of the total transaction value of the reorganization, as determined by the commission, if the office determines that the application may involve issues that would necessitate significant additional costs to the office. The applicant may request the Office of the Public Advocate to waive all or a portion of the filing fee. The Office of the Public Advocate shall decide on the waiver request within 30 days.

Filing fees paid as required under this subsection must be segregated, apportioned and expended by the Office of the Public Advocate for the purposes of representing the interests of consumers in the proceeding before the commission or conducting public outreach to inform consumers about the proceeding. The Office of the Public Advocate shall return any portion of the filing fee that is not expended for these purposes to the applicant who paid the fee.

Sec. 2. 35-A MRSA §1701, sub-§3, ¶E, as amended by PL 2019, c. 226, §2, is further amended to read:

E. ~~Business Services Manager~~ Senior Assistant to the Public Advocate, salary range 26;

Sec. 3. 35-A MRSA §3132, sub-§10-A, as amended by PL 2019, c. 177, §1, is further amended to read:

10-A. Filing fee to Office of the Public Advocate. When a person pays a filing fee to the commission pursuant to subsection 9, the person shall, at the same time, pay to the Office of the Public Advocate an amount equal to 2/100 of 1% of the estimated cost to erect, rebuild or relocate the transmission line, except that in the case of a petition filed under subsection 2, the fee is 3/100 of 1%. If the Office of the Public Advocate's expenses in the transmission line proceeding exceed the amount of the original filing fee, the Office of the Public Advocate may bill the person monthly for additional incurred expenses. The person may, at the time of the filing of the petition under this section, request the Office of the Public Advocate to waive all or a portion of the filing fee. The Office of the Public Advocate shall decide on the waiver request within 30 days.

Filing fees paid as required under this subsection must be segregated, apportioned and expended by the Office of the Public Advocate for the purposes of representing the interests of consumers in the proceeding before the commission or conducting public outreach to inform consumers about the proceeding. The Office of the Public Advocate shall return any portion of the filing fee that is not expended for these purposes to the person who paid the fee.

See title page for effective date.

**CHAPTER 196
H.P. 376 - L.D. 513**

**An Act Regarding the Citizen
Members and the Complaint
Review Committee of the
Board of Trustees of the Maine
Criminal Justice Academy**

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

Sec. 1. 25 MRSA §2801-A, sub-§1-A is enacted to read:

1-A. Citizen member. "Citizen member" means a citizen, educator or municipal official appointed to the board pursuant to section 2802 who is not and has never been a sworn member of a law enforcement agency.

Sec. 2. 25 MRSA §2805-C, sub-§1, as amended by PL 2013, c. 147, §37, is further amended to read:

1. Committee. The chair of the board shall appoint ~~3~~ 5 members of the board to serve on the complaint review committee. ~~One~~ Two of the members must be ~~one of the~~ citizen members of the board. ~~All~~ A majority of the members of the committee, including at least one citizen member, must be present for deliberations. A majority vote is necessary to recommend taking corrective or disciplinary action on a complaint or to order an independent investigation pursuant to subsection 3.

See title page for effective date.

**CHAPTER 197
H.P. 382 - L.D. 519**

**An Act To Protect Children
from Exposure to Toxic
Chemicals**

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

Sec. 1. 7 MRSA §606, sub-§3 is enacted to read:

3. Unlawful use. A person may not apply glyphosate or dicamba within 75 feet of school grounds. This subsection does not apply to residential property or land used for commercial farming.

For purposes of this subsection, unless the context otherwise indicates, the following terms have the following meanings:

A. "Commercial farming" has the same meaning as in section 52, subsection 3;

B. "Residential property" means real property located in this State that is used for residential dwelling purposes;

C. "School" means any public, private or tribally funded elementary school as defined in Title 20-A, section 1, subsection 10, secondary school as defined in Title 20-A, section 1, subsection 32 or a nursery school that is part of an elementary or secondary school; and

D. "School grounds" means:

(1) Land associated with a school building including playgrounds and athletic fields used by students or staff of a school. "School grounds" does not include land used for a school farm; and

(2) Any other outdoor area used by students or staff including property owned by a municipality or a private entity that is regularly used

for school activities by students and staff but not including land used primarily for nonschool activities, such as golf courses, farms and museums.

Sec. 2. Medical advisory committee; herbicides applied on school grounds. The Department of Agriculture, Conservation and Forestry, Board of Pesticides Control, within existing resources from Other Special Revenue Funds accounts, shall establish a medical advisory committee to evaluate the potential impact of herbicides used on school grounds on human health. The board shall submit a report no later than February 1, 2022, with findings and recommendations, including suggested legislation, to the Joint Standing Committee on Agriculture, Conservation and Forestry. Following receipt and review of the report, the Joint Standing Committee on Agriculture, Conservation and Forestry may submit a bill concerning the subject matter of the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 198
S.P. 224 - L.D. 537

**An Act To Dedicate Sections of
Maine's State Highway System
to Fallen State Troopers**

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

Sec. 1. 23 MRSA §1952 is enacted to read:

§1952. Fallen State Trooper Dedication Program

The Fallen State Trooper Dedication Program is established. The Department of Transportation, in collaboration with the Department of Public Safety, shall designate one mile of the state highway system to a state police officer who dies in the performance of that officer's duty within one year of the death. The one-mile section must be located as close as possible to the patrol area of the fallen officer, and the Department of Transportation shall install appropriate signs in both directions of the roadway. The Department of Transportation and the Department of Public Safety shall share responsibility for expenses related to the maintenance of signs installed under this section.

The State Police shall notify the Department of Transportation of a deceased state police officer who is eligible for designation under this section.

Sec. 2. Fallen State Trooper Dedication Program. Notwithstanding the Maine Revised Statutes, Title 23, section 1952, the State Police shall notify the Department of Transportation of the identity of any state police officer who died in the performance of that officer's duty before the effective date of this Act and

who is eligible for the Fallen State Trooper Dedication Program established under that section, and the department shall designate one mile of the state highway system to that officer as required under that program.

See title page for effective date.

CHAPTER 199
S.P. 236 - L.D. 597

**An Act To Establish the
Thermal Energy Investment
Program**

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

Sec. 1. 35-A MRSA §3210, sub-§9, as amended by PL 2019, c. 477, §1, is further amended to read:

9. Alternative compliance payment. The commission shall allow competitive electricity providers to satisfy the portfolio requirements for Class I resources under subsection 3-A, Class IA resources under subsection 3-B and thermal renewable energy credits under subsection 3-C through an alternative compliance payment mechanism in accordance with this subsection.

A. The commission shall set the alternative compliance payment rate by rule, which may not be greater than \$50, and shall publish the alternative compliance payment rate by January 31st of each year. In setting the rate, the commission shall take into account prevailing market prices, standard-offer service prices for electricity, reliance on alternative compliance payments to meet the requirements of subsections 3-A, 3-B and 3-C and investment in Class I and Class IA resources and thermal renewable energy credits in the State during the previous calendar year.

B. The commission shall collect alternative compliance payments to meet the requirements of subsections 3-A and 3-B made by competitive electricity providers and shall deposit all funds collected under this paragraph in the Energy Efficiency and Renewable Resource Fund established under section 10121, subsection 2 to be used to fund research, development and demonstration projects relating to renewable energy technologies and to fund rebates for cost-effective renewable energy technologies.

C. The commission shall collect alternative compliance payments to meet the requirements of subsection 3-C made by competitive electricity providers and shall deposit all funds collected under this paragraph in the Thermal Energy Investment Fund established under section 10128, subsection 2 to be used to fund incentives and low-interest or no-

interest loans to businesses, municipalities, educational institutions and nonprofit entities in the State for the installation of new thermal energy-derived projects.

The commission shall adopt rules to implement this subsection. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 35-A MRSA §10128 is enacted to read:
§10128. Thermal Energy Investment Program

1. Establishment; purpose. The Thermal Energy Investment Program is established within the trust to provide incentives and low-interest or no-interest loans to strengthen the State's forest products industry and lower energy costs by increasing the efficient use of thermal energy production.

2. Thermal Energy Investment Fund. There is established in the custody of the trust a special nonlapsing fund, to be known as the Thermal Energy Investment Fund. The Thermal Energy Investment Fund consists of the following:

A. Sums the commission collects from alternative compliance payments made by competitive electricity providers to satisfy the portfolio requirements for thermal renewable energy credits established in section 3210, subsection 3-C;

B. Funds that the trust may receive from the State or from the Federal Government or funds from other agreements whose purpose is consistent with this section;

C. Principal and interest received from the repayment of loans made from the Thermal Energy Investment Fund; and

D. Interest earned from the investment of Thermal Energy Investment Fund balances.

3. Program details. The trust, through the Thermal Energy Investment Program established in subsection 1, shall provide incentives and low-interest or no-interest loans to businesses, municipalities, educational institutions and nonprofit entities in the State for the installation of new thermal energy-derived projects from the Thermal Energy Investment Fund established in subsection 2. The trust shall require Thermal Energy Investment Program participants to substantially share in the cost of projects funded under this section. The trust shall seek to maximize the Thermal Energy Investment Program's impact per dollar of expenditure from the Thermal Energy Investment Fund and shall set limits it determines prudent on the size of incentives. The trust may not provide incentives or loans from the Thermal Energy Investment Fund for the refurbishment or maintenance of existing facilities.

The trust shall develop activities promoting the Thermal Energy Investment Program in consultation with the Finance Authority of Maine, established in Title 10, chapter 110. The trust shall consult with the Finance Authority of Maine, when appropriate, in its decisions to award incentives and loans. To the extent that funding is available, the trust shall offer technical assistance to eligible projects in a manner that is coordinated and consistent with other trust programs.

For purposes of this subsection, "new thermal energy-derived project" means a project that produces thermal energy and thermal renewable energy credits, including, but not limited to, wood-fueled combined heat and power cogeneration boiler installations; colocation development that increases the efficient use of wood for energy production; conversion of fossil fuel-fired boilers to wood-fueled boilers or boilers using biofuels derived from wood; and the installation of new wood-fueled boilers or boilers using biofuels derived from wood. As used in this paragraph, "thermal energy" has the same meaning as in section 3210, subsection 2, paragraph D and "thermal renewable energy credit" has the same meaning as in section 3210, subsection 2, paragraph E.

See title page for effective date.

CHAPTER 200

H.P. 749 - L.D. 1011

An Act To Include Excluded Individuals on Insurance Cards

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

Sec. 1. 29-A MRSA §1601, sub-§10 is enacted to read:

10. Excluded persons. Beginning January 1, 2022, if a person is explicitly excluded by endorsement from coverage on a policy that constitutes proof of financial responsibility under this chapter, the evidence of insurance or financial responsibility under subsection 2 must list the person as a person excluded by the policy. The requirements of this subsection do not apply to a policy that constitutes proof of financial responsibility under this chapter underwritten on a commercial policy form approved for use in this State.

See title page for effective date.

CHAPTER 201
S.P. 322 - L.D. 1027

An Act To Amend the Laws
Governing Local Bridges

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

Sec. 1. 23 MRSA §563, sub-§1, as enacted by PL 2001, c. 314, §2, is amended to read:

1. **Municipal-maintained structures.** For a structure for which a municipality has maintenance responsibility, the department shall advise the municipality of its inspection findings, and noted deficiencies and recommendations regarding posting or closure. ~~The municipality has sole responsibility and authority to determine whether a structure must be posted or closed, except that the department may close the structure in cases of emergency or when the department reasonably determines closure is necessary to protect the traveling public from imminent hazard. If the department becomes aware of deficiencies in a structure that could impact posting or closure decisions, the department shall promptly notify the municipality. The department shall notify the municipality when a structure requires a posting or closure, and the municipality shall post or close the structure. The department may post or close a structure to protect the traveling public from an imminent hazard.~~ The municipality is responsible for all costs and expenses related to the posting and closure, including any needed notifications, procedures, signing and barricades.

Sec. 2. 23 MRSA §566, sub-§1, as enacted by PL 2001, c. 314, §2, is amended to read:

1. **Changes to structures.** If a structure is improved in a manner that ~~affects whether it is defined as changes a culvert or a minor span or to a bridge,~~ the responsibilities set forth in this subchapter regarding the structure do not change unless the department determines that there exists a reasonable engineering basis for the improvement and the department approves the design plans and specifications of the improvement prior to the construction. The department may approve improvements to a structure only if the improvements are made in accordance with department standards and sealed by a professional engineer licensed under Title 32, chapter 19. After construction, the department shall inspect the structure and, if the structure is found to conform with the approved design, the department shall accept responsibility for the structure. If the inspection reveals the structure was not improved in accordance with the department-approved design, the municipality shall make any necessary corrections to the structure required by the department before the department accepts responsibility for the structure.

Sec. 3. 23 MRSA §566, sub-§2, as enacted by PL 2001, c. 314, §2, is amended to read:

2. **New structures.** If a municipality constructs a new bridge on a town way, the department shall assume the responsibilities set forth in ~~the this~~ subchapter only if the department determines that there is a reasonable engineering basis for the bridge, as opposed to a minor span, and if the department approves the design and construction of the bridge prior to the construction of the bridge. The department may approve the design and construction of a bridge only if the bridge is designed in accordance with department standards and sealed by a professional engineer licensed under Title 32, chapter 19. After construction, the department shall inspect the bridge. If the inspection reveals the bridge was not constructed in accordance with the department-approved design, the municipality shall make any necessary corrections to the bridge required by the department before the department accepts responsibility for the bridge.

See title page for effective date.

CHAPTER 202
H.P. 794 - L.D. 1065

An Act To Clarify the
Qualifications and Oversight of
Sheriffs

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

Sec. 1. 30-A MRSA §371-B, sub-§3, ¶D, as amended by PL 2011, c. 342, §33, is further amended to read:

D. The candidate submits written certification from the Maine Criminal Justice Academy that the candidate ~~has~~:

- (1) ~~Met~~ Is currently certified as a law enforcement officer and has met the basic law enforcement training standards under Title 25, section 2804-C; or
- (2) ~~Met the basic corrections training standards under Title 25, section 2804-D; and~~
- (3) Was previously certified as a law enforcement officer and agrees to meet the basic law enforcement training standards under Title 25, section 2804-C within one year of taking of office; and

Sec. 2. 30-A MRSA §371-B, sub-§3-A is enacted to read:

3-A. **Ongoing training.** A person appointed to the office of sheriff shall continually meet the in-service law enforcement training standards under Title 25, section 2804-E and any other statutory requirements of preservice, basic or in-service law enforcement training required for certification or continued certification as a law enforcement officer.

Sec. 3. 30-A MRSA §371-B, sub-§4, as amended by PL 2003, c. 510, Pt. C, §11, is further amended to read:

4. Exception. Any person who served as a full-time law enforcement officer employed by a municipal police department or a state agency, including the University of Maine System, on or before July 1, 1990 or is serving in the office of sheriff on June 26, 1997 2021 or who served prior to that date is deemed to meet the minimum qualifications of subsection 3.

See title page for effective date.

CHAPTER 203
S.P. 334 - L.D. 1066

An Act To Clarify the Definition of "Mortgage Servicer" in the Laws Governing Mortgage Foreclosures

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

Sec. 1. 14 MRSA §6113, as enacted by PL 2019, c. 363, §1, is amended to read:

§6113. Mortgage servicer duty of good faith

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

A. "Good faith" means honesty in fact and the observance of reasonable commercial standards of fair dealing.

B. Except as provided in subsection 5, "mortgage servicer" means a person that is responsible for:

- (1) Receiving scheduled periodic payments from an obligor pursuant to the terms of a mortgage described in section 6111, subsection 1, including amounts for escrow accounts;
(2) Making or advancing payments to the owner of the loan or other 3rd parties with respect to the amounts received from the obligor pursuant to a loan servicing contract; and
(3) Evaluating obligors for loss mitigation or loan modification options.

B-1. Except as provided in subsection 5, "mortgage servicer" means a person responsible for servicing an obligation, including a person that holds or owns an obligation or originates a mortgage loan if the person also services the obligation.

C. "Obligation" means a debt or other duty or liability of an obligor secured by a mortgage of the

type described in section 6111, subsection 1 and includes a mortgage deed even if the debt secured by the mortgage deed has been discharged in bankruptcy.

D. "Obligor" means a person that:

- (1) Owes payment or performance of an obligation;
(2) Has provided property other than the mortgaged property to secure payment of the obligation;
(3) Has granted a mortgage interest with respect to the mortgaged property; or
(4) Is otherwise accountable in whole or in part for payment of the obligation.

E. Except as provided in subsection 5, "servicer" means a person responsible for servicing an obligation, including a person that holds or owns an obligation or originates a mortgage loan if the person also services the obligation.

F. "Servicing" means any combination one or more of the following:

- (1) Receiving a periodic payment from an obligor under the terms of an obligation, including an amount received for an escrow account;
(2) Making or advancing payments to the owner of an obligation on account of an amount due from the obligor under a mortgage servicing loan document or a servicing contract;
(3) Making a payment to the obligor under a home equity conversion mortgage or reverse mortgage;
(4) Evaluating the obligor for loss mitigation or communicating with the obligor with respect to loss mitigation;
(5) Collecting funds from a homeowner for deposit into an escrow account and making payments out of an escrow account; and
(6) Taking any other action with respect to an obligation that affects the obligor's payment or performance of the obligation or that relates to the enforcement of the rights of the loan owner arising under the obligation.

2. Duty of good faith. A mortgage servicer shall act in good faith toward an obligor in the servicing of an obligation secured by a mortgage and in any foreclosure action relating to such an obligation.

3. Effect of violation during foreclosure. If during a foreclosure action a mortgage servicer controlling or managing the action on its own behalf or on behalf of the owner of the obligation subject to foreclosure is shown to have committed a violation of its duty of good

faith under subsection 2, the court may dismiss the action, stay the action on appropriate terms and conditions or impose other appropriate sanctions until the violation is cured.

4. Remedies for violation. The following are remedies for a violation of the duty of good faith under subsection 2.

A. A homeowner or obligor injured by a violation of the duty of good faith may bring an action against the mortgage servicer for all actual damages sustained by the homeowner or obligor.

B. In addition to the damages recoverable under this subsection, the court may award a homeowner or obligor statutory damages not exceeding \$15,000 for a pattern or practice of the mortgage servicer's violating the duty of good faith. In determining whether to award statutory damages and the amount of statutory damages, the court shall consider all relevant factors, including:

- (1) The frequency and persistence of violations by the mortgage servicer;
- (2) The nature of the violations;
- (3) The extent to which the violations were intentional; and
- (4) The extent to which the actions that constitute violations are prohibited by state or federal laws, rules or regulations, and the extent to which such actions constitute violations by the mortgage servicer of any consent judgments to which it is a party.

C. If the court determines during a foreclosure action or an independent action for damages that there has been a violation of the duty of good faith:

- (1) The mortgage servicer may not charge the loan owner for, or add to the amount of the obligation, any attorney's fees or costs incurred as a result of the violation or any other attorney's fees or costs incurred before the mortgage servicer cures the violation; and
- (2) The court shall order the mortgage servicer to pay to the obligor the obligor's costs incurred in the action and reasonable attorney's fees as determined by the court.

5. Exclusion. The ~~terms term~~ "mortgage servicer" and "servicer" defined in subsection 1 ~~do~~ **does** not include a supervised financial organization as defined in Title 9-A, section 1-301, subsection 38-A; a financial institution holding company as defined in Title 9-B, section 1011, subsection 1; a mutual holding company as defined in Title 9-B, section 1052, subsection 2; a credit union service organization as defined in 12 Code of Federal Regulations, Section 712.1; a subsidiary of a supervised financial organization, financial institution holding company, mutual holding company or credit

union service organization; or the Maine State Housing Authority.

Sec. 2. 14 MRSA §6321-A, sub-§11, as corrected by RR 2019, c. 1, Pt. A, §14, is amended by amending the first blocked paragraph to read:

A mortgage servicer as defined in section 6113, subsection 1, paragraph ~~B~~ B-1 participating in the mediation process submits to the jurisdiction of the court with respect to the power of the court to sanction parties who fail to participate in the mediation process in good faith as required by section 6113, subsection 2.

Sec. 3. 14 MRSA §6321-A, sub-§12, as amended by PL 2019, c. 363, §3, is further amended to read:

12. Good faith effort. Each party and each party's attorney, if any, must be present at mediation as required by this section and shall make a good faith effort to mediate all issues. If any party or attorney fails to attend or to make a good faith effort to mediate, the court may impose appropriate sanctions. A mortgage servicer as defined in section 6113, subsection 1, paragraph ~~B~~ B-1 participating in the mediation process shall participate in good faith as required by section 6113, subsection 2. In determining the nature and extent of appropriate sanctions, the court shall consider the need for deterrence of similar future conduct by the entity being sanctioned and by others and may take into account prior orders imposing sanctions upon the sanctioned party, whether in the same case or in other previous cases. The imposition of any sanction does not bar any independent action by a defendant to seek recovery with respect to the actions giving rise to the order of sanctions.

Sec. 4. 14 MRSA §6321-A, sub-§13, as amended by PL 2019, c. 363, §4, is further amended to read:

13. Report. A mediator must complete a report for each mediation conducted under this section. The mediator's report must indicate in a manner as determined by the court that the parties completed in full the Net Present Value Worksheet in the Federal Deposit Insurance Corporation Loan Modification Program Guide or other reasonable determination of net present value. If the mediation did not result in the settlement or dismissal of the action, the report must include the outcomes of the Net Present Value Worksheet or other determination of net present value. As part of the report, the mediator may notify the court if, in the mediator's opinion, either party failed to negotiate in good faith. The mediator's report must also include a statement of all agreements reached at mediation, with sufficient specificity to put all parties on notice of their obligations under agreements reached at mediation, including but not limited to a description of all documents that must be completed and provided pursuant to the agreements reached at mediation and the time frame during

which all actions are required to be taken by the parties, including decisions and determinations of eligibility for all loss mitigation options. The mediator's report must identify the name of any mortgage servicer as defined in section 6113, subsection 1, paragraph B-B-1 that participates in the mediation process, and any order of sanctions must likewise identify the name of the mortgage servicer.

See title page for effective date.

**CHAPTER 204
H.P. 969 - L.D. 1313**

**An Act To Clarify Who Signs
and Swears to a Certificate
Stating the Results of a Breath-
alcohol Test**

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

Sec. 1. 29-A MRSA §2431, sub-§2, ¶B, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

B. A person qualified to operate a self-contained, breath-alcohol testing apparatus may issue a certificate stating the results of ~~the~~ an analysis of a test that the person administered.

See title page for effective date.

**CHAPTER 205
H.P. 1034 - L.D. 1400**

**An Act To Protect Towing
Operators Providing
Emergency Assistance by
Allowing the Use of a Flashing
Green Light**

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

Sec. 1. 29-A MRSA §2054, sub-§2, ¶C, as amended by PL 2019, c. 327, §1, is further amended by enacting a new subparagraph (2-A) to read:

(2-A) A wrecker may be equipped with a flashing green auxiliary light mounted on top of the vehicle in such a manner as to emit a green light over a 360-degree angle. A flashing green auxiliary light on a wrecker equipped in accordance with this subparagraph may be used only when:

(a) The operator is assisting another vehicle operator or loading a vehicle onto the wrecker; and

(b) The wrecker is pulled to the side of, or off, a public way and has halted in a location where it can safely remain stationary.

See title page for effective date.

**CHAPTER 206
S.P. 245 - L.D. 631**

**An Act To Provide Funding for
Maine's Health Insurance
Consumer Assistance Program**

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

Sec. 1. 24-A MRSA §4326, sub-§5 is enacted to read:

5. Funding. The State shall provide necessary funding for the consumer assistance program.

Sec. 2. Transfers from available fiscal year 2021-22 and fiscal year 2022-23 Department of Professional and Financial Regulation, Bureau of Insurance, Other Special Revenue Funds balances to the Department of the Attorney General. Notwithstanding any provision of law to the contrary, on October 1, 2021 and on July 1, 2022 the State Controller shall transfer \$200,000 from available balances in the Bureau of Insurance Other Special Revenue Funds account within the Department of Professional and Financial Regulation to the Department of the Attorney General.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General 0310

Initiative: Provides allocations for the Attorney General to contract with a designated nonprofit and independent health insurance consumer assistance entity to continue to operate the Health Insurance Consumer Assistance Program.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$200,000	\$200,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$200,000

See title page for effective date.

**CHAPTER 207
H.P. 502 - L.D. 690**

**An Act To Ensure That
Victims of Assault, Battery and
False Imprisonment, Including
Victims of Domestic Violence,
Have Parity under Tort Law**

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 statute of limitations for most tort causes of action is 6 years; and

Whereas, the statute of limitations for assault and battery and false imprisonment is only 2 years, effectively depriving victims of domestic violence, among others, the same opportunity that most other victims of torts have to seek redress for their damages; and

Whereas, changing the statute of limitations for assault and battery and false imprisonment as soon as possible will allow those whose claims would otherwise be foreclosed while waiting for this Act to be effective an opportunity to seek redress;

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:

Sec. 1. 14 MRSA §753, as amended by PL 1985, c. 804, §§1 and 22, is further amended to read:

§753. Two years

Actions for assault and battery, and for false imprisonment, slander and libel shall ~~shall~~ **must** be commenced within 2 years after the cause of action accrues.

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

Effective June 15, 2021.

**CHAPTER 208
H.P. 1214 - L.D. 1631**

**An Act To Amend the Laws
Banning Polystyrene Foam
Regarding Packaging for Meat,
Poultry, Fish, Seafood and
Eggs**

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

Whereas, due to the pandemic related to the novel coronavirus disease, the Department of Environmental Protection has delayed until July 1, 2021 the enforcement of the law prohibiting the processing, preparation, sale or provision of food or beverages by certain establishments in or on a polystyrene foam disposable food service container, which was set to take effect on January 1, 2021; and

Whereas, that law exempts from its prohibition the retail sale of food or beverages that certain establishments purchase prepackaged at wholesale in or on a polystyrene foam disposable food service container; and

Whereas, that exemption has been interpreted to allow meat, poultry, fish, seafood and eggs from out-of-state producers, but not Maine-based producers, to be sold at retail in Maine when purchased prepackaged at wholesale in or on a polystyrene foam disposable food service container; and

Whereas, to ensure fairness in the treatment of both out-of-state and Maine-based meat, poultry, fish, seafood and egg producers under that law prior to its anticipated enforcement beginning July 1, 2021, immediate enactment of this legislation is necessary; 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:

Sec. 1. 38 MRSA §1571, sub-§3, as enacted by PL 2019, c. 62, §1, is amended to read:

3. Disposable food service container. "Disposable food service container" means service ware designed for one-time use.

A. "Disposable food service container" includes service ware for take-out foods, ~~packaged meat, eggs,~~ bakery products and leftovers from partially consumed meals prepared by covered establishments.

B. "Disposable food service container" does not include polystyrene foam coolers or ice chests that are used for the processing or shipping of seafood or service ware used to contain, transport or otherwise package raw, uncooked or butchered meat, poultry, fish, seafood or eggs.

This subsection is repealed July 1, 2025.

Sec. 2. 38 MRSA §1571, sub-§3-A is enacted to read:

3-A. Disposable food service container. "Disposable food service container" means service ware designed for one-time use.

A. "Disposable food service container" includes service ware for take-out foods, bakery products, leftovers from partially consumed meals prepared by covered establishments and, except as provided in paragraph B, service ware used to contain, transport or otherwise package raw, uncooked or butchered meat, poultry, fish, seafood or eggs.

B. "Disposable food service container" does not include polystyrene foam coolers or ice chests that are used for the processing or shipping of seafood.

This subsection is effective July 1, 2025.

Sec. 3. 38 MRSA §1571, sub-§6, as enacted by PL 2019, c. 62, §1, is amended to read:

6. Service ware. "Service ware" means a container, bowl, plate, tray, carton, cup, lid, sleeve, stirrer or other item designed to be used to contain, transport, serve or consume prepared foods food or beverages.

Sec. 4. 38 MRSA §1572, sub-§3, ¶C, as enacted by PL 2019, c. 62, §1, is amended to read:

C. Sell at retail food or beverages in or on a disposable food service container that is composed in whole or in part of polystyrene foam that the covered establishment purchases prepackaged at wholesale.

This paragraph is repealed July 1, 2025.

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

Effective June 15, 2021.

CHAPTER 209
H.P. 269 - L.D. 385

An Act To Resolve Conflicts in and Make Other Changes to the Laws Governing the Efficiency Maine Trust

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

Sec. 1. 35-A MRSA §10104, sub-§4, ¶F, as amended by PL 2019, c. 313, §5 and c. 476, §4, is repealed and the following enacted in its place:

F. It is an objective of the triennial plan to design, coordinate and integrate sustained energy efficiency and weatherization programs that are available to all energy consumers in the State and to users of all fuel types. The plan must set forth the costs and benefits of the trust's programs that advance the following goals and funding necessary to meet those goals:

(1) Reducing energy costs, including residential heating costs;

(2) For the period beginning January 1, 2020 and ending January 1, 2030, weatherizing 35,000 homes and businesses, with at least 10,000 of such weatherization projects completed in low-income households through the combined efforts of the trust and the Maine State Housing Authority;

(3) Reducing peak-load demand for electricity by the maximum achievable cost-effective amount;

(4) Achieving the maximum achievable cost-effective electricity and natural gas program savings, as defined in and determined pursuant to the performance metrics approved by the commission under section 10120;

(5) Creating stable private sector jobs providing alternative energy and energy efficiency products and services in the State;

(6) Contributing to the effort to reduce greenhouse gas emissions in the State by amounts consistent with the greenhouse gas emission levels established in Title 38, section 576-A and in a manner consistent with the State's climate action plan adopted and updated under Title 38, section 577;

(7) Promoting the purchase of high-efficiency heat pump systems to achieve by 2030 the goal of at least 115,000 households in the State wholly heated by heat pumps and an additional 130,000 households in the State partially heated by heat pumps; and

(8) Promoting the purchase of battery electric vehicles and plug-in hybrid vehicles to achieve by 2030 the goal of at least 120,000 such vehicles registered in the State.

Sec. 2. 35-A MRSA §10104, sub-§4, ¶G, as enacted by PL 2019, c. 298, §21 and c. 313, §5, is repealed and the following enacted in its place:

G. In developing the triennial plan, or an annual update plan under subsection 6, the trust may include, as part of its budget for electric efficiency

and conservation programs under section 10110, the costs of providing nonwires alternatives in accordance with section 3132-D.

Sec. 3. 35-A MRSA §10104, sub-§4, ¶H is enacted to read:

H. After the triennial plan is approved, the trust or any party to the triennial plan may petition for, or the commission may initiate on its own, consideration of revising the calculations of avoided energy costs used in the determination of maximum achievable cost-effective energy efficiency resources pursuant to section 10110, subsection 4-A or section 10111, subsection 2 upon a showing that, subsequent to the publication of the avoided energy cost study relied upon, changes in price forecasts would result in more than a 25% change in the value of avoided energy cost affecting a significant portion of the program activity in the triennial plan.

Sec. 4. 35-A MRSA §10110, sub-§1, ¶C, as amended by PL 2019, c. 306, §4 and c. 365, §2, is repealed and the following enacted in its place:

C. "Conservation programs" means programs developed by the trust pursuant to this section designed to reduce inefficient electricity use or to increase the efficiency with which electricity is used.

Sec. 5. 35-A MRSA §10110, sub-§4-A, ¶A, as amended by PL 2019, c. 306, §5 and c. 313, §8, is repealed and the following enacted in its place:

A. Consider electric energy efficiency resources that are reasonably foreseeable to be acquired by the trust using the Regional Greenhouse Gas Initiative Trust Fund under section 10109, federal or state grants or settlement funds designated by the board for programs implemented under this section, except that forward capacity market payments deposited in the Heating Fuels Efficiency and Weatherization Fund established in section 10119 may not be considered;

Sec. 6. 35-A MRSA §10113, as enacted by PL 2009, c. 372, Pt. B, §3, is amended to read:

§10113. Training for installers of solar energy equipment

1. Installation training. To the extent that funds and resources allow, the trust shall may establish training programs for installers of solar energy equipment that most effectively meet the needs of the public. The trust:

A. May develop separate programs for different solar energy technologies or applications services when the trust determines that the skills or training for the installation of those technologies or applications services merit the distinction;

A-1. May offer training programs to code enforcement officers, inspectors or other professionals involved in designing, marketing, regulating or educating about energy equipment;

A-2. May offer training programs to contractors or other professionals involved in designing, installing or constructing energy efficiency, weatherization or other building performance measures for homes and businesses;

B. Shall confer with the Plumbers' Examining Board and the Electricians' Examining Board relevant professional licensing boards and the Technical Building Codes and Standards Board under Title 10, section 9722 when it develops the course content and requirements;

C. Shall determine the content of the training, the hours required for course completion and the manner in which applicants must demonstrate proficiency in solar energy equipment installation;

D. Shall May issue a certificate of completion to individuals who meet the requirements the trust has established;

E. May establish reasonable course fees. All fees must be paid to the Treasurer of State trust to be used by the trust for the purposes of this section;

F. Shall determine terms for the expiration and renewal of an applicant's certificate of completion; and

G. Shall determine an appropriate means of maintaining recognition of the training received by persons holding certificates issued pursuant to former section 10002 or former Title 32, chapter 87.

2. Qualifications for installing solar energy equipment. A certificate of completion issued by the trust pursuant to subsection 1 does not exempt the holder from any applicable licensing requirements for activities involved in installing solar energy equipment, including but not limited to licensing requirements established in Title 32, chapter 17 or 49.

3. Effective date. This section takes effect July 1, 2010.

See title page for effective date.

CHAPTER 210

H.P. 570 - L.D. 765

An Act To Provide for Judicial Review in Compliance with the Federal Family First Prevention Services Act

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

Sec. 1. 22 MRSA §4002, sub-§6-B is enacted to read:

6-B. Qualified individual. "Qualified individual" has the same meaning as in 42 United States Code, Section 675a(c)(1)(D)(i) (2020).

Sec. 2. 22 MRSA §4002, sub-§6-C is enacted to read:

6-C. Qualified residential treatment program. "Qualified residential treatment program" means a program within a licensed children's residential care facility as defined in section 8101, subsection 4 that provides continuous 24-hour care and supportive services to children in a residential nonfamily home setting that:

A. Utilizes a trauma-informed treatment model that is designed to address the clinical and other needs of children with serious emotional and behavioral disorders or disturbances;

B. Implements a specific treatment recommended in a needs assessment completed by a qualified individual;

C. Employs registered or licensed nursing staff and other licensed clinical staff who are:

(1) On site according to the treatment model used pursuant to paragraph A and during business hours; and

(2) Available 7 days a week on a 24-hour basis;

D. Appropriately facilitates outreach to family members and integrates those family members into the treatment of children;

E. Provides discharge planning for children including 6 months of post-discharge aftercare support;

F. Is licensed by the department in accordance with the United States Social Security Act, Section 471(a)(10); and

G. Is accredited by an independent nonprofit organization approved by the department.

Sec. 3. 22 MRSA §4038, sub-§8 is enacted to read:

8. Placement in qualified residential treatment program; hearing within 60 days. The court shall conduct a hearing to review the status of a child placed in a qualified residential treatment program and determine the appropriateness of the placement within 60 days after the child enters the program.

A. At the hearing under this subsection, the court shall:

(1) Review a needs assessment of the child conducted by a qualified individual;

(2) Consider whether the needs of the child can be met through an alternative placement in

a family foster home as defined in section 8101, subsection 3;

(3) Consider whether the placement of the child in a qualified residential treatment program provides effective and appropriate care for the child in the least restrictive environment; and

(4) Consider whether placement of the child in a qualified residential treatment program is consistent with the short-term and long-term goals for the child as specified in the permanency plan of the child protection case pursuant to section 4038-B.

B. The court shall state, in writing, the reasons for its decision to approve or disapprove under this subsection the continued placement of the child in the qualified residential treatment program.

C. In a hearing under this subsection, records of evaluations of the child and medical, behavioral and mental health records of the child are admissible upon showing that the records contain information relevant to the issues before the court, as long as the records are made available to counsel at least 10 days prior to the hearing.

Sec. 4. 22 MRSA §4038, sub-§9 is enacted to read:

9. Continued placement in qualified residential treatment program; judicial review. At each review conducted pursuant to this section regarding a child placed in a qualified residential treatment program, the court shall make judicial findings, by a preponderance of the evidence, regarding the child's continued placement. The court shall review the status of a child placed in a qualified residential treatment program at every judicial review and permanency hearing and determine the continued appropriateness of placement in the qualified residential treatment program.

A. The court shall:

(1) Determine whether an ongoing needs assessment of the child, as prepared by qualified individuals, supports continued placement of the child in the qualified residential treatment program;

(2) Determine whether the documentation about the child regarding the child's placement in the qualified residential treatment program supports the conclusion that it is effective and appropriate care for the child in the least restrictive environment; and

(3) Determine whether the documentation about the child supports the conclusion that continued placement in the qualified residential treatment program is consistent with the short-term and long-term goals for the child as

specified in the permanency plan of the child protection case pursuant to section 4038-B.

B. The court shall state, in writing, the reasons for its decision to approve or disapprove under this subsection the continued placement of the child in the qualified residential treatment program.

C. In a review under this subsection regarding the child's continued placement in a qualified residential treatment program, records of evaluations of the child and medical, behavioral and mental health records of the child are admissible upon showing that the records contain information relevant to the issues before the court, as long as the records are made available to counsel at least 10 days prior to the review.

Sec. 5. 22 MRSA §4038, sub-§10 is enacted to read:

10. Rules concerning judicial review of the placement of children in qualified residential treatment programs. Notwithstanding any provision of law to the contrary, the Supreme Judicial Court may adopt rules of pleading, practice and procedure with respect to proceedings required by subsections 8 and 9. After the effective date of the rules as adopted or amended, all laws in conflict with the rules are of no further effect.

See title page for effective date.

CHAPTER 211

H.P. 581 - L.D. 776

An Act To Amend the Length of Time and Circumstances for Which a Sheriff May Furlough Individuals Incarcerated in a County Jail

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

Sec. 1. 30-A MRSA §1556, sub-§1, as amended by PL 2017, c. 407, Pt. A, §118, is further amended to read:

1. Furlough authorized. The sheriff may establish rules for and permit a prisoner under the final sentence of a court a furlough from the county jail in which the prisoner is confined. Furlough may be granted for not more than 3 7 days at one time in order to permit the prisoner to visit a dying relative, to obtain medical services, to participate in a program operated by a jail that conditions release on regular daily reporting to the jail of the prisoner's location and activities or for any other reason consistent with the rehabilitation of an inmate or prisoner that is consistent with the laws or rules of the sheriff's department. Furlough may be granted for a period longer than 3 7 days if required to provide treatment for a physical or mental condition of the prisoner,

including a substance use disorder, as determined by a qualified licensed professional.

See title page for effective date.

CHAPTER 212

H.P. 707 - L.D. 961

An Act To Provide Equity in Access to Applications for the National School Lunch Program and School Breakfast Program

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

Sec. 1. 20-A MRSA §6601-A, as amended by PL 2019, c. 480, §1, is further amended to read:

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

The department shall contract for the development and implementation of an Internet-based application for free or reduced-price meals under the National School Lunch Program under 7 Code of Federal Regulations, Part 210 and the School Breakfast Program under 7 Code of Federal Regulations, Part 220. The department shall make available to public schools the Internet-based application for free or reduced-price meals developed under this section on the department's publicly accessible website. The department shall make the Internet-based application in an understandable and uniform format and, to the maximum extent practicable, in a language that parents and legal guardians can understand. A public school may make the Internet-based application available for school meal applications on the public school's publicly accessible website. If a public school implements the Internet-based application process under this section, the All public school schools shall continue to distribute paper applications for school meals to all students. A public school implementing the Internet-based application is solely responsible for processing that school's online applications. Data submitted through the Internet-based application may not be visible to the department and must be transmitted directly to the applicable public school.

See title page for effective date.

**CHAPTER 213
H.P. 876 - L.D. 1198**

An Act Authorizing an Increase to the Maximum Annual Fund Balance for Public School Districts

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

Sec. 1. 20-A MRS §15689-B, sub-§6, as amended by PL 2009, c. 571, Pt. XXX, §1, is further amended to read:

6. Balance of allocations. Notwithstanding any other law, general operating fund balances at the end of a school administrative unit's fiscal year must be carried forward to meet the unit's needs in the next year or over a period not to exceed 3 years. Unallocated balances in excess of ~~3%~~ 5% of the previous fiscal year's school budget must be used to reduce the state and local share of the total allocation for the purpose of computing state subsidy. School boards may carry forward unallocated balances in excess of ~~3%~~ 5% of the previous year's school budget and disburse these funds in the next year or over a period not to exceed 3 years. ~~For fiscal years 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14 and 2014-15 only, the carry forward of a school administrative unit's unallocated balances is not limited to 3% of the previous fiscal year's school budget. For fiscal years 2021-22, 2022-23, 2023-24 and 2024-25 only, unallocated balances in excess of 9% of the previous fiscal year's school budget must be used to reduce the state and local share of the total allocation for the purpose of computing state subsidy and school boards may carry forward unallocated balances in excess of 9% of the previous fiscal year's school budget and disburse these funds in the next year or over a period not to exceed 3 years.~~

See title page for effective date.

**CHAPTER 214
H.P. 920 - L.D. 1254**

An Act Shielding Fire Departments That Install Smoke and Carbon Monoxide Detectors from Liability

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

Sec. 1. 14 MRS §173 is enacted to read:

§173. Installation of smoke and carbon monoxide detectors by fire departments

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

A. "Device" means a battery-operated or plug-in smoke detector, carbon monoxide detector or combination smoke and carbon monoxide detector.

B. "Fire department" means the State Fire Marshal, a municipal fire department as defined in Title 30-A, section 3151, subsection 1, a volunteer fire association as defined in Title 30-A, section 3151, subsection 3 or a fire district under Title 30-A, chapter 164.

2. Immunity. Notwithstanding any provision of any public or private and special law to the contrary, a fire department or an employee or member of a fire department that delivers to or installs at residential premises a device or batteries for a device is not liable for damages for personal injury, wrongful death, property damage or other loss related to the device if:

A. The device is installed by the fire department and the device is new and meets all applicable current safety and manufacturing standards;

B. The device or the batteries in the device are installed by the fire department and the installation is performed in accordance with the manufacturer's instructions; and

C. The installation or delivery is performed in the fire department's official capacity and authorized by the municipal officers.

For purposes of this subsection, "installation" does not include the alteration or installation of electrical wiring.

3. Records. A fire department that installs or delivers a device or batteries for a device under this section shall keep a record of the installation or delivery for a period of 5 years after the installation or delivery.

4. Application. This section does not limit or otherwise affect an obligation or duty of an owner or occupier of residential premises receiving an installation or delivery of a device or batteries for a device under this section.

See title page for effective date.

CHAPTER 215
H.P. 1055 - L.D. 1439

An Act To Clarify All-terrain
Vehicle Registration
Requirements and Establish
Regular Maintenance of
Designated State-approved All-
terrain Vehicle Trails

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

Sec. 1. 12 MRSA §1893, sub-§1, ¶B, as
amended by PL 2003, c. 414, Pt. B, §22 and affected by
c. 614, §9, is further amended to read:

B. The bureau shall administer the ATV Recrea-
tional Management Fund established under subsec-
tion 2 for the purposes given in that subsection and
for the acquisition of land to be used for designated
state-approved ATV trails. The bureau may adopt
rules in accordance with Title 5, chapter 375, sub-
chapter ~~2~~ 2-A for the issuance of grants-in-aid from
the fund and to further define alpine tundra areas
pursuant to section 13001, subsection 4. Addi-
tional funding for the ATV Recreational Manage-
ment Fund is as provided in Title 36, section
2903-D, subsection 3.

Sec. 2. 12 MRSA §1893, sub-§1, ¶C is en-
acted to read:

C. The bureau shall use funds in the ATV Recrea-
tional Management Fund established under subsec-
tion 2 to ensure that maintenance of designated
state-approved ATV trails occurs annually and to
adopt and use best practices of motorized trail con-
struction during construction and maintenance of
designated state-approved ATV trails. The bureau
shall adopt rules that establish a procedure to prior-
itize the bureau's maintenance of designated state-
approved ATV trails. Rules adopted pursuant to
this paragraph are routine technical rules pursuant
to Title 5, chapter 375, subchapter 2-A.

Sec. 3. 12 MRSA §1893, sub-§2, ¶A, as
amended by PL 2003, c. 695, Pt. B, §2 and affected by
Pt. C, §1, is repealed and the following enacted in its
place:

A. The fund may be used for the following pur-
poses:

- (1) Conducting research on issues related to
the management of ATVs;
- (2) Assisting in the formation of nonprofit
ATV groups;
- (3) Making grants-in-aid to others, including
political subdivisions, educational institutions,
regional planning agencies and ATV groups,

to construct and maintain designated state-
approved ATV trails, to purchase equipment
or to otherwise carry out the purposes of the
fund;

(4) Assisting in the design and development
of designated state-approved ATV trails;

(5) Ensuring that designated state-approved
ATV trails are inspected annually;

(6) Purchasing, leasing or otherwise acquiring
interests in land, including, but not limited to,
fee or easement interests for designated state-
approved ATV trails or sport-riding facilities;

(7) Providing protection to landowners against
ATV-related suit or liability; and

(8) Otherwise providing for the wise and or-
derly management of ATVs.

Sec. 4. 12 MRSA §13001, sub-§4-A is enacted
to read:

4-A. Antique all-terrain vehicle or antique
ATV. "Antique all-terrain vehicle" or "antique ATV"
means an all-terrain vehicle more than 25 years old that
is substantially maintained in its original or restored
condition.

Sec. 5. 12 MRSA §13155, sub-§1-A, ¶A, as
amended by PL 2017, c. 97, §3, is further amended by
amending subparagraph (1) to read:

(1) Registration is not required for an ATV
operated on land ~~on which the owner lives or
on land on which the owner~~ that the ATV oper-
ator owns or leases, regardless of where that
ATV operator is domiciled, as long as the
ATV is not operated elsewhere within the ju-
risdiction of the State.

Sec. 6. 12 MRSA §13155, sub-§3, as affected
by PL 2003, c. 614, §9 and amended by c. 695, Pt. B,
§13 and affected by Pt. C, §1, is further amended to
read:

3. Application and issuance. The commissioner,
or an agent designated by the commissioner, may regis-
ter and assign a registration number to an ATV upon
application and payment of an annual fee by the owner.
The commissioner shall charge a fee of \$1 in addition
to the annual fee for each registration issued by an em-
ployee of the department. The registration number in
the form of stickers issued by the commissioner must be
clearly displayed on the front and rear of the vehicle. A
registration is valid for one year commencing July 1st
of each year, except that any registration issued prior to
July 1st but after May 1st is valid from the date of issu-
ance until June ~~31st~~ 30th of the following year. A reg-
istration agent shall provide to the person who requests
to register an oversized ATV under subsection 5-B a
written form developed and provided by the department

explaining the size and weight restrictions for registering that ATV, including whether it qualifies for registration, and explaining the provisions of section 13157-A regarding the operation of oversized ATVs on designated state-approved ATV trails. The department shall develop a form for use by registration agents under this subsection.

Sec. 7. 12 MRSA §13155, sub-§5, as amended by PL 2019, c. 75, §3, is further amended to read:

5. Fees. The ATV registration fee is:

A. For a resident, ~~\$45~~ \$70 annually. The registration for an ATV owned by a resident is valid for one year, beginning on July 1st of each year; and

B. For a nonresident:

(1) ~~Seventy-five~~ One hundred dollars for a registration valid for 7 consecutive days. A person may purchase more than one 7-day registration in any season; and

(2) ~~Ninety~~ One hundred fifteen dollars for a registration valid for one year.

The registration for an ATV owned by a nonresident must specify the dates for which the registration is valid.

~~Twelve~~ Thirty-seven dollars of each fee collected pursuant to this subsection must be deposited in the ATV Recreational Management Fund established in section 1893, subsection 2 and must be used to maintain designated state-approved ATV trails.

Ten dollars of each fee collected pursuant to paragraph B must be deposited in the ATV Enforcement Fund established in section 10267.

Sec. 8. 12 MRSA §13155, sub-§5-B is enacted to read:

5-B. Oversized ATV. A person may not register an oversized ATV except as provided in this subsection. A resident who has registered an oversized ATV prior to January 1, 2022 may continue to register that oversized ATV upon payment of the fee specified in subsection 5, paragraph A, and upon a transfer of ownership of that registered oversized ATV, the new owner may also register that oversized ATV upon payment of the fee specified in subsection 5, paragraph A. For purposes of this subsection, "oversized ATV" means an ATV that is wider than 65 inches or weighs more than 2,000 pounds according to the manufacturer's specifications.

Sec. 9. 12 MRSA §13155, sub-§5-C is enacted to read:

5-C. Antique ATV. A person who owns an antique ATV may register that ATV under this subsection as an antique ATV. Notwithstanding subsection 5, the fee for an antique ATV registration is \$45. An antique ATV registration is valid until the ownership of the

ATV is transferred to another person. Upon the transfer of ownership, the new owner may reregister that ATV as an antique ATV by paying the \$45 antique ATV registration fee. Notwithstanding section 10206, all registration fees for antique ATVs must be deposited in the General Fund.

Sec. 10. 12 MRSA §13155, sub-§12 is enacted to read:

12. Review of ATV registration fees and trail maintenance needs. In consultation with the Department of Agriculture, Conservation and Forestry, the department shall review ATV registration fees and maintenance needs of designated state-approved ATV trails in 2022 and 2023 and every 2 years thereafter. The Commissioner of Inland Fisheries and Wildlife shall report the findings and recommendations from the review to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters by February 1st each year a review is required. The committee may report out legislation related to ATV registration fees and maintenance needs of ATV trails to the session of the Legislature in which the report is received.

Sec. 11. 12 MRSA §13157-A, sub-§1-A, as amended by PL 2007, c. 509, §1, is further amended to read:

1-A. Permission required. A person may not operate an ATV on the land of another without the permission of the landowner or lessee. Permission is presumed on designated state-approved ATV trails or in areas open to ATVs by landowner policy. A landowner or lessee may limit the use of a designated state-approved ATV trail on that landowner's or lessee's property through agreements with the State or an ATV club to address environmental, public safety or management concerns, including by limiting the type, size and weight of ATVs permitted on the landowner's or lessee's property. A person operating an ATV, including an oversized ATV, on designated state-approved ATV trails shall adhere to limitations imposed by a landowner or lessee and the State on that part of the designated state-approved ATV trail on the landowner's or lessee's property in accordance with this subsection. Written permission of the landowner or lessee is required for use of an ATV on cropland or pastureland or in an orchard. As used in this subsection, "cropland" means acreage in tillage rotation, land being cropped and land in bush fruits and "pastureland" means acreage devoted to the production of forage plants used for animal production. For purposes of this subsection, "oversized ATV" has the same meaning as defined in section 13155, subsection 5-B. Nothing in this subsection may be construed to limit or expand a landowner's or lessee's property rights.

A person who violates this subsection commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated of having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

Sec. 12. 12 MRSA §13161, sub-§1-A is enacted to read:

1-A. Dealer to provide registration information. A dealer may not sell a new or used oversized ATV without providing to the purchaser a written form developed and provided by the department explaining the size and weight restrictions for registering that ATV under section 13155, subsection 5-B and the provisions of section 13157-A regarding the use of oversized ATVs on designated state-approved ATV trails. The department shall develop a form for use by dealers under this section, which must include a place for a purchaser to sign acknowledging receipt of the form. For purposes of this subsection, "oversized ATV" has the same meaning as defined in section 13155, subsection 5-B.

Sec. 13. Oversized ATV education component. The Department of Inland Fisheries and Wildlife shall develop and make available an education component for ATV dealers and owners and ATV registration agents regarding the operation and registration of oversized ATVs, as defined in the Maine Revised Statutes, Title 12, section 13155, subsection 5-B. The education component must provide guidance regarding which ATVs are considered oversized ATVs, when oversized ATVs may be registered and where oversized ATVs may be operated pursuant to Title 12, section 13155, subsection 3.

Sec. 14. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Off-Road Recreational Vehicles Program Z224

Initiative: Provides an ongoing allocation for expenditure of funds to maintain state-approved all-terrain vehicle trails.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$1,791,817
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$1,791,817

Sec. 15. Effective date. That section of this Act that amends the Maine Revised Statutes, Title 12, section 13155, subsection 5 takes effect May 1, 2022.

See title page for effective date, unless otherwise indicated.

**CHAPTER 216
H.P. 1049 - L.D. 1433**

An Act To Amend the Motor Vehicle Laws

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

Sec. 1. 29-A MRSA §101, sub-§3, ¶E, as amended by PL 2005, c. 314, §2, is further amended to read:

E. Not a reconstructed vehicle; ~~and~~

Sec. 2. 29-A MRSA §101, sub-§3, ¶F, as enacted by PL 2005, c. 314, §3, is amended to read:

F. Not an altered vehicle; ~~and~~

Sec. 3. 29-A MRSA §101, sub-§3, ¶G is enacted to read:

G. Not an off-road vehicle.

Sec. 4. 29-A MRSA §101, sub-§4, ¶C, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

C. Maintained primarily for use in exhibitions, club activities, parades or other functions of public interest; ~~and~~

Sec. 5. 29-A MRSA §101, sub-§4, ¶D, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

D. Not used as its owner's primary mode of transportation of passengers or goods; ~~and~~

Sec. 6. 29-A MRSA §101, sub-§4, ¶E is enacted to read:

E. Not an off-road vehicle.

Sec. 7. 29-A MRSA §101, sub-§19-A, as repealed and replaced by PL 2011, c. 139, §1, is amended to read:

19-A. Custom vehicle. "Custom vehicle" means a motor vehicle manufactured after model year 1948 that:

A. Is at least 25 years old or was manufactured to resemble a motor vehicle that is at least 25 years old; ~~and~~

B. Has been altered or modified from the manufacturer's original design or has a body constructed from nonoriginal material; ~~and~~

C. Is not an off-road vehicle.

Sec. 8. 29-A MRSA §101, sub-§47-A, as enacted by PL 2005, c. 577, §6, is amended to read:

47-A. Off-road vehicle. "Off-road vehicle" means a motor vehicle that, because of the vehicle's de-

sign and configuration, original manufacture or original intended use, does not meet the inspection standards of chapter 15, the Federal Motor Vehicle Safety Standards, the United States Environmental Protection Agency's pollutant requirements or the National Highway Traffic and Safety Administration's crash testing standards and that is not a moped or motorcycle.

Sec. 9. 29-A MRSA §201, sub-§6 is enacted to read:

6. Rules. The Secretary of State may adopt rules to implement the provisions of this section. The rules may include requirements for agent training, accounting standards, inventory control processes and the collection and transmission of data and funds between agents and the bureau. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 10. 29-A MRSA §354, as enacted by PL 2005, c. 577, §8, is amended to read:

§354. Off-road vehicles

Off-road vehicles may not be registered in accordance with this Title. Vehicles owned and operated by government entities are not subject to the provisions of this section.

Sec. 11. 29-A MRSA §453, sub-§2, as amended by PL 2007, c. 647, §1 and affected by §8, is further amended to read:

2. Fee. The annual service administrative fee for a vanity registration plate is \$25 in addition to the regular motor vehicle registration fee. The service administrative fee must be credited to the General Highway Fund, except that, beginning July 1, 2009, \$10 of the service administrative fee must be transferred on a quarterly basis by the Treasurer of State to the TransCap Trust Fund established by Title 30-A, section 6006-G. A sum sufficient to defray the cost of this program must be allocated annually from the General Highway Fund.

Sec. 12. 29-A MRSA §468, sub-§10, ¶B, as amended by PL 2013, c. 66, §1, is further amended to read:

B. The sponsor of the specialty plate under this subsection provides a list of 500 names for each class requested, dated signatures and current plate numbers of supporters who have signed a statement declaring they intend to purchase and display the motorcycle, trailer or commercial vehicle class of specialty license plate; and

Sec. 13. 29-A MRSA §501, sub-§7, ¶H is enacted to read:

H. A temporary registration plate may not be used on a house trailer or mobile home unless the operator of the vehicle possesses the written certificate from the tax collector required by section 1002, subsection 9.

Sec. 14. 29-A MRSA §522, as amended by PL 2009, c. 174, §22, is repealed.

Sec. 15. 29-A MRSA §524, sub-§4, as amended by PL 2011, c. 356, §13, is further amended by amending the 4th blocked paragraph to read:

The Secretary of State shall determine the design of the Purple Heart plate. Upon request and as provided by section 453, the Secretary of State shall issue Purple Heart plates that are also vanity plates. Purple Heart vanity plates are issued in accordance with this section and section 453. The annual service administrative fee for vanity plates required in section 453 is credited to the Highway Fund.

Sec. 16. 29-A MRSA §602, sub-§11, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

11. Recycler. "Recycler" means a person engaged in the business of purchasing or acquiring salvage in any manner vehicles or vehicle parts for the purpose of:

- A. Reselling the vehicle or its component parts as salvage or scrap;
- B. Rebuilding or repairing the vehicle salvage vehicles for the purpose of resale;
- C. Selling or storing the vehicle's parts or basic materials;
- D. Permitting the display or storage of the vehicle or its parts salvage vehicles; or
- E. Acting as a scrap processor; or
- F. Advertising in any form that an individual or business engages in any of the activities in paragraphs A to E.

Sec. 17. 29-A MRSA §664-A, sub-§1, as amended by PL 2009, c. 598, §29, is further amended to read:

1. Vehicle sold by dealer. A vehicle that is sold by a dealer must be accompanied by a properly assigned and valid certificate of title or certificate of salvage at the time of its sale. A dealer may retain and process certificates of title and certificates of salvage at the dealer's primary facility if in the case when the dealer displays a vehicle at an annex facility the dealer maintains a copy of the certificate of title or certificate of salvage at the annex facility. A dealer selling a vehicle to a lessee who elects to purchase the leased vehicle at the end of the lease term is exempt from this provision.

Sec. 18. 29-A MRSA §664-A, sub-§3, as enacted by PL 1997, c. 437, §20, is amended to read:

3. Transfer. When transferring possession of a vehicle held for resale to a retail purchaser or selling a leased vehicle to the lessee, a dealer shall comply with section 654.

Sec. 19. 29-A MRSA §664-A, sub-§5, as amended by PL 2011, c. 556, §6, is further amended to read:

5. Sold at auction. Except for a vehicle sold to a dealer at a vehicle auction licensed under section ~~852 1051~~, a vehicle that is sold at an auction must be accompanied by a valid certificate of title or salvage at the time of its sale. The seller of a vehicle sold to a dealer at a vehicle auction licensed under section ~~852 1051~~ must provide the purchasing dealer with a valid certificate of title or certificate of salvage within 30 days.

Sec. 20. 29-A MRSA §702, sub-§2-A is enacted to read:

2-A. Lienholder registration. A lienholder who secures a lien on 15 or more titles annually is required to register with the Secretary of State for a lienholder identification number in accordance with rules adopted by the Secretary of State.

Sec. 21. 29-A MRSA §752-A, sub-§2, as repealed and replaced by PL 2005, c. 683, Pt. A, §49, is amended to read:

2. Ten Twenty years old. A vehicle, beginning with model year 2011, that is ~~40~~ 20 years old or older.

Sec. 22. 29-A MRSA §852, sub-§2, as amended by PL 2003, c. 434, §11 and affected by §37, is further amended by repealing the first blocked paragraph.

Sec. 23. 29-A MRSA §903, sub-§3, as amended by PL 2009, c. 435, §14, is amended by enacting a new first blocked paragraph to read:

A reduction in the number of plates under this subsection must be based on rules adopted by the Secretary of State. A dealer shall maintain a surety bond adequate to cover the number of sales indicated by that dealer's plates.

Sec. 24. 29-A MRSA §952, sub-§1, ¶D, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

D. A suitable office in which business is conducted and records of the business are kept; and

Sec. 25. 29-A MRSA §952, sub-§1, ¶E, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

E. At least one mechanic, who may be the owner, who has a thorough knowledge of the vehicles being handled; ~~and~~

Sec. 26. 29-A MRSA §952, sub-§1, ¶F, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

Sec. 27. 29-A MRSA §952, sub-§1-A is enacted to read:

1-A. Display license. A dealer shall display the dealer's license at the dealer's place of business.

Sec. 28. 29-A MRSA §952, sub-§1-B is enacted to read:

1-B. Vehicles. A dealer shall:

A. On all used motor vehicles offered for sale, ensure that the written vehicle history statement is conspicuously affixed to the vehicle pursuant to Title 10, section 1475; and

B. For all vehicles sold, comply with the provisions of Title 10, chapter 217.

Sec. 29. 29-A MRSA §952, sub-§3, as amended by PL 2001, c. 671, §18, is further amended to read:

3. Penalty. A person who fails to comply with ~~subsection 1, paragraphs A to F or subsection 4 1-A and 1-B~~ commits a traffic infraction.

Sec. 30. 29-A MRSA §952, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

Sec. 31. 29-A MRSA §1002, sub-§4, as amended by PL 2005, c. 433, §14 and affected by §28, is further amended to read:

4. Service vehicle. A licensed new or used car dealer may attach to that dealer's service vehicles specially designed service vehicle plates. These plates may be used only in direct connection with the licensee's business new or used car license. A dealer may attach a service vehicle plate only to a vehicle used for the service or repair of vehicles sold or being repaired by the dealer. A dealer may not attach a service vehicle plate to a vehicle that delivers parts to individuals or to businesses that are not owned by the licensee dealer.

A. A dealer is not entitled to more than 3 service vehicle plates at each established place of business.

B. The weight limit for a service vehicle, including the combined weight of vehicle and load, may not exceed 24,000 pounds. This weight limit does not apply to service vehicles of equipment dealers.

C. The fee for a service vehicle plate is \$50 annually per plate.

D. A vehicle to which a service vehicle plate is attached must have the name of the licensed dealership on the sides of the vehicle in letters at least 3 inches in height and clearly visible. The name of any other business may not be displayed on the sides of the vehicle to which the service vehicle plate is attached.

Sec. 32. 29-A MRSA §1101, sub-§1, as repealed and replaced by PL 1997, c. 776, §33, is amended to read:

1. Recycler. "Recycler" means a person engaged in the business of purchasing or acquiring salvage in any manner vehicles or vehicle parts for the purpose of:

- A. Reselling the vehicle ~~or its component parts as salvage or scrap~~;
- B. Rebuilding or repairing ~~the vehicle salvage vehicles~~ for the purpose of resale;
- C. Selling or storing the vehicle's parts or basic materials;
- D. Displaying or storing ~~the vehicle or its parts salvage vehicles~~; ~~or~~
- E. Acting as a scrap processor; ~~or~~
- F. Advertising in any form that an individual or business engages in any of the activities in paragraphs A to E.

A person may not engage in business as a recycler without a recycler license issued under this subchapter.

Sec. 33. 29-A MRSA §1102-A, as enacted by PL 2009, c. 435, §17, is repealed and the following enacted in its place:

§1102-A. Mobile crushers

1. Mobile crushers permitted. A person operating a mobile crusher in this State, whether based in or outside of the State, is subject to the provisions of this subchapter except the provisions of section 1103. The Secretary of State may adopt rules for the permitting of mobile crushers. For purposes of this section, "mobile crusher" means a transportable device that is used to crush motor vehicles.

2. Penalty. Violation of this section is a traffic infraction.

Sec. 34. 29-A MRSA §1108, sub-§1, ¶B, as amended by PL 1995, c. 482, Pt. A, §20, is further amended to read:

- B. Failure to comply with a provision of this subchapter, any lawful rule adopted by the Secretary of State or any provision of Title 17 or Title 17-A or this Title as they relate to being a proper person to be in the business of ~~the sales of~~ acquiring or selling vehicles or parts;

Sec. 35. 29-A MRSA §1110, sub-§1, as amended by PL 2019, c. 397, §16, is further amended to read:

1. Record keeping. A licensee shall maintain business records for 5 years, including ~~a record of~~:

- A. ~~Every~~ A record of every vehicle received or disposed of; its make, model, model year, vehicle identification number; the date of its receipt or disposition; and the name and address of the person from whom received or to whom given;

A-1. ~~Every~~ A record of every component part, as defined in section 602, subsection 2, received or disposed of; its part identifying number; the date of its receipt or disposition; and the name and address of the person from whom received or to whom given;

B. ~~Every~~ A record of every vehicle scrapped or dismantled by the licensee, the date of that action and the vehicle's make, model, model year and vehicle identification number; ~~and~~

C. ~~The~~ A record of the seller's name and address from a government-issued photograph identification document or credential. For purposes of this subsection, "government-issued photograph identification document or credential" includes, but is not limited to, a current and valid United States passport, military identification card, driver's license or nondriver identification card; ~~and~~

D. Copies of titles, transfers and other documents used for titling purposes.

A licensed mobile crusher must maintain an operator log for each location. The log must contain the make, model, model year and vehicle identification number of each vehicle crushed and the date of that action.

A scrap processor is exempt from the requirements set forth in paragraph A-1 for vehicles received that are already dismantled.

Sec. 36. 29-A MRSA §1256, as amended by PL 2015, c. 473, §§12 and 13, is further amended to read:

§1256. Special restricted license

A person who is 15 years of age and who has successfully completed a driver education course and passed an examination for operation of a motor vehicle as provided in section 1301 may be issued a special restricted license based on educational, employment or medical need ~~without the person's having held a permit for a period of 6 months as required by section 1304, subsection 1, paragraph H, subparagraph (1) as follows.~~

1. Educational need. A person seeking to qualify for a special restricted license based on educational need must file an application. If the applicant qualifies under paragraph A, has held a permit for a period of 6 months and has completed a minimum of 70 hours of driving, including 10 hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age, a special restricted license must be issued to the applicant.

A. An application must include:

- (1) A signed notarized statement from the applicant and the applicant's parent or guardian that:
 - (a) No readily available alternative means of transportation exists; and

(b) Use of a motor vehicle is necessary for transportation to and from a public secondary school, a private secondary school approved for attendance purposes by the Commissioner of Education or a career and technical education center or region that the applicant is attending;

- (2) A verification of school attendance; and
- (3) A statement by the principal of the school of the lack of a readily available alternative means of transportation.

B. A special restricted license issued pursuant to this subsection only authorizes the holder to operate a motor vehicle between the holder's residence and school unless accompanied by a licensed driver who meets the requirements of section 1304, subsection 1, paragraph E, subparagraphs (1) to (4).

2. Employment need. A person seeking to qualify for a special restricted license based on employment need must file an application. If the applicant qualifies under paragraph A, has held a permit for a period of 6 months and has completed a minimum of 70 hours of driving, including 10 hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age, a special restricted license must be issued to the applicant.

- A. An application must include:
 - (1) A signed, notarized statement from the applicant and the applicant's parent or guardian that:
 - (a) No readily available alternative means of transportation exists; and
 - (b) Use of a motor vehicle is necessary for transportation to, from or in connection with employment of the applicant; and
 - (2) A verification of employment by the employer.

B. A special restricted license issued pursuant to this subsection only authorizes the holder to operate a motor vehicle between the holder's residence, school and place of employment and other places necessary in direct connection with that employment unless accompanied by a licensed driver who meets the requirements of section 1304, subsection 1, paragraph E, subparagraphs (1) to (4).

2-A. Medical need. A person seeking to qualify for a special restricted license based on medical need must file an application. The Secretary of State may grant a person who is 15 years of age a special restricted license under circumstances of medical necessity that are experienced by the person or a member of the person's immediate family if the Secretary of State deter-

mines the circumstances to be exigent and not inconsistent with the interest of highway safety and if that person has held a permit for a period of 6 months and completed a minimum of 70 hours of driving, including 10 hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age. The Secretary of State may reduce the required minimum hours of driving under this subsection if the secretary determines a reduction is not inconsistent with the interest of highway safety.

- A. An application must include:
 - (1) A signed, notarized statement from a physician attesting to the existence of circumstances of medical necessity; and
 - (2) A signed, notarized statement from the applicant or the applicant's parent or guardian that:
 - (a) No readily available alternative means of transportation exists; and
 - (b) Use of a motor vehicle is necessary for transportation in connection with circumstances of medical necessity that are experienced by the person or a member of the person's immediate family.

B. A special restricted license issued pursuant to this subsection only authorizes the holder to operate a motor vehicle between the holder's residence and school and locations necessitated by the circumstances of medical necessity unless accompanied by a licensed driver who meets the requirements of section 1304, subsection 1, paragraph E, subparagraphs (1) to (4).

3. Suspension of provisional license. A special restricted license is a provisional license. Notwithstanding chapter 23, subchapter ~~III~~ 3, article 2 and in addition to section 1302, subsection 2, the Secretary of State shall suspend a special restricted license when:

- A. The holder is convicted of or adjudicated to have committed a violation of the license restriction or of a motor vehicle moving violation when holding a special restricted license. A person whose license is suspended pursuant to this paragraph is not entitled to another special restricted license; or
- B. The Secretary of State receives written notice from the holder, parent, guardian, physician, principal or employer that the holder no longer qualifies for a special restricted license.

Sec. 37. 29-A MRSA §1304, sub-§2, ¶I is enacted to read:

I. A learner's permit may be issued by the Secretary of State or by the provider of a motorcycle rider education course under section 1352.

Sec. 38. 29-A MRSA §1351, sub-§3, as repealed and replaced by PL 1997, c. 393, Pt. A, §36 and affected by §37, is amended to read:

3. Certificate Completion certificates. A successful course completion certificate may be issued if the course meets the standards adopted by the Secretary of State. A certificate may not be issued to a person who was not at least 15 years of age when beginning the course. The certificate may be used as a temporary learner's permit for the operation of a noncommercial Class C motor vehicle for 60 days from the course completion date displayed on the front of the certificate. The permittee must be in possession of the certificate while operating a motor vehicle and accompanied by a licensed operator who has held a valid driver's license for at least 2 years; is at least 20 years of age; is occupying the seat beside the operator; and is licensed to operate the class of vehicle operated by the permittee.

Sec. 39. 29-A MRSA §1352, sub-§3, as amended by PL 2019, c. 337, §3, is further amended to read:

3. Instructors; instructor license requirements. The Secretary of State shall adopt rules governing the issuance and renewal of instructor licenses. The following provisions apply to the licensing of instructors.

A. A person may not conduct a motorcycle rider education course unless licensed by the Secretary of State as a qualified instructor.

B. The Secretary of State shall:

(1) Conduct, or authorize other qualified persons to conduct, instructor preparation courses; and

(2) Establish reasonable qualification standards and requirements for licensing. The requirements must include a provision to demonstrate proficiency in operating a motorcycle.

D. The Secretary of State may, at any reasonable time, monitor and evaluate an instructor's performance to determine compliance with this section.

E. The instructor shall immediately notify the Secretary of State, in writing, whenever the instructor's mailing address or name changes.

F. An applicant for a license under this subsection shall submit to a Department of Public Safety, State Bureau of Identification background check upon initial and renewal application. The Bureau of Motor Vehicles shall request the background check from the State Bureau of Identification. A fee must be assessed at the time of initial and renewal application pursuant to Title 25, section 1541, subsection 6.

G. The Secretary of State shall use state and federal criminal history record information for the purpose

of screening motorcycle rider education instructors in order to determine whether issuance of a motorcycle rider education instructor license is granted or maintained.

Sec. 40. 29-A MRSA §1352, sub-§5, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

5. Completion certificates. An instructor shall issue a completion certificate to a student who has successfully completed the course. The certificate may be used as a temporary motorcycle permit for the operation of a motorcycle for 60 days from the course completion date displayed on the front of the certificate. The individual must be in possession of the certificate while operating a motorcycle, must wear a helmet and cannot carry passengers while operating a motorcycle. If "passed 3-Wheel BRC" is stamped on the front of the certificate, the individual is restricted to the operation of a 3-wheel motorcycle.

Sec. 41. 29-A MRSA §1352, sub-§6, ¶B, as amended by PL 2017, c. 229, §23, is further amended to read:

B. Road examination on receipt of a certificate demonstrating successful completion of a ~~novice rider~~ motorcycle rider education course approved by the Secretary of State. An endorsement issued pursuant to this paragraph prohibits the holder from carrying a passenger for a period of 60 days following the date of issuance of the endorsement.

Sec. 42. 29-A MRSA §1354, sub-§2, ¶A, as amended by PL 2011, c. 556, §12, is further amended to read:

A. A Class A driver education school license may be issued to a driver education school that employs Class A ~~or Class B~~ instructors and that is authorized to teach both the classroom and behind-the-wheel phases of driver education and behind-the-wheel private lessons to individuals who hold a valid learner's permit, driver's license or temporary driver's license. A driver education school licensed under this paragraph may also employ Class B instructors to provide the behind-the-wheel phase of driver education and behind-the-wheel private lessons. A driver education school licensed under this paragraph may teach both the classroom and behind-the-wheel phases of driver education and behind-the-wheel private lessons.

Sec. 43. 29-A MRSA §1354, sub-§2, ¶D is enacted to read:

D. A Class B driver education school license may be issued to a driver education school that employs a Class A or Class B instructor. A driver education school licensed under this paragraph may provide

only behind-the-wheel private lessons to individuals who hold a valid learner's permit, driver's license or temporary driver's license.

Sec. 44. 29-A MRSA §1354, sub-§4, as amended by PL 2011, c. 556, §14, is further amended to read:

4. Instructor license requirements. With assistance from the Technical Review Panel established in subsection 6, the Secretary of State shall adopt rules governing the issuance and renewal of instructor licenses. In addition to the requirements established by rule, each applicant must meet the following requirements:

A. The applicant must be at least 21 years of age and have a high school diploma or its equivalent;

B. The applicant must have at least 4 years of driver experience as a licensed operator and possess a valid driver's license;

C. The applicant may not have had a license revoked pursuant to chapter 23, subchapter 5 within the preceding 6-year period;

D. The applicant may not have had an OUI as defined in section 2401, subsection 8 within the preceding 6-year period;

E. The applicant must pass ~~an examination consisting of a knowledge, vision and road test in the type of vehicle for which the license is to be used~~ as prescribed by the Secretary of State; ~~and~~

F. The applicant must complete an educational program prescribed by the Secretary of State;

G. The applicant shall submit to a Department of Public Safety, State Bureau of Identification background check upon initial and renewal application. The Bureau of Motor Vehicles shall request the background check from the State Bureau of Identification. A fee must be assessed at the time of initial and renewal application pursuant to Title 25, section 1541, subsection 6;

H. The Secretary of State shall use state and federal criminal history record information for the purpose of screening driver education instructors in order to determine whether issuance of a driver education instructor license is granted or maintained; and

I. The applicant shall submit to having fingerprints taken. The Bureau of Motor Vehicles shall make available an approved list of agencies providing fingerprinting. Upon payment to an approved agency by the applicant and after the approved agency takes or causes to be taken the applicant's fingerprints and forwards the fingerprints to the State Bureau of Identification, the State Bureau of Identification shall conduct state and national crim-

inal history record checks. Fingerprinting is required upon initial application and every 5 years thereafter.

Sec. 45. 29-A MRSA §1909, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

§1909. Registration lamp

A vehicle must have a white light capable of illuminating the rear registration plate so that the characters on the plate are visible for a distance of at least 50 feet. This section does not apply to unregistered farm tractors or vehicles with valid temporary plates issued by licensed car dealers.

Sec. 46. 29-A MRSA §2092, sub-§3 is enacted to read:

3. Government vehicles. Vehicles owned and operated by government entities are not subject to the provisions of this section.

Sec. 47. 29-A MRSA §2472, sub-§2-A, as enacted by PL 2011, c. 654, §11 and affected by §16, is amended to read:

2-A. Driver improvement program. A person whose license is suspended pursuant to subsection 2 shall complete ~~a minimum of 4 hours~~ of a driver improvement program approved by the Secretary of State before the suspension may be terminated.

Sec. 48. 29-A MRSA §2508, sub-§1, as amended by PL 2013, c. 187, §2 and c. 389, §3 and affected by §7, is further amended to read:

1. Installation of ignition interlock device. Notwithstanding the periods of suspension pursuant to section 2411 or 2451, subsection 3, the Secretary of State may reinstate the license of a person convicted of a violation of section 2411, except for a violation of section 2411, subsection 1-A, paragraph D, subparagraph (1-A), or whose license is suspended by the Secretary of State pursuant to section 2453 or 2453-A if the person satisfies all other conditions for license reinstatement and installs an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates, under the following conditions.

A. The license of a person with 2 OUI offenses may be reinstated after 9 months of the suspension period has ~~run~~ been served if the person has installed ~~for a period of 2 years~~ an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates for the length of suspension time remaining.

A-1. The license of a person with one OUI offense may be reinstated after 30 days of the suspension period has ~~run~~ been served if the person has installed ~~for a period of 150 days or the length of time remaining for a suspension imposed pursuant to~~

section 2411, subsection 5, paragraph A, subparagraph (2), whichever is shorter, for the length of time remaining for the suspension an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates.

B. The license of a person with 3 OUI offenses may be reinstated after 3 years of the suspension period has ~~run been served~~ if the person has installed ~~for a period of 3 years~~ for the length of time remaining for the suspension an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates.

C. The license of a person with 4 or more OUI offenses may be reinstated after 4 years of the suspension period has ~~run been served~~ if the person has installed ~~for a period of 4 years~~ for the length of time remaining for the suspension an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates.

D. The license of a person convicted of a violation of section 2411, subsection 1-A, paragraph D, subparagraph (1) or a person whose driver's license is suspended by the Secretary of State pursuant to section 2453 or 2453-A for a period specified by section 2411, subsection 5, paragraph D-1 may be reinstated after 3 years of the suspension period has ~~run been served~~ if the person has installed ~~for a period of 3 years~~ for the length of time remaining for the suspension an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates.

A person whose license is reinstated pursuant to this subsection shall pay an administrative fee of \$50 to the Secretary of State, in addition to the fee required by section 2486, subsection 1-A.

See title page for effective date.

CHAPTER 217

H.P. 1099 - L.D. 1485

An Act to Modify the Requirements for Political Action Committees and Ballot Question Committees

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

Sec. 1. 21-A MRSA §1, sub-§3-A, as enacted by PL 2019, c. 563, §1, is amended to read:

3-A. Ballot question committee. "Ballot question committee" means a person required to register as a ballot question committee under section 1056-B has the same meaning as in section 1052, subsection 2-A.

Sec. 2. 21-A MRSA §1, sub-§29-A, as enacted by PL 2019, c. 563, §2, is amended to read:

29-A. Political action committee. "Political action committee" means a person required to register as a political action committee under section 1052-A has the same meaning as in section 1052, subsection 5.

Sec. 3. 21-A MRSA §1052, as amended by PL 2019, c. 563, §3, is further amended to read:

§1052. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Campaign. "Campaign" means any course of activities to influence the nomination or election of a candidate or to initiate or influence any of the following ballot measures:

- A. A people's veto referendum under the Constitution of Maine, Article IV, Part Third, Section 17;
- B. A direct initiative of legislation under the Constitution of Maine, Article IV, Part Third, Section 18;
- C. An amendment to the Constitution of Maine under Article X, Section 4;
- D. A referendum vote on a measure enacted by the Legislature and expressly conditioned upon ratification by a referendum vote under the Constitution of Maine, Article IV, Part Third, Section 19;
- E. The ratification of the issue of bonds by the State or any agency thereof; and
- F. Any county or municipal referendum.

2. Committee. "Committee" means any political action committee, as defined in this subchapter, or any ballot question committee required to be registered under section 1056-B or ballot question committee and includes any agent of a political action committee or ballot question committee.

2-A. Ballot question committee. "Ballot question committee" means a person that receives contributions or makes expenditures aggregating in excess of \$5,000 for the purpose of initiating or influencing a campaign, other than a campaign for the nomination or election of a candidate. The term "ballot question committee" does not include a political action committee or an exempt donor.

3. Contribution. "Contribution" includes:

- A. A gift, subscription, loan, advance or deposit of money or anything of value made to or received by a political action committee, except that a loan of money by a financial institution made in accordance with applicable banking laws and regulations

and in the ordinary course of business is not included; for the purpose of initiating or influencing a campaign, including but not limited to:

(1) Funds that the contributor specified were given, in whole or in part, in connection with a campaign;

(2) Funds provided in response to a solicitation that would lead the contributor to believe that the funds would be used specifically, in whole or in part, for the purpose of initiating or influencing a campaign; and

(3) Funds that can reasonably be determined to have been provided by the contributor for the purpose of initiating or influencing a campaign when viewed in the context of the contribution and the recipient committee's activities regarding a campaign;

A-1. Any funds deposited or transferred into the campaign account described in section 1054;

B. A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make a contribution to a ~~political action~~ committee;

C. Any funds received by a ~~political action~~ committee that are to be transferred to any candidate, committee, campaign or organization for the purpose of initiating or influencing a campaign; or

D. The payment, by any person or organization, of compensation for the personal services of other persons provided to a ~~political action~~ committee that is used by the ~~political action~~ committee to initiate or influence a campaign.

"Contribution" does not include a loan of money by a financial institution made in accordance with applicable banking laws and regulations and in the ordinary course of business.

3-A. Exempt donor. "Exempt donor" means a person that has not received contributions for the purpose of influencing a campaign in the prior 2 years and whose only payments of money to influence a campaign in the prior 2 years are:

A. Contributions of money to candidates, party committees, political action committees or ballot question committees registered with the commission or a municipality; or

B. Payments for goods or services with an aggregate value of no more than \$100,000 contributed to candidates, party committees, political action committees or ballot question committees registered with the commission or a municipality.

4. Expenditure. The term "expenditure:"

A. Includes:

(1) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made for the purpose of initiating or influencing a campaign;

(1-A) Any purchase, payment, distribution, loan, advance, deposit or gift of money made from the campaign account described in section 1054;

(2) A contract, promise or agreement, expressed or implied, whether or not legally enforceable, to make any expenditure for the purposes set forth in this paragraph; and

(3) The transfer of funds by a political action committee to another candidate or political committee; and

B. Does not include:

(1) Any news story, commentary or editorial distributed through the facilities of any broadcasting station, cable television system, newspaper, magazine or other periodical publication, unless these facilities are owned or controlled by any political party, political committee, candidate or the spouse or domestic partner of a candidate;

(2) Activity designed to encourage individuals to register to vote or to vote, if that activity or communication does not mention a clearly identified candidate;

(3) Any communication by any membership organization or corporation to its members or stockholders, if that membership organization or corporation is not organized primarily for the purpose of influencing the nomination or election of any person to state or county office;

(4) The use of real or personal property and the cost of invitations, food and beverages, voluntarily provided by a political action committee in rendering voluntary personal services for candidate-related activities, if the cumulative value of these activities by the political action committee on behalf of any candidate does not exceed \$250 with respect to any election;

(5) Any unreimbursed travel expenses incurred and paid for by a political action committee that volunteers personal services to a candidate, if the cumulative amount of these expenses does not exceed \$100 with respect to any election; ~~and~~

(6) Any communication by ~~any political action~~ a committee member that is not made for the purpose of influencing the nomination or election of any person to state or county office; ~~and~~

(7) Any payments to initiate a people's veto referendum or the direct initiative of legislation made prior to the submission of an application to the Department of the Secretary of State as provided in section 901.

4-A. Influence. "Influence" means to promote, support, oppose or defeat.

4-B. Initiate. "Initiate" includes the collection of signatures and related activities to qualify a state or local initiative or referendum for the ballot.

4-C. Leadership political action committee. "Leadership political action committee" means a political action committee, other than a caucus political action committee under section 1053-C, that was directly or indirectly established by a current member of the Legislature or that is directly or indirectly maintained or controlled by a current member of the Legislature.

5. Political action committee. The term "political action committee" ~~means~~:

A. Includes:

(1) Any separate or segregated fund established by any corporation, membership organization, cooperative or labor or other organization ~~whose purpose is to initiate or influence a campaign; that receives contributions or makes expenditures aggregating more than \$2,500 in a calendar year for the purpose of influencing the nomination or election of a candidate to political office; and~~

(4) Any person, including any corporation or association, other than an individual, that has as its major purpose initiating or influencing a campaign and that receives contributions or makes expenditures aggregating more than \$1,500 in a calendar year for that purpose; and

(5) Any person, including any corporation or association, other than an individual, ~~that does not have as its major purpose influencing candidate elections but~~ that receives contributions or makes expenditures aggregating more than \$5,000 ~~\$2,500~~ in a calendar year for the purpose of influencing the nomination or election of any candidate to political office; and

B. Does not include:

(1) A candidate or a candidate's treasurer under section 1013-A, subsection 1;

(2) A candidate's authorized political committee under section 1013-A, subsection 1, paragraph B;

(3) A party committee under section 1013-A, subsection 3; or

(4) An organization whose ~~only payments of money in the prior 2 years for the purpose of~~

~~influencing a campaign in this State are contributions to candidates, party committees, political action committees or ballot question committees registered with the commission or a municipality and that has not raised and accepted any contributions during the calendar year for the purpose of influencing a campaign in this State exempt donor.~~

Sec. 4. 21-A MRSA §1052-A, as amended by PL 2019, c. 563, §4, is further amended to read:

§1052-A. Registration

A political action committee shall register with the commission and amend its registration as required by this section. A registration is not timely filed unless it contains all the information required in this section.

1. Deadlines to file and amend registrations. A political action committee shall register and file amendments with the commission according to the following schedule.

A. A political action committee as defined under section 1052, subsection 5, paragraph A, subparagraph (1) or (4) ~~that receives (5) shall register with the commission within 7 days of receiving contributions or makes making expenditures in the aggregate in excess of \$1,500 and a political action committee as defined under section 1052, subsection 5, paragraph A, subparagraph (5) that receives contributions or makes expenditures in the aggregate in excess of \$5,000 for the purpose of influencing the nomination or election of any candidate to political office shall register with the commission within 7 days of exceeding the applicable amount \$2,500.~~

A-1. A ballot question committee shall register with the commission within 7 days of receiving contributions or making expenditures in the aggregate in excess of \$5,000.

A-2. A registered committee that does not qualify for an exception to registration pursuant to subsection 1-A shall register as a political action committee or ballot question committee, as applicable, within 7 days of exceeding the \$10,000 threshold specified in subsection 1-A.

B. A political action committee shall amend the registration within 10 days of a change in the information that political action committees are required to disclose under this section.

C. A political action committee shall file an updated registration form between January 1st and March 1st of each year in which a general election is held. The commission may waive the updated registration requirement for a newly registered political action committee or other registered political action committee if the commission determines that the requirement would cause an administrative

burden disproportionate to the public benefit of the updated information.

1-A. Exceptions to registration. The following exceptions to the registration requirements in subsection 1 apply to registered committees.

A. A registered political action committee that receives contributions or makes expenditures of \$10,000 or less in the aggregate for the purpose of influencing one or more ballot question campaigns in a calendar year is not required to register as a ballot question committee. If a registered political action committee's only expenditures to influence ballot question campaigns in an election year are monetary contributions to registered ballot question committees, the political action committee is not required to register as a ballot question committee regardless of the aggregated amount of such contributions.

B. A registered ballot question committee that receives contributions or makes expenditures of \$10,000 or less in the aggregate for the purpose of influencing the nomination or election of one or more candidates in a calendar year is not required to register as a political action committee. If a registered ballot question committee's only expenditures to influence candidate elections in an election year are monetary contributions to registered political action committees, party committees or candidates, the ballot question committee is not required to register as a political action committee regardless of the aggregated amount of such contributions.

2. Disclosure of treasurer and officers. A political action committee must have a treasurer and a principal officer. The same individual may not serve in both positions, unless the committee is an individual registering as a ballot question committee. The political action committee's registration must contain the names and addresses of the following individuals:

- A. The treasurer of the political action committee;
- B. A principal officer of the political action committee;
- C. Any other individuals who are primarily responsible for making decisions for the political action committee;
- D. The individuals who are primarily responsible for raising contributions for the political action committee; and
- E. The names of any other candidates or Legislators who have a significant role in fund-raising or decision-making for the political action committee.

3. Other disclosure requirements. A political action committee's registration must also include the following information:

A. A statement indicating the specific candidates, categories of candidates or campaigns or ballot questions that the ~~political action~~ committee expects to support or oppose;

B. If the ~~political action~~ committee is formed to influence the election of a single candidate, the name of that candidate;

C. The form or structure of the organization, such as a voluntary association, membership organization, corporation or any other structure by which the ~~political action~~ committee functions, and the date of origin or incorporation of the organization;

D. If the ~~political action~~ committee has been formed by one or more for-profit or nonprofit corporations or other organizations for the purpose of initiating or influencing a campaign, the names and addresses of the corporations or organizations;

E. The name of the account that the ~~political action~~ committee will use to deposit contributions and make expenditures pursuant to section 1054, and the name and address of the financial institution at which the account is established; ~~and~~

E-1. A certification of whether the committee is a leadership political action committee; and

F. Any additional information reasonably required by the commission to monitor the activities of ~~political action~~ committees in this State under this subchapter.

4. Acknowledgment of responsibilities. The treasurer, principal officer and any other individuals who are primarily responsible for making decisions for the ~~political action~~ committee shall submit a signed statement acknowledging their responsibilities on a form prescribed by the commission within 10 days of registering the ~~political action~~ committee. The signed acknowledgment statement serves as notification of the responsibilities of the ~~political action~~ committee to comply with the financial reporting, record-keeping and other requirements of this chapter and the potential personal liability of the treasurer and principal officer for civil penalties assessed against the ~~political action~~ committee. The commission shall notify the ~~political action~~ committee of any individual who has failed to submit the acknowledgment statement. Failure to return the acknowledgment statement is a violation of this subchapter for which a fine of \$100 may be assessed against the ~~political action~~ committee. This section also applies to individuals named in an updated or amended registration required by this subsection who have not previously submitted an acknowledgment statement for the ~~political action~~ committee with the commission.

5. Resignation and removal. An individual who resigns as the treasurer, principal officer or primary decision maker of a ~~political action~~ committee shall submit a written resignation statement to the commission.

An individual's resignation is not effective until the commission receives the written resignation statement from the individual. If an individual is involuntarily removed from the position of treasurer, principal officer or primary decision maker by the ~~political action~~ committee, the ~~political action~~ committee shall notify the commission in writing that the individual has been removed from the position. The commission may prescribe forms for these purposes.

6. Modified registration. The commission may adopt simplified registration procedures and forms for an individual registering as a ballot question committee to initiate or influence a ballot question.

Sec. 5. 21-A MRSA §1053-A, as amended by PL 2019, c. 563, §5, is further amended to read:

§1053-A. Municipal elections

If an organization qualifies as a ~~political action~~ committee under section 1052, ~~subsection 5 or is a ballot question committee required to register under section 1056-B 2~~ and that organization receives contributions or makes expenditures to influence a municipal campaign in towns or cities with a population of 15,000 or more, that organization must register and file reports with the municipal clerk as required by Title 30-A, section 2502. The reports must be filed in accordance with the reporting schedule in section 1059 and must contain the information listed in section 1060. A committee registered with the commission and that receives contributions or makes expenditures relating to a municipal election shall file a copy of the report containing such contributions or expenditures with the clerk in the subject municipality. The commission retains the sole authority to prescribe the content of all reporting forms. The commission does not have responsibility to oversee the filing of registrations or campaign finance reports relating to municipal campaigns. If a municipal clerk becomes aware of a potential violation of this subchapter that the clerk considers to be substantial, the clerk may refer the matter to the commission for enforcement. The commission may conduct an investigation if the information referred by the municipal clerk shows sufficient grounds for believing that a violation may have occurred. After conducting the investigation, if the commission determines that a violation of this subchapter has occurred, the commission may assess penalties provided in this subchapter.

Sec. 6. 21-A MRSA §1054, as amended by PL 2019, c. 563, §7, is repealed and the following enacted in its place:

§1054. Appointment of treasurer; segregated campaign account

1. Appointment of treasurer. A committee required to register under section 1052-A shall appoint a treasurer before registering with the commission.

2. Segregated campaign account. A committee registered under section 1052-A shall establish a separate account in a bank or other financial institution, referred to in this section as a "campaign account." The committee shall deposit all funds contributed to or received by the committee for the purpose of initiating or influencing a campaign in the campaign account and shall finance all of the committee's expenditures to initiate or influence the campaign through the campaign account. If a business or corporate entity has established the committee, the campaign account must be segregated from the general treasury funds of the entity that established the committee. If the committee is established by one or more individuals, the campaign account must be segregated from and not commingled with the personal funds of those individuals.

3. Exceptions. The commission may adopt procedures by rule for waiving the requirement under subsection 2 to maintain a segregated campaign account upon a showing by a committee that a separate account would be administratively burdensome, including but not limited to committees organized outside this State or an individual who registers as a ballot question committee. If the committee was formed by another organization, that other organization may pay its employees for their campaign-related activities on behalf of the committee through its own treasury, rather than the campaign account. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. 7. 21-A MRSA §1054-A, as amended by PL 2019, c. 563, §8, is further amended to read:

§1054-A. Duties and liabilities of the treasurer, principal officer and primary decision maker of ~~political action~~ committees

1. Duties of the treasurer. The treasurer of the ~~political action~~ committee shall ensure that the ~~political action~~ committee files and amends the ~~political action~~ committee's registration, files complete and accurate financial reports with the commission and maintains the ~~political action~~ committee's records as required by this chapter and the commission's rules. The treasurer is responsible for the ~~political action~~ committee's performance of these duties regardless of whether the treasurer has delegated administrative tasks related to these duties to another individual.

2. Joint responsibilities of the treasurer and principal officer. The treasurer and the principal officer are jointly responsible for the ~~political action~~ committee's compliance with the requirements of this chapter and the commission's rules. The treasurer and principal officer are responsible for accepting and responding to notices and correspondence from the commission on behalf of the ~~political action~~ committee.

3. Participation in spending decisions. An individual who is the treasurer, principal officer or primary

decision maker of the ~~political action~~ committee and who has signed the acknowledgment statement required by section 1052-A, subsection 4 is deemed to have participated in the pending decisions of the ~~political action~~ committee until the commission receives the individual's resignation statement or a notice of the individual's involuntary removal from the ~~political action~~ committee.

4. Financial liability. The commission may hold the treasurer and principal officer jointly and severally liable with the ~~political action~~ committee for any fines assessed against the ~~political action~~ committee for violations of this chapter and chapter 14. In addition, the commission may assess all or part of a fine against any other agent of the ~~political action~~ committee who is directly responsible for a violation, including individuals who have resigned or have been removed involuntarily from the ~~political action~~ committee. In deciding whether to assess a penalty against a treasurer, principal officer or any other individual, the commission may consider, among other things, whether the individual had actual knowledge of the action that constituted the violation or had authorized that action and whether the violation was intentional or caused by an error by a vendor or someone outside the control of the ~~political action~~ committee.

Sec. 8. 21-A MRSA §1056-B, as amended by PL 2019, c. 323, §23 and c. 563, §11, is repealed.

Sec. 9. 21-A MRSA §1057, as amended by PL 2019, c. 563, §12, is further amended to read:

§1057. Required records for ~~political action~~ committees

Any ~~political action~~ committee that is required to register under section 1052-A or 1053-B shall keep records as provided in this section for 4 years following the election to which the records pertain.

1. Details of records. The treasurer of a ~~political action~~ committee shall record a detailed account of:

- A. All expenditures made to or in behalf of a candidate, campaign or ~~political action~~ committee;
- B. The identity of each candidate, campaign or ~~political action~~ committee;
- C. The office sought by a candidate and the district the candidate seeks to represent, for candidates that a ~~political action~~ committee has made an expenditure to or in behalf of; and
- D. The date of each expenditure.

2. Receipts. The treasurer of a ~~political action~~ committee shall retain a vendor invoice or receipt stating the particular goods or services purchased for every expenditure in excess of \$50 to initiate or influence a campaign.

3. Record of contributions. The treasurer of a ~~political action~~ committee shall keep a record of all contributions to the ~~political action~~ committee, by name and mailing address, of each donor and the amount and date of the contribution. This provision does not apply to aggregate contributions from a single donor of \$50 or less for an election or referendum campaign. When any donor's contributions to a ~~political action~~ committee exceed \$50, the record must include the aggregate amount of all contributions from that donor.

4. Account statements. The treasurer of a ~~political action~~ committee shall keep account statements relating to the deposit of funds of the ~~political action~~ committee required by section 1054.

5. Simplified record-keeping requirements. The commission may adopt by rule simplified record-keeping requirements for an individual registering as a ballot question committee to initiate or influence a ballot question. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. 10. 21-A MRSA §1059, first ¶, as amended by PL 2019, c. 323, §24, is further amended to read:

A committee required to register under section 1052-A, or 1053-B ~~or 1056-B~~ shall file an initial campaign finance report within 7 days of registration or within 14 days of having been required to register, whichever comes first, and thereafter shall file reports in compliance with this section. All reports must be filed by 11:59 p.m. on the day of the filing deadline, except that reports submitted to a municipal clerk must be filed by the close of business on the day of the filing deadline.

Sec. 11. 21-A MRSA §1060, as amended by PL 2019, c. 563, §§14 to 16, is further amended to read:

§1060. Content of reports

The reports must contain the following information and any additional information required by the commission to monitor the activities of ~~political action~~ committees:

1. Identification of candidates. The names of and offices sought by all candidates whom whose campaigns the ~~political action~~ committee supports; or intends to support or seeks to defeat influence;

2. Identification of committees; parties. The names of all political committees or party committees supported in any way by the ~~political action~~ committee;

3. Identification of referendum or initiated petition ballot question campaigns. The referenda or initiated petitions ballot question campaigns that the ~~political action~~ committee supports or opposes intends to initiate or influence;

4. Itemized expenditures. An itemization of each expenditure made to initiate or influence any campaign, including the date, payee and purpose of the expenditure; ~~and the name of each candidate, campaign, political committee, political action committee or party committee supported or opposed;~~ and each referendum or initiated petition supported or opposed by the expenditure. If expenditures were made to a person described in section 1012, subsection 3, paragraph A, subparagraph (4), the report must contain the name of the person; the amount spent by that person on behalf of the ~~candidate, campaign, political committee, political action committee, party committee, referendum or initiated petition,~~ including, but not limited to, expenditures made during the signature gathering phase; the reason for the expenditure; and the date of the expenditure. The commission may specify the categories of expenditures that are to be reported to enable the commission to closely monitor the activities of ~~political action committees;~~

~~**5. Aggregate expenditures.**—An aggregation of expenditures and cumulative aggregation of expenditures to a candidate, campaign, political committee, political action committee, party committee, referendum or initiated petition;~~

6. Identification of contributions. ~~Names, occupations~~ An itemization of each contribution of more than \$50 made to or received by the committee for the purpose of initiating or influencing a campaign, including the name, occupation, places of business and mailing addresses address of contributors who have given more than \$50 to the political action committee in the reporting period each contributor and the amount and date of each the contribution, except that an organization qualifying as a political action committee under section 1052, subsection 5, paragraph A, subparagraph (5) is required to report only those contributions made to the organization for the purpose of influencing a ballot question or the nomination or election of a candidate to political office and all transfers to or funds used to support the political action committee from the general treasury of the organization; and

6-A. Funds deposited into campaign account. Any funds deposited into or transferred into the campaign account described in section 1054, including but not limited to funds from the general treasury of an organization that is required to establish a committee; and

7. Other expenditures payments. Operational expenses and any other expenditures that are not made on behalf of a candidate, committee or campaign, except that an organization qualifying as a political action committee under section 1052, subsection 5, paragraph A, subparagraph (5) is required to report only those expenditures made for the purpose of influencing a campaign payments made from the campaign account described in section 1054.

Sec. 12. 21-A MRSA §1125, sub-§6-F, as amended by PL 2019, c. 635, §6, is further amended to read:

6-F. Participation in political action committees. A participating candidate or a certified candidate may not establish a political action committee for which the candidate is a treasurer or principal officer or for which the candidate is primarily responsible for fund-raising or decision making. This prohibition applies between April 1st immediately preceding a general election through:

- A. The date on which the candidate withdraws from a race;
- B. The date of the primary election or general election for a candidate who loses either election; or
- C. January 1st immediately preceding the next general election for a candidate who wins the general election.

This prohibition also applies to a participating candidate or certified candidate in a special election, except that the prohibition begins on the date of the candidate's nomination. This subsection does not prohibit a participating candidate or certified candidate, including a certified candidate who wins a general or special election, from engaging in fund-raising or decision making for a caucus political action committee, ~~a ballot question committee or a political action committee formed for the purpose of promoting or opposing a ballot question.~~ This prohibition applies to a participating candidate or certified candidate regardless of the date on which the political action committee was established.

See title page for effective date.

CHAPTER 218

S.P. 481 - L.D. 1494

An Act To Create Limited Lines Self-storage Insurance

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

Sec. 1. 24-A MRSA §601, sub-§33 is enacted to read:

33. Self-storage insurance provider. Self-storage insurance provider fees may not exceed:

- A. Issuance of license for self-storage insurance provider, \$100; and
- B. Annual renewal fee, \$50.

Sec. 2. 24-A MRSA §1420-C, sub-§2, ¶G, as amended by PL 2011, c. 297, §3, is further amended to read:

G. A salaried full-time employee who counsels or advises that person's employer relative to the insurance interests of the employer or of the subsidiaries or business affiliates of the employer if the employee does not sell or solicit insurance or receive a commission; ~~or~~

Sec. 3. 24-A MRSA §1420-C, sub-§2, ¶H, as enacted by PL 2011, c. 297, §4, is amended to read:

H. A person who offers to sell or sells portable electronic device insurance pursuant to a license issued by the superintendent under chapter 89-; ~~or~~

Sec. 4. 24-A MRSA §1420-C, sub-§2, ¶I is enacted to read:

I. A person who offers to sell or sells self-storage insurance pursuant to a license issued by the superintendent under chapter 97.

Sec. 5. 24-A MRSA c. 97 is enacted to read:

CHAPTER 97

LIMITED LINES SELF-STORAGE INSURANCE

§7501. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Customer. "Customer" means a person who rents or leases a storage space within a self-storage facility under a rental agreement with a self-storage provider. "Customer" includes the sublessee, assignee or successor in interest of the person originally a party to a rental agreement with a self-storage provider.

2. Covered customer. "Covered customer" means a customer who elects to receive coverage under a self-storage insurance policy.

3. Limited lines license. "Limited lines license" means a license to sell or offer a policy for self-storage insurance.

4. Location. "Location" means any physical location of a self-storage facility in the State or any publicly accessible website, call center or similar operation directed to residents of the State.

5. Rental agreement. "Rental agreement" means a written agreement between a customer and self-storage provider that establishes or modifies the terms, conditions or other provisions governing a customer's occupancy and use of a storage space within a self-storage facility owned or operated by the self-storage provider.

6. Self-storage facility. "Self-storage facility" means any real property or facility in which individual storage spaces rented or leased by a self-storage provider to a customer are located and within which a customer is generally responsible for placing and removing

property the customer stores within a rented or leased storage space.

7. Self-storage insurance. "Self-storage insurance" means personal property insurance authorized under section 705 providing coverage for the repair or replacement of personal property of a covered customer stored at a self-storage facility or in transit to or from a self-storage facility against various causes of loss, including loss or damage. "Self-storage insurance" does not include a homeowner's or renter's insurance, private passenger automobile insurance, commercial multiple peril insurance or any similar policy.

8. Self-storage provider. "Self-storage provider" means a person or business entity, as defined in section 1151-A, subsection 4, that is the owner, operator, lessor or sublessor of a self-storage facility.

9. Supervising entity. "Supervising entity" means a business entity that is a licensed insurance producer or insurer.

§7502. Licensure of self-storage providers

1. License required. A self-storage provider must obtain a limited lines license under this chapter prior to selling or offering coverage under a policy of self-storage insurance.

2. Authority provided by license. A limited lines license issued under this chapter authorizes any employee or authorized representative of a self-storage provider to sell or offer coverage under a policy of self-storage insurance to a customer at each location at which the self-storage provider engages with a customer or prospective customer.

3. List of locations. In connection with a self-storage provider's application for a license under section 7506 and upon request by the superintendent, the self-storage provider shall provide a list to the superintendent of all locations in this State at which the self-storage provider offers coverage.

4. Activities authorized by license. Notwithstanding any provision of law to the contrary, a license issued pursuant to this chapter authorizes the licensee and its employees or authorized representatives to engage only in those activities that are expressly permitted in this chapter.

§7503. Requirements for the sale of self-storage insurance

1. Brochures. At each location where a self-storage provider sells or offers self-storage insurance to customers, the self-storage provider shall make available to a prospective customer brochures or other written materials that:

A. Disclose that self-storage insurance may provide a duplication of coverage already provided by a customer's homeowner's insurance policy,

renter's insurance policy or other source of coverage;

B. State that the enrollment by the customer in a self-storage insurance policy is not required in order to rent or lease storage space within a self-storage facility;

C. Summarize the material terms of the insurance coverage, including:

- (1) The identity of the insurer;
- (2) The identity of the supervising entity;
- (3) The amount of any applicable deductible and how it is to be paid; and
- (4) Benefits of the coverage;

D. Summarize the process for filing a claim; and

E. State that the customer may cancel enrollment for coverage under a self-storage insurance policy at any time and the person paying the premium must receive a refund of any applicable unearned premium.

2. Periodic basis of coverage. Self-storage insurance may be offered on a month-to-month or other periodic basis as a group or master commercial inland marine policy issued to a self-storage provider under which individual customers may elect to enroll for coverage.

3. Eligibility and underwriting standards. Eligibility and underwriting standards for customers that elect to enroll in self-storage insurance must be established by an insurer for each self-storage insurance program.

§7504. Authority of self-storage providers

1. Requirements for employees and authorized representatives of self-storage providers. An employee or authorized representative of a self-storage provider may sell or offer self-storage insurance to a customer and is not subject to licensure as an insurance producer under this chapter if:

A. The self-storage provider obtains a limited lines license to authorize its employees or authorized representatives to sell or offer self-storage insurance pursuant to this section;

B. The insurer issuing the self-storage insurance either directly supervises or appoints a supervising entity to supervise the administration of the sale of insurance, including development of a training program for employees and authorized representatives of the self-storage providers.

- (1) The training must be delivered to all employees and authorized representatives of the self-storage provider who are directly engaged in the activity of selling or offering self-

storage insurance. The training may be provided in electronic form. If the training is conducted in electronic form, the supervising entity shall implement a supplemental education program that is conducted and overseen by licensed employees of the supervising entity to supplement the electronic training.

(2) Each employee and authorized representative must receive basic instruction about the self-storage insurance offered to customers and the disclosures required under section 7503, subsection 1; and

C. The employee or authorized representative of the self-storage provider does not advertise, represent or otherwise hold that employee or authorized representative out as other than a limited lines licensed insurance producer.

2. Charges. The charges for self-storage insurance coverage may be billed and collected by the self-storage provider. Any charge to the customer for coverage that is not included in the cost associated with the rental or lease of self-storage or related services must be separately itemized on the customer's bill. If the self-storage insurance coverage is included with the rental or lease of self-storage or related services, the self-storage provider shall clearly and conspicuously disclose to the customer that the self-storage insurance coverage is included with the rented or leased storage space. A self-storage provider billing and collecting charges for coverage is not required to maintain those funds in a segregated account as long as the self-storage provider is authorized by the insurer to hold such funds in an alternative manner and remits the funds to the supervising entity within 60 days of receipt. All funds received by a self-storage provider from a customer for the sale of self-storage insurance are considered funds held in trust by the self-storage provider in a fiduciary capacity for the benefit of the insurer. A self-storage provider may receive compensation for billing and collection services.

§7505. Violations

1. Penalties. If a self-storage provider or its employee or authorized representative violates any provision of this chapter, the superintendent may enforce this chapter in accordance with section 12-A except the superintendent may not impose a fine exceeding \$15,000 for aggregate conduct in violation of this chapter.

2. Suspension or revocation. In addition to any other penalties authorized by law, the superintendent may:

- A. Suspend the authority of a self-storage provider to transact self-storage insurance;
- B. Suspend the authority of a self-storage provider to transact self-storage insurance pursuant to this

chapter at specific business locations where violations have occurred; and

C. Suspend or revoke the authority of an individual employee or authorized representative of a self-storage provider to act under a limited lines license under section 7502, subsection 2.

§7506. Application for license and fees

1. Application for license to be filed with superintendent. A self-storage provider must file a sworn application for a license under this chapter with the superintendent on forms prescribed and furnished by the superintendent.

2. Contents of application. In addition to other information required by the superintendent, the application for a license under this chapter must:

A. Provide the name, residence address and other information required by the superintendent for an employee or authorized representative of the self-storage provider who is designated by the applicant as the person responsible for the self-storage provider's compliance with the requirements of this chapter. If the self-storage provider derives more than 50% of its revenue from the sale of self-storage insurance, the information specified in this paragraph must be provided for all officers, directors and shareholders of record having beneficial ownership of 10% or more of any class of securities registered under the federal securities laws;

B. Appoint the superintendent as the applicant's attorney to receive service of all legal process issued against it in any civil action or proceeding in this State and agree that process so served is valid and binding against the applicant. The appointment is irrevocable, binds the company and any successor in interest as well as the assets or liabilities of the applicant and must remain in effect as long as the applicant's license remains in force in this State; and

C. Provide the location of the applicant's home office.

3. Time of application. An application for a license under this chapter must be made within 90 days of the application's being made available by the superintendent.

4. Initial license valid for 24 months. An initial license issued pursuant to this chapter is valid for 24 months and expires on the last day of the 24th month.

5. Fee. Each self-storage provider licensed under this chapter shall pay to the superintendent a fee equal to the amount prescribed by section 601, subsection 33.

See title page for effective date.

CHAPTER 219

H.P. 1134 - L.D. 1530

An Act To Allow People To Live in Tiny Homes as a Primary or Accessory Dwelling

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

Sec. 1. 30-A MRSA §4363 is enacted to read:

§4363. Regulation of tiny homes

1. Definition. For the purposes of this section, "tiny home" has the same meaning as in Title 29-A, section 101, subsection 80-C.

2. Location of tiny homes. A municipality shall permit a tiny home to be placed or erected on an individual house lot where single-family dwellings are allowed or as an accessory structure, subject to all applicable land use requirements as single-family dwellings or as an accessory structure.

See title page for effective date.

CHAPTER 220

H.P. 1194 - L.D. 1605

An Act To License Ambulance Drivers Who Are Not Licensed To Provide Emergency Medical Services

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

Sec. 1. 32 MRSA §82, sub-§1, as amended by PL 2007, c. 274, §2, is further amended to read:

1. Licenses required. An ambulance service, ambulance, nontransporting emergency medical service, emergency medical services person, emergency medical services ambulance operator, emergency medical dispatch center or emergency medical dispatcher may not operate or practice unless duly licensed by the Emergency Medical Services' Board pursuant to this chapter, except as stated in subsection 2.

Sec. 2. 32 MRSA §83, sub-§12-A is enacted to read:

12-A. Emergency medical services ambulance operator. "Emergency medical services ambulance operator" means a person associated with a licensed ground ambulance service who operates an ambulance in emergency mode or transports patients and is not licensed under section 85.

Sec. 3. 32 MRSA §85-B is enacted to read:

§85-B. Emergency medical services ambulance operators

1. Mandatory qualifications. The board shall adopt rules governing qualifications for and standards to be observed by emergency medical services ambulance operators, including:

A. Establishing licensing requirements for emergency medical services ambulance operators;

B. Establishing minimal education and continuing education requirements for emergency medical services ambulance operators;

C. Providing for Maine Emergency Medical Services approval of training programs for emergency medical services ambulance operators that are conducted in accordance with standards approved by the board; and

D. Establishing requirements for holding a valid state driver's license pursuant to Title 29-A, chapter 11, subchapter 1.

2. Background check. The board shall obtain criminal history record information containing a record of public criminal history record information as defined in Title 16, section 703, subsection 8 for an applicant for licensure under this section. Information obtained pursuant to this subsection is confidential and may be used only to determine suitability for issuance of a license to operate an emergency medical services ambulance. The results of criminal history record information checks received by the board are for official use only and may not be disseminated outside the board. The applicant for licensure shall pay the expense of obtaining the information required by this subsection.

3. Persons requiring a license to operate an emergency medical services ambulance. A person not licensed under section 85 who is associated with a ground ambulance service shall obtain a license under this section to operate an emergency medical services ambulance. This section does not apply to a person not associated with a ground ambulance service who operates an emergency medical services ambulance.

4. Licensing actions. A license issued under this section is subject to the provisions of sections 90-A and 91-A.

5. Effect on tort claims. This section does not increase any liability that may arise or be limited under Title 14, chapter 741.

6. Rules. The board shall adopt rules to carry out the purposes of this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 221
H.P. 1233 - L.D. 1662**

**An Act Regarding Maine's
Sales Prohibition on
Upholstered Furniture Treated
with Flame-retardant
Chemicals**

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

Sec. 1. 38 MRSA §1609-A, sub-§3, ¶B, as enacted by PL 2017, c. 311, §1, is amended to read:

B. Upholstered furniture purchased for public use in public facilities, including, but not limited to, schools, jails and hospitals, that is required by the State of California to meet the flammability standard in California Department of Consumer Affairs, Bureau of Home Furnishings and Thermal Insulation Technical Bulletin 133, "Flammability Test Procedure for Seating Furniture for Use in Public Occupancies," dated January 1991; ~~and~~

Sec. 2. 38 MRSA §1609-A, sub-§3, ¶C, as enacted by PL 2017, c. 311, §1, is amended to read:

C. New upholstered furniture otherwise subject to the prohibition in subsection 2 that is sold, offered for sale or distributed for promotional purposes in the State by a retailer or wholesaler on or after January 1, 2019 and that was imported into the State or otherwise purchased or acquired by the retailer or wholesaler for sale or distribution in the State prior to January 1, 2019; ~~and~~

Sec. 3. 38 MRSA §1609-A, sub-§3, ¶D is enacted to read:

D. Electronic components and associated electronic component casings of upholstered furniture that is subject to the prohibition in subsection 2.

Sec. 4. 38 MRSA §1609-A, sub-§3-A is enacted to read:

3-A. Retailer indemnification. If upholstered furniture delivered to a retailer in the State by the manufacturer of the upholstered furniture is subsequently determined to contain flame-retardant chemicals such that it is prohibited from sale or distribution in the State under subsection 2, the retailer is entitled to a full refund from the manufacturer with respect to that upholstered furniture, including shipping and other related costs.

See title page for effective date.

**CHAPTER 222
H.P. 12 - L.D. 46**

**An Act To Further Protect
Consumers from Surprise
Medical Bills**

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

Whereas, it is critically important that this legislation to further protect consumers from surprise medical bills take effect before the expiration of the 90-day period; 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:

Sec. 1. 24-A MRSA §4303-C, sub-§2, ¶B, as amended by PL 2019, c. 668, §2, is further amended to read:

B. Except as provided for ambulance services in paragraph D, unless the carrier and out-of-network provider agree otherwise, a carrier shall reimburse the out-of-network provider or enrollee, as applicable, for health care services rendered at the greater of:

- (1) The carrier's median network rate paid for that health care service by a similar provider in the ~~enrollee's~~ geographic area where the service was provided; and
- (2) The median network rate paid by all carriers for that health care service by a similar provider in the ~~enrollee's~~ geographic area where the service was provided as determined by the all-payer claims database maintained by the Maine Health Data Organization or, if Maine Health Data Organization claims data is insufficient or otherwise inapplicable, another independent medical claims database specified by the superintendent;

Sec. 2. 24-A MRSA §4303-E, sub-§1, ¶G, as enacted by PL 2019, c. 668, §3, is repealed.

Sec. 3. 24-A MRSA §4303-E, sub-§1, ¶I is enacted to read:

I. Following a determination by an independent dispute resolution entity of a reasonable fee for a particular health care service, an out-of-network

provider may not initiate the dispute resolution process under this subsection for that same health care service for a period of 90 days.

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

Effective June 16, 2021.

**CHAPTER 223
H.P. 42 - L.D. 76**

**An Act To Amend the Dental
Practice Act To Define
"Supervision" and Authorize
Teledentistry**

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 sole purpose of the Board of Dental Practice is to protect the public health and welfare by ensuring that the public is served by competent and honest practitioners and by establishing minimum standards of proficiency; and

Whereas, pursuant to Public Law 2019, chapter 388, section 11, the Board of Dental Practice issued a legislative report dated January 31, 2020, making recommendations to further revise the Dental Practice Act by revising existing supervision and scopes of practice provisions, to consider technological advances such as the use of teledentistry to provide greater flexibility in the delivery of dental services and to improve access to dental care in Maine; and

Whereas, LD 2146, An Act To Implement the Recommendations of the Board of Dental Practice Related to the Definitions of "Supervision" and "Teledentistry," was introduced during the Second Regular Session of the 129th Legislature, but was not enacted due to the existing state of civil emergency due to the COVID-19 pandemic; and

Whereas, substantive policy decisions such as authorizing the use of teledentistry and refining scopes of practice, including levels of supervision, are appropriate for the legislative process, not an administrative rule-making process; and

Whereas, immediate enactment of this legislation is necessary to authorize dental professionals to fully exercise their scopes of practice and use available technologies to provide care; 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:

Sec. 1. 32 MRSA §18302, sub-§18, as enacted by PL 2015, c. 429, §21, is amended to read:

18. Direct supervision. "Direct supervision" means the supervision required ~~by the board by rule~~ of those tasks and procedures requiring the physical presence of the supervisor in the practice setting at the time such tasks or procedures are being performed. In order to provide direct supervision of patient treatment, the supervisor must at least identify or diagnose the condition to be treated, and authorize the treatment procedure prior to implementation and examine the condition after treatment and prior to the patient's discharge.

Sec. 2. 32 MRSA §18302, sub-§22, as enacted by PL 2015, c. 429, §21, is amended to read:

22. General supervision. "General supervision" means the supervision ~~required by the board by rule~~ of those tasks and procedures ~~when that do not require~~ the physical presence of the supervisor ~~is not required~~ in the practice setting while procedures are being performed but do require the tasks and procedures to be performed with the prior knowledge and consent of the supervisor.

Sec. 3. 32 MRSA §18302, sub-§35 is enacted to read:

35. Supervision. "Supervision" means either direct supervision or general supervision as determined by the tasks and procedures that are being performed in accordance with this chapter.

Sec. 4. 32 MRSA §18302, sub-§36 is enacted to read:

36. Supervisor. "Supervisor" means an individual licensed by the board and authorized to provide supervision under this chapter.

Sec. 5. 32 MRSA §18302, sub-§37 is enacted to read:

37. Teledentistry. "Teledentistry," as it pertains to the delivery of oral health care services, means the use of interactive, real-time visual, audio or other electronic media for the purposes of education, assessment, examination, diagnosis, treatment planning, consultation and directing the delivery of treatment by individuals licensed under this chapter and includes synchronous encounters, asynchronous encounters, remote patient monitoring and mobile oral health care in accordance with practice guidelines specified in rules adopted by the board.

Sec. 6. 32 MRSA §18342, sub-§6, ¶D, as enacted by PL 2015, c. 429, §21, is amended to read:

D. A statement from the ~~sponsoring~~ supervising dentist that demonstrates that the level of supervision and control of the services to be performed by the applicant are adequate and that the performance of these services are within the applicant's dental knowledge and skill.

Sec. 7. 32 MRSA §18371, sub-§2, ¶E, as enacted by PL 2015, c. 429, §21, is amended to read:

E. An individual with a resident dentist license may provide dental services only under the supervision of ~~the sponsoring~~ a dentist and in accordance with the level of supervision and control for which the license was issued by the board.

Sec. 8. 32 MRSA §18371, sub-§3, as amended by PL 2017, c. 388, §15, is repealed and the following enacted in its place:

3. Delegation authorized. A dentist may delegate to an unlicensed person or a licensed person activities related to dental care and treatment that are delegated by custom and usage as long as those activities are under the supervision or control of the dentist. A dentist who delegates activities to an unlicensed person as described is legally liable for the activities of that unlicensed person and the unlicensed person in this relationship is considered the dentist's agent.

Sec. 9. 32 MRSA §18371, sub-§4, as amended by PL 2017, c. 288, Pt. A, §35, is further amended to read:

4. Delegation not authorized. A dentist may not delegate ~~any dental activity not listed in subsection 3 or 6~~ to an unlicensed person activities related to dental care or treatment that require a license under this chapter. A dentist may not delegate to a licensed person activities related to dental care or treatment that are outside the scope of practice of that licensed person.

Sec. 10. 32 MRSA §18373, sub-§1, as amended by PL 2017, c. 388, §17, is further amended to read:

1. Scope of practice; direct supervision. An expanded function dental assistant may perform under the ~~direct general~~ supervision of a dentist all of the activities that may be delegated by a dentist to an unlicensed person pursuant to section 18371, subsection 3, ~~paragraph C~~. An expanded function dental assistant may also perform the following activities authorized under the ~~direct general~~ supervision of a dentist:

A. Apply cavity liners and bases as long as the dentist:

- (1) Has ordered the cavity liner or base; and
- (2) Has checked the cavity liner or base prior to the placement of the restoration; ~~and~~
- (3) ~~Has checked the final restoration prior to patient dismissal;~~

- B. Apply pit and fissure sealants after an evaluation of the teeth by the dentist at the time of sealant placement;
- C. Apply supragingival desensitizing agents to an exposed root surface or dentinal surface of teeth;
- D. Apply topical fluorides recognized for the prevention of dental caries;
- ~~E. Cement provisional or temporary crowns and bridges and remove excess cement;~~
- ~~F. Perform pulp vitality tests;~~
- G. Place and contour amalgam, composite and other restorative materials prior to the final setting or curing of the material;
- I. Place and remove gingival retraction cord;
- K. Size, place and cement or bond orthodontic bands and brackets with final inspection by the dentist;
- L. ~~Supragingival polishing. A dentist or a dental hygienist must first determine that the teeth to be polished are free of calculus or other extraneous material prior to polishing. Dentists may permit an expanded function dental assistant to use only using a slow-speed rotary instrument and rubber cup. Dentists may allow an expanded function dental assistant to use high speed, power driven handpieces or instruments to contour or finish newly placed composite materials; and~~
- ~~M. Obtain impressions for athletic mouth guards, provisional or temporary crowns and bridges.~~
- HH. Contour or finish restorative materials using a high-speed, power-driven handpiece or instrument.

Sec. 11. 32 MRSA §18373, sub-§2, as amended by PL 2017, c. 388, §17, is repealed.

Sec. 12. 32 MRSA §18374, as amended by PL 2017, c. 388, §§18 and 19, is further amended to read:

§18374. Dental hygienist

1. Scope of practice; direct supervision. A dental hygienist and faculty dental hygienist may perform the following ~~procedures~~ under the direct supervision of a dentist:

- A. Administer local anesthesia or nitrous oxide analgesia, as long as the dental hygienist or faculty dental hygienist has authority to administer the relevant medication pursuant to section 18345, subsection 2, paragraph D or E;
- B. Irrigate and dry root canals;
- ~~C. Record readings with a digital caries detector and report them to the dentist for interpretation and evaluation;~~

- ~~D. Remove socket dressings;~~
- ~~E. Take cytological smears as requested by the dentist; and~~
- ~~F. Obtain impressions for nightguards and occlusal splints.~~

2. Scope of practice; general supervision. A dental hygienist and faculty dental hygienist may perform under the general supervision of a dentist all of the activities that may be delegated to an unlicensed person pursuant to section 18371, subsection 3, ~~except the activities in section 18371, subsection 3, paragraph C, subparagraphs (6), (17) and (19).~~ A dental hygienist and faculty dental hygienist may also perform the following procedures under the general supervision of a dentist:

- A. Prescribe, dispense or administer anticavity toothpastes or topical gels with 1.1% or less sodium fluoride and oral rinses with 0.05%, 0.2%, 0.44% or 0.5% sodium fluoride, as well as chlorhexidine gluconate oral rinse;
- C. Apply desensitizing agents to teeth;
- D. Apply fluoride to control caries;
- F. Apply sealants;
- J. Expose and process radiographs;
- ~~O. Interview patients and record complete medical and dental histories;~~
- ~~R. Obtain bacterial sampling when treatment is planned by the dentist;~~
- S. Perform all procedures necessary for a complete prophylaxis, including root planing;
- U. Perform complete periodontal and dental restorative charting;
- X. Perform oral inspections, recording all conditions that should be called to the attention of the dentist;
- ~~Y. Perform postoperative irrigation of surgical sites;~~
- ~~CC. Place and remove gingival retraction cord without vasoconstrictor;~~
- GG. Place localized delivery of chemotherapeutic agents when treatment is planned by the dentist;
- JJ. Place temporary restorations as an emergency procedure, as long as the patient is informed of the temporary nature of the restoration; and
- ~~LL. Prepare tooth sites and surfaces with a rubber cup and pumice for banding or bonding of orthodontic brackets. This procedure may not be interpreted as a preparation for restorative material;~~
- TT. Smooth and polish amalgam restorations; and

~~VV. Obtain impressions for study casts, athletic mouth guards, custom trays, bleaching trays, fluoride trays, opposing models, retainers and stents.~~

3. Limitation. An individual with a faculty dental hygienist license may provide the services described in this section only as part of the education program for which the license was issued by the board.

Sec. 13. 32 MRSA §18377, sub-§1, as amended by PL 2019, c. 388, §10, is further amended to read:

1. Scope of practice. A dental therapist may perform the following procedures in limited practice settings, if authorized by a written practice agreement with a dentist licensed in this State pursuant to subsection 3.

A. To the extent permitted in a written practice agreement, a dental therapist may provide the care and services listed in this paragraph only under the direct supervision of the supervising dentist:

- (1) Perform oral health assessments, pulpal disease assessments for primary and young teeth, simple cavity preparations and restorations and simple extractions;
- (2) Prepare and place stainless steel crowns and aesthetic anterior crowns for primary incisors and prepare, place and remove space maintainers;
- ~~(3) Provide referrals;~~
- (4) Administer local anesthesia and nitrous oxide analgesia;
- ~~(5) Perform preventive services;~~
- (6) Conduct urgent management of dental trauma, perform suturing, extract primary teeth and perform nonsurgical extractions of periodontally diseased permanent teeth if authorized in advance by the supervising dentist; and
- (7) Provide, dispense and administer anti-inflammatories, nonprescription analgesics, antimicrobials, antibiotics and anticaries materials;
- ~~(8) Administer radiographs; and~~
- ~~(9) Perform other related services and functions authorized by the supervising dentist and for which the dental therapist is trained.~~

B. To the extent permitted in a written practice agreement, a dental therapist may provide the care and services listed in identified in section 18371, subsection 3 and section 18374, subsections 1 and 2 under the general supervision of the supervising dentist.

Sec. 14. 32 MRSA §18394 is enacted to read:

§18394. Teledentistry

An individual licensed under this chapter may provide oral health care services and procedures authorized under this chapter or by rule using teledentistry. The board shall adopt by rule guidelines and practice standards for the use of teledentistry, including, but not limited to, practice requirements for protecting patient rights and protocols for referrals, quality and safety, informed consent, patient evaluation, treatment parameters, patient records, prescribing, supervision and compliance with data exchange standards for the security and confidentiality of patient information. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

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

Effective June 16, 2021.

CHAPTER 224

H.P. 117 - L.D. 161

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2021, June 30, 2022 and June 30, 2023

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. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Budget - Bureau of the 0055

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	1.000	1.000
COUNT		
Personal Services	\$119,290	\$119,888
All Other	\$8,893	\$8,893
HIGHWAY FUND TOTAL	\$128,183	\$128,781

BUDGET - BUREAU OF THE 0055

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	1.000	1.000
COUNT		
Personal Services	\$119,290	\$119,888
All Other	\$8,893	\$8,893
HIGHWAY FUND TOTAL	\$128,183	\$128,781

Buildings and Grounds Operations 0080

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	10.000	10.000
COUNT		
Personal Services	\$570,714	\$586,613
All Other	\$1,302,241	\$1,302,241
HIGHWAY FUND TOTAL	\$1,872,955	\$1,888,854

Buildings and Grounds Operations 0080

Initiative: Reduces funding in the Buildings and Grounds Operations Highway Fund account on a one-time basis to align with projected actual expenses for fuel and electricity costs and by deferring planned maintenance of buildings and grounds.

HIGHWAY FUND	2021-22	2022-23
All Other	(\$67,673)	(\$67,673)
HIGHWAY FUND TOTAL	(\$67,673)	(\$67,673)

BUILDINGS AND GROUNDS OPERATIONS 0080

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	10.000	10.000
COUNT		
Personal Services	\$570,714	\$586,613
All Other	\$1,234,568	\$1,234,568
HIGHWAY FUND TOTAL	\$1,805,282	\$1,821,181

Claims Board 0097

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	0.500	0.500
COUNT		
Personal Services	\$54,427	\$54,415
All Other	\$18,344	\$18,344
HIGHWAY FUND TOTAL	\$72,771	\$72,759

CLAIMS BOARD 0097

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	0.500	0.500
COUNT		
Personal Services	\$54,427	\$54,415
All Other	\$18,344	\$18,344
HIGHWAY FUND TOTAL	\$72,771	\$72,759

Revenue Services, Bureau of 0002

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	1.000	1.000
COUNT		
Personal Services	\$553,210	\$558,002
All Other	\$32,095	\$32,095
HIGHWAY FUND TOTAL	\$585,305	\$590,097

REVENUE SERVICES, BUREAU OF 0002

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	1.000	1.000
COUNT		
Personal Services	\$553,210	\$558,002
All Other	\$32,095	\$32,095
HIGHWAY FUND TOTAL	\$585,305	\$590,097

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS

HIGHWAY FUND	\$2,591,541	\$2,612,818
DEPARTMENT TOTAL - ALL FUNDS	\$2,591,541	\$2,612,818

Sec. A-2. Appropriations and allocations. The following appropriations and allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Air Quality 0250

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
All Other	\$33,054	\$33,054

HIGHWAY FUND TOTAL	\$33,054	\$33,054
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Air Quality 0250

Initiative: Reduces funding by recognizing one-time savings in All Other for consultant services.

HIGHWAY FUND	2021-22	2022-23
All Other	(\$1,455)	(\$1,455)

HIGHWAY FUND TOTAL	(\$1,455)	(\$1,455)
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AIR QUALITY 0250

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
All Other	\$31,599	\$31,599

HIGHWAY FUND TOTAL	\$31,599	\$31,599
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ENVIRONMENTAL PROTECTION, DEPARTMENT OF

DEPARTMENT TOTALS	2021-22	2022-23
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HIGHWAY FUND	\$31,599	\$31,599
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DEPARTMENT TOTAL - ALL FUNDS	\$31,599	\$31,599
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Sec. A-3. Appropriations and allocations. The following appropriations and allocations are made.

LEGISLATURE

Legislature 0081

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$5,720	\$3,575
All Other	\$7,280	\$4,550

HIGHWAY FUND TOTAL	\$13,000	\$8,125
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LEGISLATURE 0081

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$5,720	\$3,575
All Other	\$7,280	\$4,550

HIGHWAY FUND TOTAL	\$13,000	\$8,125
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Sec. A-4. Appropriations and allocations. The following appropriations and allocations are made.

MUNICIPAL BOND BANK, MAINE

TransCap Trust Fund Z064

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$41,239,695	\$41,239,695

OTHER SPECIAL REVENUE FUNDS TOTAL	\$41,239,695	\$41,239,695
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TransCap Trust Fund Z064

Initiative: Adjusts funding to reflect transfers from the Highway Fund unallocated surplus for the 2022-2023 biennium.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$6,752,206	\$6,831,841

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,752,206	\$6,831,841
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TRANSCAP TRUST FUND Z064

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$47,991,901	\$48,071,536

OTHER SPECIAL REVENUE FUNDS TOTAL	\$47,991,901	\$48,071,536
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MUNICIPAL BOND BANK, MAINE

DEPARTMENT TOTALS	2021-22	2022-23
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OTHER SPECIAL REVENUE FUNDS	\$47,991,901	\$48,071,536
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DEPARTMENT TOTAL - ALL FUNDS	\$47,991,901	\$48,071,536
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Sec. A-5. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

Administration - Public Safety 0088

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$146,531	\$150,093
All Other	\$692,205	\$692,205

HIGHWAY FUND TOTAL	\$838,736	\$842,298
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ADMINISTRATION - PUBLIC SAFETY 0088

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$146,531	\$150,093
All Other	\$692,205	\$692,205

HIGHWAY FUND TOTAL	\$838,736	\$842,298
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Highway Safety DPS 0457

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	1.000	1.000
COUNT		
Personal Services	\$82,443	\$85,314
All Other	\$553,161	\$553,161
HIGHWAY FUND TOTAL	\$635,604	\$638,475

Highway Safety DPS 0457

Initiative: Reduces funding for office supplies costs.

HIGHWAY FUND	2021-22	2022-23
All Other	(\$329)	(\$329)
HIGHWAY FUND TOTAL	(\$329)	(\$329)

HIGHWAY SAFETY DPS 0457

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	1.000	1.000
COUNT		
Personal Services	\$82,443	\$85,314
All Other	\$552,832	\$552,832
HIGHWAY FUND TOTAL	\$635,275	\$638,146

Motor Vehicle Inspection 0329

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	11.000	11.000
COUNT		
Personal Services	\$941,762	\$949,783
All Other	\$393,770	\$393,770
HIGHWAY FUND TOTAL	\$1,335,532	\$1,343,553

MOTOR VEHICLE INSPECTION 0329

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	11.000	11.000
COUNT		
Personal Services	\$941,762	\$949,783
All Other	\$393,770	\$393,770
HIGHWAY FUND TOTAL	\$1,335,532	\$1,343,553

State Police 0291

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$15,396,283	\$15,649,637
All Other	\$6,302,309	\$6,302,309
HIGHWAY FUND TOTAL	\$21,698,592	\$21,951,946

State Police 0291

Initiative: Provides funding for the approved reclassification of 2 Planning and Research Associate II positions to 2 Criminal Intelligence Analyst positions,

effective July 26, 2019 and effective August 7, 2019 respectively, and provides funding for related All Other costs.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$7,810	\$2,750
All Other	\$195	\$69
HIGHWAY FUND TOTAL	\$8,005	\$2,819

State Police 0291

Initiative: Reduces funding in the General Fund and Highway Fund to recognize savings in technology costs.

HIGHWAY FUND	2021-22	2022-23
All Other	(\$224,679)	(\$221,057)
HIGHWAY FUND TOTAL	(\$224,679)	(\$221,057)

State Police 0291

Initiative: Reduces debt retirement funding one time to meet General Fund and Highway Fund cost reduction efforts.

HIGHWAY FUND	2021-22	2022-23
All Other	(\$423,485)	(\$349,854)
HIGHWAY FUND TOTAL	(\$423,485)	(\$349,854)

State Police 0291

Initiative: Reduces funding for office supplies costs.

HIGHWAY FUND	2021-22	2022-23
All Other	(\$12,319)	(\$12,002)
HIGHWAY FUND TOTAL	(\$12,319)	(\$12,002)

State Police 0291

Initiative: Reduces funding for cellular phone service costs.

HIGHWAY FUND	2021-22	2022-23
All Other	(\$8,969)	(\$8,969)
HIGHWAY FUND TOTAL	(\$8,969)	(\$8,969)

State Police 0291

Initiative: Reduces funding for fleet maintenance costs.

HIGHWAY FUND	2021-22	2022-23
All Other	(\$44,845)	(\$44,845)
HIGHWAY FUND TOTAL	(\$44,845)	(\$44,845)

State Police 0291

Initiative: Reduces funding one time in gasoline expenses to meet General Fund and Highway Fund cost reduction efforts.

HIGHWAY FUND	2021-22	2022-23
All Other	(\$37,670)	(\$37,670)
HIGHWAY FUND TOTAL	(\$37,670)	(\$37,670)

STATE POLICE 0291

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$15,404,093	\$15,652,387
All Other	\$5,550,537	\$5,627,981
HIGHWAY FUND TOTAL	\$20,954,630	\$21,280,368

State Police - Support 0981

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$683,833	\$699,640
All Other	\$11,145	\$11,145
HIGHWAY FUND TOTAL	\$694,978	\$710,785

STATE POLICE - SUPPORT 0981

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$683,833	\$699,640
All Other	\$11,145	\$11,145
HIGHWAY FUND TOTAL	\$694,978	\$710,785

Traffic Safety 0546

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$1,117,431	\$1,126,366
All Other	\$313,991	\$313,991
HIGHWAY FUND TOTAL	\$1,431,422	\$1,440,357

TRAFFIC SAFETY 0546

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$1,117,431	\$1,126,366
All Other	\$313,991	\$313,991
HIGHWAY FUND TOTAL	\$1,431,422	\$1,440,357

Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	43.000	43.000
Personal Services	\$5,155,628	\$5,201,963
All Other	\$972,625	\$972,625
HIGHWAY FUND TOTAL	\$6,128,253	\$6,174,588

Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: Reduces funding for office supplies costs.

HIGHWAY FUND	2021-22	2022-23
All Other	(\$513)	(\$513)
HIGHWAY FUND TOTAL	(\$513)	(\$513)

TRAFFIC SAFETY - COMMERCIAL VEHICLE ENFORCEMENT 0715

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	43.000	43.000
Personal Services	\$5,155,628	\$5,201,963
All Other	\$972,112	\$972,112
HIGHWAY FUND TOTAL	\$6,127,740	\$6,174,075

PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS

HIGHWAY FUND	\$32,018,313	\$32,429,582
DEPARTMENT TOTAL - ALL FUNDS	\$32,018,313	\$32,429,582

Sec. A-6. Appropriations and allocations. The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF Administration - Motor Vehicles 0077

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	368.500	368.500
Personal Services	\$29,756,002	\$30,423,538
All Other	\$12,995,331	\$12,995,119
HIGHWAY FUND TOTAL	\$42,751,333	\$43,418,657

Administration - Motor Vehicles 0077

Initiative: Provides funding for the approved reorganization of 2 Senior Programmer Analyst positions to Agency Application Architect positions and related All Other costs.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$14,647	\$14,645
All Other	\$983	\$983
HIGHWAY FUND TOTAL	\$15,630	\$15,628

Administration - Motor Vehicles 0077

Initiative: Provides funding for the approved reorganization of one Senior Technical Support Specialist position to an Information Technology Consultant position and related All Other costs.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$9,329	\$9,324
All Other	\$663	\$626

HIGHWAY FUND TOTAL	\$9,992	\$9,950
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Administration - Motor Vehicles 0077

Initiative: Continues 6 limited-period Customer Representative Associate II - Motor Vehicle positions continued by Financial Order 001067 F1 through June 10, 2023 and provides funding for related All Other costs.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$423,384	\$436,956
All Other	\$28,405	\$29,844

HIGHWAY FUND TOTAL	\$451,789	\$466,800
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Administration - Motor Vehicles 0077

Initiative: Provides one-time funding for one backup storage array for the production system.

HIGHWAY FUND	2021-22	2022-23
Capital Expenditures	\$0	\$91,909

HIGHWAY FUND TOTAL	\$0	\$91,909
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Administration - Motor Vehicles 0077

Initiative: Provides one-time funding for 2 database servers and 2 servers to be used with virtual machine technology.

HIGHWAY FUND	2021-22	2022-23
Capital Expenditures	\$72,248	\$0

HIGHWAY FUND TOTAL	\$72,248	\$0
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Administration - Motor Vehicles 0077

Initiative: Provides funding for increased costs as a result of higher STA-CAP.

HIGHWAY FUND	2021-22	2022-23
All Other	\$1,076,311	\$1,121,048

HIGHWAY FUND TOTAL	\$1,076,311	\$1,121,048
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Administration - Motor Vehicles 0077

Initiative: Provides one-time funding for the replacement of 3 tape drives.

HIGHWAY FUND	2021-22	2022-23
Capital Expenditures	\$23,076	\$0

HIGHWAY FUND TOTAL	\$23,076	\$0
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Administration - Motor Vehicles 0077

Initiative: Provides one-time funding for the replacement of 10 scanners.

HIGHWAY FUND	2021-22	2022-23
All Other	\$52,907	\$0

HIGHWAY FUND TOTAL	\$52,907	\$0
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Administration - Motor Vehicles 0077

Initiative: Provides one-time funding for 130 laptop computers statewide.

HIGHWAY FUND	2021-22	2022-23
All Other	\$173,403	\$0

HIGHWAY FUND TOTAL	\$173,403	\$0
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Administration - Motor Vehicles 0077

Initiative: Provides one-time funding for the replacement of 2 cluster switches for the production storage array.

HIGHWAY FUND	2021-22	2022-23
Capital Expenditures	\$0	\$35,102

HIGHWAY FUND TOTAL	\$0	\$35,102
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Administration - Motor Vehicles 0077

Initiative: Provides funding for the approved reclassification of one Public Service Manager II position from range 30 to range 31 and related All Other costs. The approved range change has an effective date of May 30, 2019.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$13,536	\$4,498
All Other	\$909	\$302

HIGHWAY FUND TOTAL	\$14,445	\$4,800
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Administration - Motor Vehicles 0077

Initiative: Provides funding for the approved reorganization of one vacant Staff Development Specialist IV position to a Public Service Coordinator I position and related All Other costs.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$16,339	\$17,160
All Other	\$1,097	\$1,152

HIGHWAY FUND TOTAL	\$17,436	\$18,312
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Administration - Motor Vehicles 0077

Initiative: Reduces funding for out-of-state travel, rent expenses, repairs to buildings and equipment, employee training and fuel to maintain costs within available resources.

HIGHWAY FUND	2021-22	2022-23
All Other	(\$80,000)	(\$80,000)

HIGHWAY FUND TOTAL	(\$80,000)	(\$80,000)
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Administration - Motor Vehicles 0077

Initiative: Reduces funding for information technology equipment.

HIGHWAY FUND	2021-22	2022-23
All Other	(\$100,000)	(\$100,000)

HIGHWAY FUND TOTAL	(\$100,000)	(\$100,000)
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Administration - Motor Vehicles 0077

Initiative: Provides funding for the approved reorganization of one Clerk IV position to a Motor Vehicle Section Manager position and related All Other costs.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$20,916	\$20,911
All Other	\$1,404	\$1,403

HIGHWAY FUND TOTAL	\$22,320	\$22,314
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Administration - Motor Vehicles 0077

Initiative: Provides funding for the approved reorganization of one Business Manager I position to a Business Manager II position and related All Other costs.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$12,018	\$12,016
All Other	\$807	\$807

HIGHWAY FUND TOTAL	\$12,825	\$12,823
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Administration - Motor Vehicles 0077

Initiative: Reduces funding by eliminating mobile unit operations in southern Maine.

HIGHWAY FUND	2021-22	2022-23
All Other	(\$20,000)	(\$20,000)

HIGHWAY FUND TOTAL	(\$20,000)	(\$20,000)
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Administration - Motor Vehicles 0077

Initiative: Provides funding for software updates to the e-CDL skills and road test program in compliance with the Federal Motor Carrier Safety Administration commercial driver license division performance review.

HIGHWAY FUND	2021-22	2022-23
All Other	\$106,709	\$0

HIGHWAY FUND TOTAL	\$106,709	\$0
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Administration - Motor Vehicles 0077

Initiative: Provides funding for the approved reorganization of one vacant Customer Representative Associate II - Motor Carrier Services position to an Office Specialist I position and related All Other costs.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$3,041	\$3,162
All Other	\$203	\$213

HIGHWAY FUND TOTAL	\$3,244	\$3,375
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Administration - Motor Vehicles 0077

Initiative: Provides funding for the annual fee and per driver fee for state-to-state verification services.

HIGHWAY FUND	2021-22	2022-23
All Other	\$0	\$89,693

HIGHWAY FUND TOTAL	\$0	\$89,693
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Administration - Motor Vehicles 0077

Initiative: Provides funding for the approved reorganization of 3 Customer Representative Associate I positions to 3 Customer Representative Associate II positions and related All Other costs.

HIGHWAY FUND	2021-22	2022-23
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Personal Services	\$7,548	\$7,955
All Other	\$507	\$534

HIGHWAY FUND TOTAL	\$8,055	\$8,489
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Administration - Motor Vehicles 0077

Initiative: Provides funding for the approved reorganization of one Data Base Administrator position to an Information Technology Consultant position and related All Other costs.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$14,109	\$14,104
All Other	\$946	\$947

HIGHWAY FUND TOTAL	\$15,055	\$15,051
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Administration - Motor Vehicles 0077

Initiative: Provides funding for the approved reorganization of one Programmer Analyst position to an Information Technology Business Analyst position and related All Other costs.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$19,743	\$19,739
All Other	\$1,325	\$1,325

HIGHWAY FUND TOTAL	\$21,068	\$21,064
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Administration - Motor Vehicles 0077

Initiative: Provides funding for the approved reorganization of one Office Specialist II position to a Programmer Analyst position and related All Other costs.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$23,320	\$24,248
All Other	\$1,565	\$1,627

HIGHWAY FUND TOTAL	\$24,885	\$25,875
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ADMINISTRATION - MOTOR VEHICLES 0077

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	368.500	368.500
Personal Services	\$30,333,932	\$31,008,256
All Other	\$14,243,475	\$14,045,623
Capital Expenditures	\$95,324	\$127,011

HIGHWAY FUND TOTAL	\$44,672,731	\$45,180,890
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SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS

HIGHWAY FUND	2021-22	2022-23
	\$44,672,731	\$45,180,890

DEPARTMENT TOTAL - ALL FUNDS	2021-22	2022-23
	\$44,672,731	\$45,180,890

Sec. A-7. Appropriations and allocations. The following appropriations and allocations are made.

TRANSPORTATION, DEPARTMENT OF

Administration 0339

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	96.000	96.000
COUNT		
Personal Services	\$9,614,109	\$9,795,290
All Other	\$4,492,783	\$4,492,783
HIGHWAY FUND TOTAL	\$14,106,892	\$14,288,073

Administration 0339

Initiative: Adjusts allocations for technology costs based on the rate schedules provided by the Department of Administrative and Financial Services, Office of Information Technology.

HIGHWAY FUND	2021-22	2022-23
All Other	(\$164,063)	(\$187,956)
HIGHWAY FUND TOTAL	(\$164,063)	(\$187,956)

Administration 0339

Initiative: Reduces funding for Personal Services savings that will be achieved by managing vacancies and matching actual benefit costs to current workforce demographics.

HIGHWAY FUND	2021-22	2022-23
Personal Services	(\$250,000)	(\$250,000)
HIGHWAY FUND TOTAL	(\$250,000)	(\$250,000)

Administration 0339

Initiative: Transfers positions within funds and programs to more appropriately match the account with the work being done.

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	(3.000)	(3.000)
COUNT		
Personal Services	(\$330,132)	(\$331,511)
HIGHWAY FUND TOTAL	(\$330,132)	(\$331,511)

ADMINISTRATION 0339

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	93.000	93.000
COUNT		
Personal Services	\$9,033,977	\$9,213,779
All Other	\$4,328,720	\$4,304,827
HIGHWAY FUND TOTAL	\$13,362,697	\$13,518,606

Callahan Mine Site Restoration Z007

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$740,000	\$740,000

OTHER SPECIAL REVENUE	\$740,000	\$740,000
FUNDS TOTAL		

CALLAHAN MINE SITE RESTORATION Z007

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$740,000	\$740,000

OTHER SPECIAL REVENUE	\$740,000	\$740,000
FUNDS TOTAL		

Fleet Services 0347

Initiative: BASELINE BUDGET

FLEET SERVICES FUND - DOT	2021-22	2022-23
POSITIONS - LEGISLATIVE	26.000	26.000
COUNT		
POSITIONS - FTE COUNT	125.125	125.125
Personal Services	\$12,651,660	\$12,972,553
All Other	\$18,009,153	\$18,009,153

FLEET SERVICES FUND - DOT TOTAL	\$30,660,813	\$30,981,706
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Fleet Services 0347

Initiative: Adjusts allocations for technology costs based on the rate schedules provided by the Department of Administrative and Financial Services, Office of Information Technology.

FLEET SERVICES FUND - DOT	2021-22	2022-23
All Other	\$218,979	\$186,894

FLEET SERVICES FUND - DOT TOTAL	\$218,979	\$186,894
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FLEET SERVICES 0347

PROGRAM SUMMARY

FLEET SERVICES FUND - DOT	2021-22	2022-23
POSITIONS - LEGISLATIVE	26.000	26.000
COUNT		
POSITIONS - FTE COUNT	125.125	125.125
Personal Services	\$12,651,660	\$12,972,553
All Other	\$18,228,132	\$18,196,047

FLEET SERVICES FUND - DOT TOTAL	\$30,879,792	\$31,168,600
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Highway and Bridge Capital 0406

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	453.000	453.000
COUNT		
POSITIONS - FTE COUNT	19.609	19.609
Personal Services	\$22,520,387	\$22,897,968
All Other	\$18,862,766	\$18,862,766

HIGHWAY FUND TOTAL	\$41,383,153	\$41,760,734
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FIRST SPECIAL SESSION - 2021

PUBLIC LAW, C. 224

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$25,215,071	\$25,635,301
All Other	\$47,655,513	\$47,655,513
FEDERAL EXPENDITURES FUND TOTAL	\$72,870,584	\$73,290,814

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$2,413,586	\$2,455,685
All Other	\$4,589,564	\$4,589,564
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,003,150	\$7,045,249

Highway and Bridge Capital 0406

Initiative: Provides funding for Capital Expenditures in various programs within the Federal Expenditures Fund and Other Special Revenue Funds.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Capital Expenditures	\$233,000,000	\$233,000,000
FEDERAL EXPENDITURES FUND TOTAL	\$233,000,000	\$233,000,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$30,000,000	\$30,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$30,000,000	\$30,000,000

Highway and Bridge Capital 0406

Initiative: Adjusts allocations for technology costs based on the rate schedules provided by the Department of Administrative and Financial Services, Office of Information Technology.

HIGHWAY FUND	2021-22	2022-23
All Other	\$970,210	\$629,822
HIGHWAY FUND TOTAL	\$970,210	\$629,822

Highway and Bridge Capital 0406

Initiative: Provides the allocation to spend GARVEE bond proceeds for highway and bridge needs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$25,000,000	\$25,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$25,000,000	\$25,000,000

Highway and Bridge Capital 0406

Initiative: Reduces funding for Personal Services savings that will be achieved by managing vacancies and matching actual benefit costs to current workforce demographics.

HIGHWAY FUND	2021-22	2022-23
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Personal Services	(\$750,000)	(\$750,000)
HIGHWAY FUND TOTAL	(\$750,000)	(\$750,000)

Highway and Bridge Capital 0406

Initiative: Transfers positions within funds and programs to more appropriately match the account with the work being done.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$52,894	\$51,340
HIGHWAY FUND TOTAL	\$52,894	\$51,340

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$58,771	\$57,043
FEDERAL EXPENDITURES FUND TOTAL	\$58,771	\$57,043

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$5,882	\$5,703
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,882	\$5,703

Highway and Bridge Capital 0406

Initiative: Provides allocation for flexible federal highway funds contained in the federal Coronavirus Response and Relief Supplemental Appropriations Act of 2021.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Capital Expenditures	\$15,000,000	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$15,000,000	\$0

Highway and Bridge Capital 0406

Initiative: Reduces allocation to align with available resources.

HIGHWAY FUND	2021-22	2022-23
All Other	\$0	(\$4,300,000)
HIGHWAY FUND TOTAL	\$0	(\$4,300,000)

HIGHWAY AND BRIDGE CAPITAL 0406

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	453.000	453.000
POSITIONS - FTE COUNT	19.609	19.609
Personal Services	\$21,823,281	\$22,199,308
All Other	\$19,832,976	\$15,192,588
HIGHWAY FUND TOTAL	\$41,656,257	\$37,391,896

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$25,273,842	\$25,692,344

All Other	\$47,655,513	\$47,655,513
Capital Expenditures	\$248,000,000	\$233,000,000
FEDERAL EXPENDITURES FUND TOTAL	\$320,929,355	\$306,347,857

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$2,419,468	\$2,461,388
All Other	\$4,589,564	\$4,589,564
Capital Expenditures	\$55,000,000	\$55,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$62,009,032	\$62,050,952

Highway Light Capital Z095

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
All Other	\$2,250,000	\$2,250,000
HIGHWAY FUND TOTAL	\$2,250,000	\$2,250,000

Highway Light Capital Z095

Initiative: Provides authority to spend the return of the cash available after the repayment of bonds from the funds previously transferred to the Maine Municipal Bond Bank TransCap Trust Fund.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$19,100,000	\$19,100,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$19,100,000	\$19,100,000

Highway Light Capital Z095

Initiative: Provides allocation for flexible federal highway funds contained in the federal Coronavirus Response and Relief Supplemental Appropriations Act of 2021.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Capital Expenditures	\$10,000,000	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$10,000,000	\$0

Highway Light Capital Z095

Initiative: Reduces allocation to align with available resources.

HIGHWAY FUND	2021-22	2022-23
All Other	\$0	(\$2,250,000)
HIGHWAY FUND TOTAL	\$0	(\$2,250,000)

HIGHWAY LIGHT CAPITAL Z095

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
All Other	\$2,250,000	\$0
HIGHWAY FUND TOTAL	\$2,250,000	\$0

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Capital Expenditures	\$10,000,000	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$10,000,000	\$0

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$19,100,000	\$19,100,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$19,100,000	\$19,100,000

Local Road Assistance Program 0337

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
All Other	\$21,327,646	\$21,327,646
HIGHWAY FUND TOTAL	\$21,327,646	\$21,327,646

Local Road Assistance Program 0337

Initiative: Adjusts funding for the Local Road Assistance Program at the correct proportioned rate in accordance with the Maine Revised Statutes, Title 23, section 1803-B.

HIGHWAY FUND	2021-22	2022-23
All Other	\$297,082	\$539,655
HIGHWAY FUND TOTAL	\$297,082	\$539,655

Local Road Assistance Program 0337

Initiative: Reduces allocation to align with available resources.

HIGHWAY FUND	2021-22	2022-23
All Other	\$0	(\$589,500)
HIGHWAY FUND TOTAL	\$0	(\$589,500)

LOCAL ROAD ASSISTANCE PROGRAM 0337

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
All Other	\$21,624,728	\$21,277,801
HIGHWAY FUND TOTAL	\$21,624,728	\$21,277,801

Maintenance and Operations 0330

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	160.000	160.000
POSITIONS - FTE COUNT	1,017.904	1,017.904
Personal Services	\$98,160,587	\$100,110,890
All Other	\$78,156,579	\$78,156,579
HIGHWAY FUND TOTAL	\$176,317,166	\$178,267,469

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$4,036,652	\$4,117,392

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All Other	\$5,106,169	\$5,106,169
FEDERAL EXPENDITURES FUND TOTAL	\$9,142,821	\$9,223,561
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,374,886	\$1,374,886
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,374,886	\$1,374,886
INDUSTRIAL DRIVE FACILITY FUND	2021-22	2022-23
All Other	\$500,000	\$500,000
INDUSTRIAL DRIVE FACILITY FUND TOTAL	\$500,000	\$500,000

Maintenance and Operations 0330

Initiative: Provides one-time funding to support Fleet Services in the operation of vehicles and equipment necessary to maintain the transportation system.

HIGHWAY FUND	2021-22	2022-23
All Other	\$6,250,000	\$6,250,000
HIGHWAY FUND TOTAL	\$6,250,000	\$6,250,000

Maintenance and Operations 0330

Initiative: Adjusts allocations for technology costs based on the rate schedules provided by the Department of Administrative and Financial Services, Office of Information Technology.

HIGHWAY FUND	2021-22	2022-23
All Other	\$510,458	\$1,001,906
HIGHWAY FUND TOTAL	\$510,458	\$1,001,906

Maintenance and Operations 0330

Initiative: Provides funding for the purchase of capital equipment to be used in the maintenance of the transportation system and capital repairs to the department headquarters building.

HIGHWAY FUND	2021-22	2022-23
Capital Expenditures	\$1,100,000	\$1,100,000
HIGHWAY FUND TOTAL	\$1,100,000	\$1,100,000

Maintenance and Operations 0330

Initiative: Reduces funding for Personal Services savings that will be achieved by managing vacancies and matching actual benefit costs to current workforce demographics.

HIGHWAY FUND	2021-22	2022-23
Personal Services	(\$7,400,000)	(\$7,400,000)
HIGHWAY FUND TOTAL	(\$7,400,000)	(\$7,400,000)

Maintenance and Operations 0330

Initiative: Transfers positions within funds and programs to more appropriately match the account with the work being done.

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$80,637	\$84,669
HIGHWAY FUND TOTAL	\$80,637	\$84,669

MAINTENANCE AND OPERATIONS 0330

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	161.000	161.000
POSITIONS - FTE COUNT	1,017.904	1,017.904
Personal Services	\$90,841,224	\$92,795,559
All Other	\$84,917,037	\$85,408,485
Capital Expenditures	\$1,100,000	\$1,100,000
HIGHWAY FUND TOTAL	\$176,858,261	\$179,304,044

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$4,036,652	\$4,117,392
All Other	\$5,106,169	\$5,106,169

FEDERAL EXPENDITURES FUND TOTAL	\$9,142,821	\$9,223,561
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,374,886	\$1,374,886

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,374,886	\$1,374,886
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INDUSTRIAL DRIVE FACILITY FUND	2021-22	2022-23
All Other	\$500,000	\$500,000

INDUSTRIAL DRIVE FACILITY FUND TOTAL	\$500,000	\$500,000
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Multimodal - Aviation 0294

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,585,782	\$1,585,782

FEDERAL EXPENDITURES FUND TOTAL	\$1,585,782	\$1,585,782
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$241,118	\$242,538
All Other	\$957,000	\$957,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,198,118	\$1,199,538
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Multimodal - Aviation 0294

Initiative: Provides funding for Capital Expenditures in various programs within the Federal Expenditures Fund and Other Special Revenue Funds.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Capital Expenditures	\$300,000	\$300,000
FEDERAL EXPENDITURES FUND TOTAL	\$300,000	\$300,000

MULTIMODAL - AVIATION 0294

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,585,782	\$1,585,782
Capital Expenditures	\$300,000	\$300,000
FEDERAL EXPENDITURES FUND TOTAL	\$1,885,782	\$1,885,782

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$241,118	\$242,538
All Other	\$957,000	\$957,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,198,118	\$1,199,538

Multimodal - Freight Rail 0350

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
All Other	\$603,599	\$603,599
HIGHWAY FUND TOTAL	\$603,599	\$603,599

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$100,000	\$100,000
FEDERAL EXPENDITURES FUND TOTAL	\$100,000	\$100,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$251,414	\$256,961
All Other	\$1,467,904	\$1,467,904
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,719,318	\$1,724,865

Multimodal - Freight Rail 0350

Initiative: Provides funding for Capital Expenditures in various programs within the Federal Expenditures Fund and Other Special Revenue Funds.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Capital Expenditures	\$10,000,000	\$10,000,000
FEDERAL EXPENDITURES FUND TOTAL	\$10,000,000	\$10,000,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$500,000	\$500,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500,000	\$500,000

Multimodal - Freight Rail 0350

Initiative: Reduces funding by moving the funding of the rail crossing program from the Highway Fund to the Multimodal Transportation Fund.

HIGHWAY FUND	2021-22	2022-23
All Other	(\$603,599)	(\$603,599)
HIGHWAY FUND TOTAL	(\$603,599)	(\$603,599)

Multimodal - Freight Rail 0350

Initiative: Transfers positions within funds and programs to more appropriately match the account with the work being done.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	(\$52,721)	(\$52,955)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$52,721)	(\$52,955)

MULTIMODAL - FREIGHT RAIL 0350

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
All Other	\$0	\$0
HIGHWAY FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$100,000	\$100,000
Capital Expenditures	\$10,000,000	\$10,000,000
FEDERAL EXPENDITURES FUND TOTAL	\$10,100,000	\$10,100,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$198,693	\$204,006
All Other	\$1,467,904	\$1,467,904
Capital Expenditures	\$500,000	\$500,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,166,597	\$2,171,910

Multimodal - Island Ferry Service Z016

Initiative: BASELINE BUDGET

HIGHWAY FUND	2021-22	2022-23
All Other	\$6,091,588	\$6,091,588
HIGHWAY FUND TOTAL	\$6,091,588	\$6,091,588

ISLAND FERRY SERVICES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	82.000	82.000
POSITIONS - FTE COUNT	9.793	9.793
Personal Services	\$7,824,603	\$7,939,915
All Other	\$4,335,139	\$4,335,139

ISLAND FERRY SERVICES FUND TOTAL	\$12,159,742	\$12,275,054
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Multimodal - Island Ferry Service Z016

Initiative: Adjusts allocations for technology costs based on the rate schedules provided by the Department of Administrative and Financial Services, Office of Information Technology.

HIGHWAY FUND	2021-22	2022-23
All Other	\$67,666	\$67,934
HIGHWAY FUND TOTAL	\$67,666	\$67,934

ISLAND FERRY SERVICES FUND	2021-22	2022-23
All Other	\$135,332	\$135,867

ISLAND FERRY SERVICES FUND TOTAL	\$135,332	\$135,867
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Multimodal - Island Ferry Service Z016

Initiative: Provides funding to adjust the state support to 50% of the operating cost of the Maine State Ferry Service in accordance with the Maine Revised Statutes, Title 23, section 4210-C.

HIGHWAY FUND	2021-22	2022-23
All Other	(\$11,717)	\$45,939
HIGHWAY FUND TOTAL	(\$11,717)	\$45,939

MULTIMODAL - ISLAND FERRY SERVICE Z016

PROGRAM SUMMARY

HIGHWAY FUND	2021-22	2022-23
All Other	\$6,147,537	\$6,205,461
HIGHWAY FUND TOTAL	\$6,147,537	\$6,205,461

ISLAND FERRY SERVICES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	82.000	82.000
POSITIONS - FTE COUNT	9.793	9.793
Personal Services	\$7,824,603	\$7,939,915
All Other	\$4,470,471	\$4,471,006

ISLAND FERRY SERVICES FUND TOTAL	\$12,295,074	\$12,410,921
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Multimodal - Passenger Rail Z139

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$2,000,000	\$2,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,000,000	\$2,000,000

MULTIMODAL - PASSENGER RAIL Z139

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$2,000,000	\$2,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,000,000	\$2,000,000

Multimodal - Ports and Marine 0323

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$150,000	\$150,000
FEDERAL EXPENDITURES FUND TOTAL	\$150,000	\$150,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$356,396	\$364,203
All Other	\$59,500	\$59,500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$415,896	\$423,703
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Multimodal - Ports and Marine 0323

Initiative: Provides funding for Capital Expenditures in various programs within the Federal Expenditures Fund and Other Special Revenue Funds.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Capital Expenditures	\$50,000	\$50,000
FEDERAL EXPENDITURES FUND TOTAL	\$50,000	\$50,000

Multimodal - Ports and Marine 0323

Initiative: Transfers positions within funds and programs to more appropriately match the account with the work being done.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	(\$78,597)	(\$79,019)

OTHER SPECIAL REVENUE (\$78,597) (\$79,019)
FUNDS TOTAL

MULTIMODAL - PORTS AND MARINE 0323

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$150,000	\$150,000
Capital Expenditures	\$50,000	\$50,000

FEDERAL EXPENDITURES FUND TOTAL \$200,000 \$200,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$277,799	\$285,184
All Other	\$59,500	\$59,500

OTHER SPECIAL REVENUE FUNDS TOTAL \$337,299 \$344,684

Multimodal - Transit 0443

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$506,757	\$516,685
All Other	\$8,130,612	\$8,130,612

FEDERAL EXPENDITURES FUND TOTAL \$8,637,369 \$8,647,297

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$79,245	\$79,587
All Other	\$1,395,665	\$1,395,665

OTHER SPECIAL REVENUE FUNDS TOTAL \$1,474,910 \$1,475,252

Multimodal - Transit 0443

Initiative: Provides funding for Capital Expenditures in various programs within the Federal Expenditures Fund and Other Special Revenue Funds.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Capital Expenditures	\$3,800,000	\$3,800,000

FEDERAL EXPENDITURES FUND TOTAL \$3,800,000 \$3,800,000

Multimodal - Transit 0443

Initiative: Provides allocation for flexible federal high-way funds contained in the federal Coronavirus

Response and Relief Supplemental Appropriations Act of 2021.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$18,000,000	\$4,904,653

FEDERAL EXPENDITURES FUND TOTAL \$18,000,000 \$4,904,653

MULTIMODAL - TRANSIT 0443

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$506,757	\$516,685
All Other	\$26,130,612	\$13,035,265
Capital Expenditures	\$3,800,000	\$3,800,000

FEDERAL EXPENDITURES FUND TOTAL \$30,437,369 \$17,351,950

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$79,245	\$79,587
All Other	\$1,395,665	\$1,395,665

OTHER SPECIAL REVENUE FUNDS TOTAL \$1,474,910 \$1,475,252

OTHER SPECIAL REVENUE FUNDS TOTAL \$1,474,910 \$1,475,252

Multimodal Transportation Fund Z017

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,209,519	\$1,209,519
FEDERAL EXPENDITURES FUND TOTAL	\$1,209,519	\$1,209,519

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$3,074,079	\$3,074,079

OTHER SPECIAL REVENUE FUNDS TOTAL \$3,074,079 \$3,074,079

Multimodal Transportation Fund Z017

Initiative: Provides funding for Capital Expenditures in various programs within the Federal Expenditures Fund and Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$1,603,599)	(\$1,603,599)
Capital Expenditures	\$1,000,000	\$1,000,000

OTHER SPECIAL REVENUE FUNDS TOTAL (\$603,599) (\$603,599)

Multimodal Transportation Fund Z017

Initiative: Provides funding for engineering services performed by department staff for projects financed through General Fund general obligation bond funds and adjusts All Other costs to the anticipated revenue and expenditure level for the biennium.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$600,000	\$600,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$600,000	\$600,000

Multimodal Transportation Fund Z017

Initiative: Reduces funding by moving the funding of the rail crossing program from the Highway Fund to the Multimodal Transportation Fund.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$603,599	\$603,599
OTHER SPECIAL REVENUE FUNDS TOTAL	\$603,599	\$603,599

Multimodal Transportation Fund Z017

Initiative: Transfers positions within funds and programs to more appropriately match the account with the work being done.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$263,266	\$264,730
OTHER SPECIAL REVENUE FUNDS TOTAL	\$263,266	\$264,730

MULTIMODAL TRANSPORTATION FUND Z017

PROGRAM SUMMARY

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,209,519	\$1,209,519
FEDERAL EXPENDITURES FUND TOTAL	\$1,209,519	\$1,209,519

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$863,266	\$864,730
All Other	\$2,074,079	\$2,074,079
Capital Expenditures	\$1,000,000	\$1,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,937,345	\$3,938,809

Receivables 0344

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$100,000	\$100,000
All Other	\$912,121	\$912,121

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,012,121	\$1,012,121
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RECEIVABLES 0344

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$100,000	\$100,000
All Other	\$912,121	\$912,121

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,012,121	\$1,012,121
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State Infrastructure Bank 0870

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$150,000	\$150,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$150,000	\$150,000
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STATE INFRASTRUCTURE BANK 0870

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$150,000	\$150,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$150,000	\$150,000
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Supplemental Transportation Fund Z281

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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Supplemental Transportation Fund Z281

Initiative: Provides authority to spend the revenue received for safety-related research, initiatives and projects.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$100,000	\$100,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$100,000	\$100,000
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SUPPLEMENTAL TRANSPORTATION FUND Z281

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$100,500	\$100,500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$100,500	\$100,500

Transportation Facilities Z010

Initiative: BASELINE BUDGET

TRANSPORTATION FACILITIES FUND	2021-22	2022-23
All Other	\$2,200,000	\$2,200,000
TRANSPORTATION FACILITIES FUND TOTAL	\$2,200,000	\$2,200,000

TRANSPORTATION FACILITIES Z010

PROGRAM SUMMARY

TRANSPORTATION FACILITIES FUND	2021-22	2022-23
All Other	\$2,200,000	\$2,200,000
TRANSPORTATION FACILITIES FUND TOTAL	\$2,200,000	\$2,200,000

TRANSPORTATION, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
HIGHWAY FUND	\$261,899,480	\$257,697,808
FEDERAL EXPENDITURES FUND	\$383,904,846	\$346,318,669
OTHER SPECIAL REVENUE FUNDS	\$95,600,808	\$95,658,652
TRANSPORTATION FACILITIES FUND	\$2,200,000	\$2,200,000
FLEET SERVICES FUND - DOT	\$30,879,792	\$31,168,600
INDUSTRIAL DRIVE FACILITY FUND	\$500,000	\$500,000
ISLAND FERRY SERVICES FUND	\$12,295,074	\$12,410,921
DEPARTMENT TOTAL - ALL FUNDS	\$787,280,000	\$745,954,650

PART B

Sec. B-1. Appropriations and allocations. The following appropriations and allocations are made.

TRANSPORTATION, DEPARTMENT OF

Multimodal - Island Ferry Service Z016

Initiative: RECLASSIFICATIONS

ISLAND FERRY SERVICES FUND	2021-22	2022-23
Personal Services	\$41,694	\$21,588
All Other	(\$41,694)	(\$21,588)
ISLAND FERRY SERVICES FUND TOTAL	\$0	\$0

PART C

Sec. C-1. Attrition savings. Notwithstanding any provision of law to the contrary, the attrition rate for the 2022-2023 biennium only is increased from 1.6% to 5% for judicial branch and executive branch departments and agencies. The attrition rate for subsequent biennia is 1.6%.

Sec. C-2. Calculation and transfer. Notwithstanding any provision of law to the contrary, the State Budget Officer shall calculate the amount of savings in this Part that applies against each Highway Fund account for all departments and agencies from savings associated with attrition in fiscal year 2021-22 and fiscal year 2022-23 and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations in fiscal year 2021-22 and fiscal year 2022-23. The State Budget Officer shall provide a report of the transferred amounts to the Joint Standing Committee on Appropriations and Financial Affairs no later than October 1, 2021.

Sec. C-3. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Executive Branch Departments and Independent Agencies - Statewide 0017

Initiative: Reduces funding to reflect projected savings from an increase in the attrition rate from 1.6% to 5% for fiscal years 2021-22 and 2022-23.

HIGHWAY FUND	2021-22	2022-23
Personal Services	(\$4,812,492)	(\$4,888,550)
HIGHWAY FUND TOTAL	(\$4,812,492)	(\$4,888,550)

PART D

Sec. D-1. 30-A MRSA §6006-G, sub-§4, ¶A, as amended by PL 2009, c. 411, §2 and c. 413, Pt. X, §1, is further amended to read:

A. To make grants and loans to the Department of Transportation and municipalities under this section, except that such grants may be used only for capital projects that have an anticipated useful life of at least ~~10~~ 5 years and such bonds may be used only for capital projects that have an anticipated useful life of at least as long as the bond term;

PART E

Sec. E-1. Programmed GARVEE bonding level for 2022-2023 biennium. Notwithstanding any provision of law to the contrary and pursuant to the Maine Revised Statutes, Title 23, chapter 19, subchapter 3-A, the Maine Municipal Bond Bank may issue from time to time up to \$50,000,000 of GARVEE bonds for highway and bridge needs statewide to be repaid

solely from annual federal transportation appropriations for funding for qualified transportation projects.

PART F

Sec. F-1. Transfer of funds; Highway Fund; TransCap Trust Fund. Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$6,752,206 in fiscal year 2021-22 and \$6,831,841 in fiscal year 2022-23 from the Highway Fund unallocated surplus to the TransCap Trust Fund.

PART G

Sec. G-1. Transfer of Highway Fund unallocated balance; capital program needs; Department of Transportation. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law to the contrary, at the close of the fiscal years 2021-22 and 2022-23 the State Controller shall transfer amounts exceeding \$100,000 from the unallocated balance in the Highway Fund after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute to the Department of Transportation Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs for capital or all other needs. The Commissioner of Transportation is authorized to allot these funds by financial order upon the recommendation of the State Budget Officer and the approval of the Governor. The transferred amounts are considered adjustments to allocations.

Within 30 days of approval of the financial order under this section, the Commissioner of Transportation shall provide to the members of the joint standing committee of the Legislature having jurisdiction over transportation matters a report detailing the financial status of the department's capital program.

PART H

Sec. H-1. Transfer of Personal Services savings; Department of Transportation. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law to the contrary, for the fiscal years ending June 30, 2022 and June 30, 2023 the Commissioner of Transportation is authorized to transfer, by financial order upon the recommendation of the State Budget Officer and approval of the Governor, identified Highway Fund Personal Services savings to the Department of Transportation Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs for capital or all other needs. The financial order must identify the specific savings after all adjustments that may be required by the State Controller to ensure that all financial commitments have been met in Personal Services after assuming all costs for that program including collective bargaining costs. The Commissioner of Transportation shall provide a report by September 15, 2022 and September 15, 2023 to the members of the joint standing committee of the Legislature having jurisdiction

over transportation matters detailing the financial adjustments to the Highway Fund.

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

Effective June 16, 2021.

CHAPTER 225

H.P. 372 - L.D. 509

An Act To Protect Teachers from a Decrease in Retirement Benefits Arising from the COVID-19 Pandemic

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

Whereas, teachers nearing retirement have experienced a reduction in income from the elimination of an extracurricular or cocurricular position due to circumstances related to the COVID-19 pandemic; and

Whereas, this legislation provides the opportunity for those teachers who are in their last 3 years before retirement to purchase service credit in the state retirement system for the income lost from the extracurricular or cocurricular position from January 1, 2020 to July 1, 2021; and

Whereas, it is important that this legislation take effect as soon as possible so those teachers nearing retirement may complete the purchase of that service credit before their retirement; 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:

Sec. 1. 5 MRSA §17001, sub-§4, ¶A, as amended by PL 2015, c. 385, §2, is further amended to read:

A. The average annual rate of earnable compensation of a member during the 3 years of creditable service as an employee in Maine, not necessarily consecutive, in which the member's annual rate of earnable compensation is highest. However, if a member is subject to a temporary layoff or other time off without pay as a result of a Governor's Executive Order, time off without pay or loss of pay pursuant to the agreements of February 15, 1991, October 23, 1991 and June 11, 1993 between the Executive Department and the American

Federation of State, County and Municipal Employees, Council 93, time off without pay pursuant to the agreement of June 11, 1993 between the Executive Department and the Maine State Employees Association, days off without pay as authorized by legislative action or days off without pay resulting from any executive order declaring or continuing a state of emergency relating to the lack of an enacted budget document for fiscal years ending June 30, 1992 and June 30, 1993, or, if a member elects to make the payments as set forth in section 17704-B, as a result of days off without pay or for days worked for which the level of pay is reduced as the result of the freezing of merit pay and longevity pay as authorized by legislative action, by the State Court Administrator or from executive order for the fiscal year beginning July 1, 2002, July 1, 2009, July 1, 2010, July 1, 2011 or July 1, 2012, or a combination thereof, or, if a member is subject to days off without pay, not to exceed 10 days in each fiscal year ending June 30, 1992 and June 30, 1993, as a result of actions taken by local school administrative units to offset school subsidy reductions, or, if a member is subject to days off without pay during the fiscal year beginning July 1, 2009 or July 1, 2010, as a result of actions taken by a local school administrative unit and the member elects to make the payments as set forth in section 17704-B or, notwithstanding section 18202, as a result of actions of a participating local district to offset reductions in municipal revenue sharing or a combination thereof, for the fiscal years ending June 30, 1992 and June 30, 1993, or, if a member of a local school administrative unit is subject to loss of compensation from employment in an extracurricular or cocurricular position that was eliminated or otherwise unavailable during the period from January 1, 2020 to July 1, 2021 due to circumstances related to the novel coronavirus disease referred to as COVID-19 and the member elects to make the payments as set forth in section 17704-B, or, if a member is subject to days off without pay during the fiscal year beginning July 1, 2009 or July 1, 2010, as a result of actions of a participating local district and the member elects to make the payments as set forth in section 18305-C, the 3-year average final compensation must be determined as if the member had not been temporarily laid off, reduced in pay or provided days off without pay; or

Sec. 2. 5 MRSA §17704-B, as amended by PL 2015, c. 385, §9, is further amended to read:

§17704-B. Back contributions for certain days off without pay

1. Election. If the retirement system determines at the time a member retires that the member's benefit would be increased as a result of the inclusion of com-

ensation that would have been paid for days off without pay or for days worked for which the level of pay is reduced as the result of the freezing of merit pay and longevity pay in fiscal year 2002-03, 2009-10, 2010-11, 2011-12 or 2012-13, or a combination thereof, or the loss of compensation from employment in an extracurricular or cocurricular position that was eliminated or otherwise unavailable during the period from January 1, 2020 to July 1, 2021 due to circumstances related to the novel coronavirus disease referred to as COVID-19, as provided in section 17001, subsection 4, paragraph A, the retirement system shall advise the member of that result and shall allow the member to elect to have that compensation included in the calculation of the member's benefit and to make payments set forth in subsection 2.

2. Payment. The amount that a member who makes the election permitted in subsection 1 must pay is the amount equal to the employee contribution that member would have made on compensation that would have been paid to that member on the days off without pay or for days worked for which the level of pay is reduced as the result of the freezing of merit pay and longevity pay during fiscal year 2002-03, 2009-10, 2010-11, 2011-12 or 2012-13, or a combination thereof, as provided in section 17001, subsection 4, paragraph A, plus interest at a rate, to be set by the board, not to exceed regular interest by 5 or more percentage points. Interest must be computed beginning at the end of the year when those contributions or pick-up contributions would have been made to the date of payment. For the loss of compensation from employment in an extracurricular or cocurricular position that was eliminated or otherwise unavailable during the period from January 1, 2020 to July 1, 2021 due to circumstances related to the novel coronavirus disease referred to as COVID-19, the member must pay an amount equal to the computed actuarial value. If the member elects to make the payment, the retirement system shall withhold the required amount from the member's first retirement benefit check.

3. Benefit calculation. If the member fails to make the election within 31 days of the notification provided under subsection 1, the retirement system shall calculate the member's retirement benefit without inclusion of the days off without pay and without inclusion of the compensation that otherwise would have been paid if the freezing of merit pay and longevity pay had not occurred during fiscal year 2002-03, 2009-10, 2010-11, 2011-12 or 2012-13, or a combination thereof, or the loss of compensation from employment in an extracurricular or cocurricular position that was eliminated or otherwise unavailable during the period from January 1, 2020 to July 1, 2021 due to circumstances related to the novel coronavirus disease referred to as COVID-19, as provided in section 17001, subsection 4, paragraph A.

Sec. 3. 5 MRSA §17768 is enacted to read:

§17768. Service credit for teachers

A member who is a teacher and who experiences a reduction in income from an extracurricular or cocurricular position due to circumstances related to coronavirus disease 2019, referred to in this section as "COVID-19," may purchase service credit for the period during which the extracurricular or cocurricular position was eliminated or otherwise unavailable under the following conditions.

1. Eligibility requirements. A teacher may purchase service credit under this section only if:

A. During the 12 months preceding the start of the period of the service credit, the teacher received income from employment in an extracurricular or cocurricular position that was eliminated or otherwise unavailable during the period from January 1, 2020 to July 1, 2021 due to circumstances related to COVID-19; and

B. The teacher is in the final 3 years of service during the period from January 1, 2020 to July 1, 2021.

2. Limit on service credit. The additional service credit under this section may be purchased only for the period from January 1, 2020 to July 1, 2021.

3. Payment. A member purchasing service credit under this section must, before any retirement benefit becomes effective, pay into the Members' Contribution Fund by a single payment or annual direct payments to the State Employee and Teacher Retirement Program an amount that, together with regular interest on that amount, is the actuarial equivalent, at the effective date of the retirement benefit, of the portion of the retirement benefit based on the additional service credit purchased under this section. Payments must be made as provided in section 17701, subsection 4.

If any retirement benefit becomes effective before the completion of the payment under this subsection, the member is entitled to the additional creditable service that the total amount of payments actually made, plus regular interest on those payments to the date the retirement benefit becomes effective, bears to the actuarial equivalent of the total portion of the retirement benefit based on the additional creditable service.

4. Limitation on use of purchased service credit. Notwithstanding any provision of law to the contrary, service credit purchased under this section may be used only for the purpose of increasing the amount of a member's service retirement benefit by inclusion of the purchased service credit and may not be used to establish a member's qualification for a service retirement benefit.

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

Effective June 16, 2021.

CHAPTER 226

H.P. 441 - L.D. 605

An Act To Amend the Marijuana Legalization Act

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

Whereas, businesses regulated under the State's adult use marijuana program are in the early stages of operation and the changes provided in this bill will help those businesses get started; and

Whereas, this bill removes the October 1, 2021 repeal of the law providing for licensee self-sampling of marijuana for the purpose of mandatory testing; and

Whereas, this bill needs to take effect before the expiration of the 90-day period in order to take effect before October 1, 2021; 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:

Sec. 1. 28-B MRS §102, sub-§35, as amended by PL 2019, c. 528, §19, is further amended to read:

35. Marijuana trim. "Marijuana trim" means any part of a marijuana plant, whether processed or unprocessed, that is not marijuana flower or a marijuana seed except that "marijuana trim" does not include the stalks or roots of the marijuana plant. "Marijuana trim" does not include any part of a hemp plant as defined in Title 7, section 2231, subsection 1-A, paragraph D.

Sec. 2. 28-B MRS §102, sub-§37, as amended by PL 2019, c. 528, §19, is further amended to read:

37. Mother plant. "Mother plant" means a ~~mature~~ marijuana plant that is used solely for the taking of seedling cuttings. "Mother plant" does not include hemp as defined in Title 7, section 2231, subsection 1-A, paragraph D.

Sec. 3. 28-B MRS §108, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

~~§108. Awareness and education on public health and safety matters programs~~ **Public health and safety matters programs**

The department shall develop and implement or facilitate the development and implementation by a public or private entity of programs, initiatives and

campaigns focused on increasing the awareness and education of the public on health and safety matters and focused on addressing public and behavioral health needs relating to the use of marijuana and marijuana products, including, but not limited to, programs, initiatives and campaigns focused on preventing and deterring the use of marijuana and marijuana products by persons under 21 years of age; and public and behavioral health programs and services related to the use of marijuana and marijuana products, including, but not limited to, evidence-based substance use disorder prevention and treatment programs, early intervention services and grants for schools or community-based organizations that provide programs for youth substance use disorder education and prevention as described under Title 5, chapter 521. Programs, initiatives and campaigns developed and implemented pursuant to this section may be funded with revenue from the Adult Use Marijuana Public Health and Safety Fund established in section 1101. The department may adopt rules to implement this section.

Sec. 4. 28-B MRSA §109, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

§109. Enhanced training for criminal justice agencies and municipalities

The department shall develop and implement or facilitate the development and implementation by a public or private entity of programs or initiatives providing enhanced training for criminal justice agencies and municipal officers and employees in the requirements and enforcement of this chapter and the rules adopted pursuant to this chapter, including, but not limited to, programs providing grants to regional or local criminal justice agencies or municipalities to train law enforcement officers and, if applicable, municipal officers and employees in inspections, investigations, searches, seizures, forfeitures and personal use and home cultivation allowances under this chapter and chapter 3 and the rules adopted pursuant to this chapter ~~and~~; in drug recognition procedures and the general enforcement of the State's motor vehicle ~~and criminal~~ laws relating to the use of marijuana; and in restorative justice, jail diversion, marijuana industry-specific technical assistance and mentoring for economically disadvantaged persons in communities disproportionately affected by high rates of arrest and incarceration for marijuana-related offenses. Training programs or initiatives ~~for criminal justice agencies~~ developed and implemented pursuant to this section may be funded with revenue from the Adult Use Marijuana Public Health and Safety Fund established in section 1101. The department may adopt rules to implement this section.

Sec. 5. 28-B MRSA §205, sub-§4, ¶A, as amended by PL 2019, c. 231, Pt. B, §1, is further amended by amending subparagraph (4) to read:

(4) If the application is for any license except a sample collector license or a license to operate a testing facility, register with the State Tax Assessor pursuant to Title 36, section 1754-B to collect and remit the sales tax on the sale of adult use marijuana and adult use marijuana products imposed under Title 36, section 1811; and

Sec. 6. 28-B MRSA §604-A, sub-§2, as enacted by PL 2019, c. 676, §15, is repealed.

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

Effective June 16, 2021.

CHAPTER 227

H.P. 622 - L.D. 854

An Act To Ensure Continued Health-related Services for Children To Access Education

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

Whereas, health-related services provided to children to access education are critical to their success and must be available to the maximum extent possible under federal law; and

Whereas, the Legislature has an important role in ensuring that rules adopted by the Department of Health and Human Services result in health-related services being provided to children to access their education by providing additional review, and the review must be in place as soon as possible; 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:

Sec. 1. 34-B MRSA §1227 is enacted to read:

§1227. Health-related services for children from birth to 5 years of age to access education

1. Services required. The department shall provide reimbursement for health-related services that are required for children from birth to 5 years of age to access their education. Health-related services may include, but are not limited to, physical therapy, occupational therapy, speech therapy, nursing services, social work services and behavioral health services.

2. Rulemaking. The department shall adopt rules to implement this section. The rules must establish the process for reimbursement under subsection 1 and be consistent with federal law. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 2. Initial rulemaking. The Department of Health and Human Services shall adopt a new rule to implement the requirements of the Maine Revised Statutes, Title 34-B, section 1227 in accordance with this section.

1. Major substantive rule. Notwithstanding Title 34-B, section 1227, subsection 2, rules adopted under this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A and must be provisionally adopted and submitted to the Legislature for review no later than January 13, 2023. After adoption of rules under this section, any rules subsequently adopted by the Department of Health and Human Services to implement the requirements of Title 34-B, section 1227 are routine technical rules as specified in section 1227.

2. Stakeholder groups. The Department of Health and Human Services shall convene stakeholder groups as necessary to discuss the proposed new major substantive rule under subsection 1 prior to any rule-making activity initiated pursuant to Title 5, chapter 375, subchapter 2-A. Stakeholder groups must include representatives of providers, advocates, parents of children receiving services, the Child Development Services System under Title 20-A, section 7209, school administrative units and the Department of Education. The Department of Health and Human Services shall also take into account the findings from the independent review of the State's early childhood special education services being carried out pursuant to Public Law 2019, chapter 343, Part VVVV.

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

Effective June 16, 2021.

CHAPTER 228

H.P. 867 - L.D. 1189

An Act To Amend the Teacher Certification Statutes

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

Whereas, revisions to the educator certification and reciprocal professional certification statutes neces-

sary for the adoption of any emergency rulemaking related to emergency teacher certification must be in place for the 2021-2022 school year; 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:

Sec. 1. 20-A MRSA §13001-A, sub-§7, as enacted by PL 2017, c. 235, §2 and affected by §41, is amended to read:

7. Educational specialist. "Educational specialist" means an individual who provides professional services to a school, including, but not limited to, an athletic director, school counselor, library-media specialist, literacy specialist, school psychologist, school nurse, ~~special education consultant, speech language clinician~~ or career and technical education evaluator.

Sec. 2. 20-A MRSA §13012-B is enacted to read:

§13012-B. Emergency teacher certificate and reciprocal professional certificate

Upon the identification of an educator staffing shortage in the State, the commissioner may issue emergency certificates to teachers, specialists and administrators in accordance with this section. The commissioner shall issue an emergency teacher certificate or reciprocal professional certificate to an applicant who meets the requirements of this section. The commissioner shall provide to an applicant who is not qualified information regarding any remaining requirements and other certification options available to the applicant. The commissioner may issue an emergency teacher certificate or reciprocal professional certificate under this section only to address the identified staffing shortage and only in a manner that ensures that the person issued an emergency teacher certificate or reciprocal professional certificate does not supplant an otherwise qualified and available teacher, specialist or administrator.

1. Emergency teacher certificate. The commissioner may issue an emergency teacher certificate under this section to an applicant who has submitted to a criminal history background check and who:

- A. Holds a 4-year postsecondary degree or the equivalent in work or academic experience;
- B. Is enrolled in an approved educator preparation program; or
- C. Holds a certification as an education technician III issued according to rules of the department pursuant to section 13019-H.

A teacher holding an emergency teacher certificate shall participate in a mentoring program provided by the department or a school administrative unit. A certificate issued pursuant to this subsection is issued for a one-year period and no more than 3 emergency teacher certificates may be issued per applicant.

2. Reciprocal professional certificate. The commissioner may issue a reciprocal professional certificate pursuant to this section to a teacher, specialist or administrator who has submitted to a criminal history background check and holds a comparable certificate in another state, the District of Columbia, a United States territory or another country. A certificate issued pursuant to this subsection is issued for a 5-year period.

Sec. 3. 20-A MRSA §13013, sub-§2-B, as amended by PL 2019, c. 518, §2, is repealed and the following enacted in its place:

2-B. Qualifications. State board rules governing the qualifications for a professional teacher certificate must require that the certificate may be issued only to an applicant who, at a minimum, meets one of the following criteria:

A. Has graduated from an educator preparation program;

B. Has met the criteria established by the state board by:

- (1) Passing a qualifying examination;
- (2) Meeting grade point average requirements in required course work; or
- (3) Successful completion of a portfolio review demonstrating competency through academic or work experience;

C. Has successfully completed a preparation program in another state, the District of Columbia, a United States territory or another country, subject to the completion of an approved preparation program for the endorsement or certificate being sought with a formal recommendation for certification from the institution that provided the program; or

D. Is otherwise qualified by having met the criteria established by the state board for teaching in a specified content area.

Sec. 4. 20-A MRSA §13019, sub-§1, as amended by PL 2017, c. 235, §18 and affected by §41, is further amended to read:

1. Clearance. A teacher from a country other than the United States who is participating in a visiting teacher program established and administered by the department or, a locally established sister-school exchange or a locally established language immersion program may teach in a school as long as the teacher is issued a clearance by the department. The teacher is

may be authorized to act as an adjunct to existing staff and may not be used to avoid the hiring of professional, certified teachers.

Sec. 5. 20-A MRSA §13019-H, sub-§4 is enacted to read:

4. Emergency educational technician certificate. The commissioner may issue an emergency certificate pursuant to this section to an applicant who has submitted to a criminal history background check and has successfully completed a program in this State approved for targeting essential skills and knowledge for performing permitted responsibilities. A certificate issued pursuant to this subsection is issued for a 5-year period.

Sec. 6. 20-A MRSA §13022, sub-§1, ¶A, as enacted by PL 2011, c. 386, §2, is amended to read:

A. "School psychologist" means a professional certified by the department as a school psychologist who provides school psychological services consistent with the national standards articulated by in current federal and state education regulations and rules and under the domains of practice in the most current Model for Comprehensive and Integrated School Psychological Services as developed and published by the National Association of School Psychologists. "School psychologist" includes a school psychologist - doctoral and a school psychologist - specialist.

Sec. 7. 20-A MRSA §13022, sub-§3, as amended by PL 2011, c. 386, §2, is further amended to read:

3. Qualifications. State board rules governing the qualifications for a school psychologist certificate must require that a certificate be issued only to an applicant who has met the academic and preprofessional requirements established by the state board for the provision of school psychological services and who, at a minimum:

A. Holds a graduate degree from an accredited program in school psychology that was approved by the National Association of School Psychologists/National Council for Accreditation of Teacher Education or, the American Psychological Association in School Psychology or the department at the time the degree was awarded;

B. Has completed graduate work that is determined by the commissioner to be substantially similar to the programs referred to in paragraph A; or

C. Holds a valid license from the State Board of Examiners of Psychologists with demonstrated competency in the area of school psychology as established by the state board through training and experience.

Sec. 8. 20-A MRSA §13022, sub-§4, as amended by PL 2011, c. 386, §2, is further amended to read:

4. Term of issuance. The commissioner shall issue a school psychologist certificate for a term of years consistent with rules adopted by the state board. ~~The length of the term may vary among certificate holders so as to be coterminous with any other professional license or certificate held by the school psychologist.~~ The school psychologist certificate may be renewed in accordance with academic and professional requirements established by the state board. A certificate holder must be supervised for the first year following initial certification at no additional cost to the school administrative unit or the department. ~~The state board shall require evidence of supervision prior to renewing a first-year certificate.~~ Supervision of the first-year school psychologist must be in accordance with supervision standards established by the National Association of School Psychologists or a successor organization and provided by a person who is certified as a school psychologist ~~under subsection 2 and is:~~

- ~~A. A member of the Maine Association of School Psychology or a successor organization; or~~
- ~~B. Employed by or under contract with a school administrative unit.~~

Sec. 9. 20-A MRSA §13022, sub-§8, as amended by PL 2011, c. 386, §2, is further amended to read:

8. Transition. Persons certified as school psychological service providers and school psychological examiners on or after October 13, 1993 may continue to provide the services authorized by their respective certificates until the scheduled expiration of those certificates. ~~The state board's rules must contain a schedule affording all certified school psychological service providers a reasonable amount of time to meet the requirements of the certificate authorized by subsection 2.~~

Sec. 10. 20-A MRSA §13031, as enacted by PL 1983, c. 859, Pt. I, §§2 and 3, is amended to read:

§13031. Purpose

The Legislature declares that the purpose of this chapter is to establish standardized qualifying examinations for those persons seeking provisional professional teacher certificates to teach in the State.

Sec. 11. 20-A MRSA §13032, first ¶, as amended by PL 2017, c. 235, §30 and affected by §41, is further amended to read:

A professional teacher certificate may be issued ~~only~~ to those applicants who have taken and passed the teacher qualifying examination. ~~This limitation does not apply to applicants seeking a certificate under section 13013, subsection 2 B, paragraph B, but such~~

~~applicants must meet any exam requirement necessary for the endorsement being sought.~~

Sec. 12. Rulemaking; applicability. The State Board of Education shall amend Department of Education rule Chapter 115 regarding the credentialing of education personnel in accordance with this Act. Notwithstanding the Maine Revised Statutes, Title 20-A, section 13006-A, subsection 3, a person who is subject to the provisions of Title 20-A, section 13006-A, subsection 3 on the effective date of this Act may choose to be certified either pursuant to the rules effective prior to the effective date of this Act or under the amended rules adopted by the State Board of Education pursuant to this Act.

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

Effective June 16, 2021.

CHAPTER 229

H.P. 1212 - L.D. 1629

An Act Regarding the Qualifications for Licensure as a Physician or Surgeon

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 sole reliance on completing 36 months of postgraduate training has created unnecessary barriers for otherwise qualified applicants who have completed certain oral and maxillofacial surgery training to obtain licensure in medicine; and

Whereas, immediate enactment of this legislation is necessary to give the Board of Licensure in Medicine statutory authority to consider on a case-by-case basis an applicant's postgraduate training equivalency in meeting the postgraduate training qualifications for licensure; 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:

Sec. 1. 32 MRSA §3271, sub-§2, as amended by PL 2017, c. 189, §2, is further amended to read:

2. Postgraduate training. Each applicant who has graduated from an accredited medical school on or after January 1, 1970 but before July 1, 2004 must have satisfactorily completed at least 24 months in a graduate

educational program accredited by the Accreditation Council on Graduate Medical Education, the Canadian Medical Association or the Royal College of Physicians and Surgeons of Canada. Notwithstanding other requirements of postgraduate training, an applicant is eligible for licensure when the candidate has satisfactorily graduated from a combined postgraduate training program in which each of the contributing programs is accredited by the Accreditation Council on Graduate Medical Education and the applicant is eligible for accreditation by the American Board of Medical Specialties in both specialties. Each applicant who has graduated from an accredited medical school prior to January 1, 1970 must have satisfactorily completed at least 12 months in a graduate educational program accredited by the Accreditation Council on Graduate Medical Education, the Canadian Medical Association or the Royal College of Physicians and Surgeons of Canada. Each applicant who has graduated from an accredited medical school on or after July 1, 2004 or an unaccredited medical school must have satisfactorily completed at least 36 months in a graduate educational program accredited by the Accreditation Council on Graduate Medical Education, the Canadian Medical Association, the Royal College of Physicians and Surgeons of Canada or the Royal Colleges of England, Ireland or Scotland. An applicant who has completed 24 months of postgraduate training and has received an unrestricted endorsement from the director of an accredited graduate education program in the State is considered to have satisfied the postgraduate training requirements of this subsection if the applicant continues in that program and completes 36 months of postgraduate training. Notwithstanding this subsection, an applicant who is board certified by the American Board of Medical Specialties is deemed to meet the postgraduate training requirements of this subsection. Notwithstanding this subsection, in the case of subspecialty or clinical fellowship programs, the board may accept in fulfillment of the requirements of this subsection postgraduate training at a hospital in which the subspecialty clinical program, such as a training program accredited by the American Dental Association Commission on Dental Accreditation or its successor organization, is not accredited but the parent specialty program is accredited by the Accreditation Council on Graduate Medical Education, including training that occurs following graduation from a dental school accredited by the American Dental Association Commission on Dental Accreditation or its successor organization, but before graduation from a medical school accredited by the Liaison Committee on Medical Education or its successor organization.

The board may not require an applicant for initial licensure or license renewal as a physician under this chapter to obtain certification from a specialty medical board or to obtain a maintenance of certification as a condition of licensure. For the purposes of this subsection,

"maintenance of certification" means a program that requires a physician to engage in periodic examination, self-assessment, peer evaluation or other activities to maintain certification from a specialty medical board.

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

Effective June 16, 2021.

**CHAPTER 230
H.P. 23 - L.D. 57**

**An Act To Reduce the
Landfilling of Municipal Solid
Waste**

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

Sec. 1. 38 MRSA §2203-A, sub-§1, as amended by PL 2015, c. 461, §8, is further amended to read:

1. Fees. Unless otherwise provided by rule adopted in accordance with subsection 3, fees are imposed in the following amounts to be levied for solid waste that is disposed of at commercial, municipal, state-owned and regional association landfills.

Asbestos	\$5 per cubic yard
Oil-contaminated soil, gravel, brick, concrete and other aggregate	\$25 per ton
Waste water facility sludge	\$5 per ton
Ash, coal and oil	\$5 per ton
Paper mill sludge	\$5 per ton
Industrial waste	\$5 per ton
Sandblast grit	\$5 per ton
All other special waste	\$5 per ton
Municipal <u>solid waste or municipal</u> solid waste ash	\$1 per ton
Front end process residue (FEPR)	\$1 per ton
Construction and demolition debris and residue from the processing of construction and demolition debris	\$2 per ton

Sec. 2. 38 MRSA §2203-A, sub-§3, as enacted by PL 2015, c. 461, §9, is amended to read:

3. Rules. The department may adopt rules imposing per ton or per cubic yard fees on any of the types of waste listed in subsection 1 disposed of at a commercial, municipal, regional association or state-owned solid

waste landfill. The department may adopt rules imposing per ton fees on any municipal solid waste disposed of or received for processing at a commercial, municipal, regional association or state-owned solid waste disposal facility, solid waste processing facility, incineration facility or solid waste landfill. Fees imposed pursuant to this subsection must be consistent with the solid waste management hierarchy established under section 2101 and the food recovery hierarchy established under section 2101-B. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. 38 MRSA §2204, as amended by PL 2015, c. 461, §§10 and 11, is repealed.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Remediation and Waste Management 0247

Initiative: Provides allocation to allow for the expenditure of additional revenue for administrative expense and actions necessary to abate threats to public health, safety and welfare posed by the disposal of solid waste and to pay municipalities under the closure and remediation cost-sharing program for solid waste landfills.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$120,750	\$161,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$120,750	\$161,000

See title page for effective date.

**CHAPTER 231
H.P. 65 - L.D. 99**

**An Act To Require the State
To Divest Itself of Assets
Invested in the Fossil Fuel
Industry**

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

Sec. 1. 5 MRSA §135, as amended by PL 2005, c. 386, Pt. CC, §2 and PL 2013, c. 16, §10, is further amended by adding at the end a new paragraph to read:

The Treasurer of State may not invest in any prime commercial paper or corporate bonds issued by a fossil fuel company, as defined in section 1957, subsection 1, paragraph C.

Sec. 2. 5 MRSA §138, as amended by PL 2001, c. 44, §11 and affected by §14, is further amended by adding at the end a new paragraph to read:

The Treasurer of State shall review the extent to which the assets of any permanent funds held in trust by the State are invested in the stocks, securities or other obligations of any fossil fuel company or any subsidiary, affiliate or parent of any fossil fuel company, as defined in section 1957, subsection 1, paragraph C. The Treasurer of State shall, in accordance with sound investment criteria and consistent with fiduciary obligations, divest any such holdings and may not invest any assets in any such stocks, securities or other obligations. Divestment pursuant to this paragraph must be complete by January 1, 2026. Nothing in this paragraph precludes de minimis exposure of any permanent funds held in trust by the State to the stocks, securities or other obligations of any fossil fuel company or any subsidiary, affiliate or parent of any fossil fuel company.

Sec. 3. 5 MRSA §1957 is enacted to read:

§1957. Limitation on investment in fossil fuel companies; divestment

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

A. "Board" means the Board of Trustees of the Maine Public Employees Retirement System.

B. "Fossil fuel" means coal, petroleum, natural gas or any derivative of coal, petroleum or natural gas that is used for fuel.

C. "Fossil fuel company" means any company that:

- (1) Is among the 200 publicly traded companies with the largest fossil fuel reserves in the world;
- (2) Is among the 30 largest public company owners in the world of coal-fired power plants;
- (3) Has as its core business the construction or operation of fossil fuel infrastructure;
- (4) Has as its core business the exploration, extraction, refining, processing or distribution of fossil fuels; or
- (5) Receives more than 50% of its gross revenue from companies that meet the definition under subparagraph (1), (2), (3) or (4).

D. "Fossil fuel infrastructure" means oil or gas wells, oil or gas pipelines and refineries; oil, coal or gas-fired power plants; oil and gas storage tanks; fossil fuel export terminals; and any other infrastructure used exclusively for fossil fuels.

2. Limitation on investment in fossil fuel company. The board, in accordance with sound investment criteria and consistent with fiduciary obligations, may not invest the assets of any state pension or annuity fund in the stocks, securities or other obligations of any fossil fuel company or any subsidiary, affiliate or parent of any fossil fuel company. Nothing in this subsection

precludes de minimis exposure of any funds held by the board to the stocks, securities or other obligations of any fossil fuel company or any subsidiary, affiliate or parent of any fossil fuel company.

3. Review and divestment of assets. The board shall review the extent to which the assets of any state pension or annuity fund are invested in the stocks, securities or other obligations of any fossil fuel company or any subsidiary, affiliate or parent of any fossil fuel company. The board shall, in accordance with sound investment criteria and consistent with fiduciary obligations, divest any such holdings. Divestment pursuant to this subsection must be complete by January 1, 2026. Nothing in this subsection precludes de minimis exposure of any funds held by the board to the stocks, securities or other obligations of any fossil fuel company or any subsidiary, affiliate or parent of any fossil fuel company.

4. Post on website. On a quarterly basis, the board shall post on the publicly accessible website of the Maine Public Employees Retirement System information detailing all its holdings in the public market and private equity investments.

5. Annual report. Beginning January 1, 2022 and annually thereafter, the board shall issue a report reviewing its environmental, social and governance investment policy. The report must disclose commonly available environmental performance metrics on the environmental effects of the board's investments.

Sec. 4. Report to Legislature. The Treasurer of State and the Board of Trustees of the Maine Public Employees Retirement System shall report annually to the joint standing committee of the Legislature having jurisdiction over retirement matters by January 1, 2023, 2024 and 2025 regarding the progress of divestment under and the implementation of the Maine Revised Statutes, Title 5, sections 138 and 1957. The Treasurer of State and the Board of Trustees of the Maine Public Employees Retirement System shall make a final report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs by January 1, 2026 regarding completion of the divestment pursuant to this section.

See title page for effective date.

**CHAPTER 232
S.P. 65 - L.D. 130**

**An Act To Create Appropriate
Standards for the Secretary of
State To Follow When
Approving the Assignments of
Vanity Registration Plates**

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

Sec. 1. 29-A MRSA §453, sub-§3-A, as amended by PL 2019, c. 397, §4, is further amended to read:

3-A. Restrictions. The Secretary of State may refuse to issue or may recall a vanity registration plate issued under this section that:

C. Falsely suggests an association with a public institution institution or a government or government agency;

D. Is duplicative; or

E. Consists of language that encourages violence or may result in an act of violence or other unlawful activity because of the content of the language requested by the registrant;

F. Is profane or obscene;

G. Makes a derogatory reference to age, race, ethnicity, sex, sexual orientation, gender identity, ancestry or national origin, religion or physical or mental disability;

H. Connotes genitalia or relates to sexual acts; or

I. Forms a slang term, abbreviation, phonetic spelling or mirror image of a word or term otherwise described in this subsection.

Sec. 2. 29-A MRSA §453, sub-§3-B is enacted to read:

3-B. Appeals. An individual may appeal the Secretary of State's decision to refuse to issue or decision to recall a vanity registration plate pursuant to subsection 3-A. The individual must file the appeal within 14 days from the date of the Secretary of State's initial decision with the vehicle services division of the bureau. In addition to following general hearing procedures as prescribed by section 2484, the appeal process must adhere to the same adjudicatory proceedings process, including notice, evidentiary standard and public participation provisions, as outlined in Title 5, chapter 375, subchapter 4.

Sec. 3. 29-A MRSA §453, sub-§3-C is enacted to read:

3-C. Rules. The Secretary of State may adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A to implement the provisions of this section.

See title page for effective date.

CHAPTER 233
H.P. 212 - L.D. 299

**An Act To Address Licensure
of Behavioral Health Practice
in the State**

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

Sec. 1. 32 MRSA §3814, as amended by PL 2007, c. 402, Pt. Q, §3, is further amended to read:

§3814. Penalties for unlicensed practice

Persons who hold themselves out to the public as psychologists or psychological examiners or engage in psychological practice as defined in this chapter and do not then possess in full force valid licenses to practice as psychological examiners or psychologists under this chapter are subject to the provisions of Title 10, section 8003-C. A person who engages in the practice of a psychological examiner or psychologist without a license under this chapter has engaged in an unfair trade practice in violation of Title 5, chapter 10.

Sec. 2. 32 MRSA §7002, as amended by PL 2007, c. 402, Pt. V, §2, is further amended to read:

§7002. Unlicensed practice

Notwithstanding Title 17-A, section 4-A, any person who makes a representation to the public or uses the title of social worker, unless licensed by the board, as a licensed clinical social worker, licensed master social worker, certified social worker or a licensed social worker is subject to the provisions of Title 10, section 8003-C. Any person performing the functions of a social worker as a part of a profession or occupation or in a voluntary capacity is not subject to this section. A person who engages in the practice of a clinical social worker, master social worker or social worker without a license under this chapter has engaged in an unfair trade practice in violation of Title 5, chapter 10.

Sec. 3. 32 MRSA §13851, sub-§8-A is enacted to read:

8-A. Professional counseling. "Professional counseling" means providing counseling services, marital and family therapy services and pastoral counseling services, including any procedures of counseling.

Sec. 4. 32 MRSA §13854, sub-§1, as amended by PL 2001, c. 421, Pt. B, §102 and affected by Pt. C, §1, is repealed and the following enacted in its place:

1. Licensing. A person may not, unless specifically exempted by this chapter, be engaged in the practice of professional counseling or profess to the public to be a, or assume or use the title or designation of, clinical professional counselor, professional counselor, marriage and family therapist, licensed pastoral counselor, registered counselor or conditional license holder or

assume or use the abbreviation "LP," "CC," "MF," "PC" or "RC" or any other title, designation, words, letters or device tending to indicate that such a person is licensed or registered, unless that person is licensed or registered with and holds a current valid license or registration from the board.

Sec. 5. 32 MRSA §13854, sub-§4 is enacted to read:

4. Unfair trade practice. A violation of subsection 1 is an unfair trade practice in violation of Title 5, chapter 10.

Sec. 6. Effective date. This Act takes effect July 1, 2022.

Effective July 1, 2022.

CHAPTER 234
H.P. 223 - L.D. 319

**An Act To Promote Socially
Responsible Investing by the
Maine Public Employees
Retirement System by
Prohibiting Investment in For-
profit Prisons**

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

Sec. 1. 5 MRSA §138, as amended by PL 2001, c. 44, §11 and affected by §14, is further amended by adding at the end a new paragraph to read:

The Treasurer of State shall review the extent to which the assets of any permanent funds held in trust by the State are invested in the stocks, securities or other obligations of any corporation or company or any subsidiary, affiliate or parent of any company that owns or operates prisons for profit. The Treasurer of State shall, in accordance with sound investment criteria and consistent with fiduciary obligations, divest any such holdings and may not invest any assets in any such stocks, securities or other obligations. Nothing in this section precludes de minimis exposure of any permanent funds held in trust by the State to the stocks, securities or other obligations of any corporation or company or any subsidiary, affiliate or parent of any company that owns or operates prisons for profit.

Sec. 2. 5 MRSA §1957 is enacted to read:

§1957. For-profit prisons

1. Definitions. For the purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Board" has the same meaning as in section 17001, subsection 7.

B. "Retirement system" means the Maine Public Employees Retirement System.

2. Board may not invest. The board, in accordance with sound investment criteria and consistent with fiduciary obligations, may not invest the assets of the retirement system in any stocks or other securities of any corporation or company that owns or operates prisons for profit. Nothing in this subsection precludes de minimis exposure of any funds held by the board to the stocks, securities or other obligations of any corporation or company that owns or operates prisons for profit.

3. Board to divest. The board shall review the extent to which the assets of the retirement system are invested in any stocks or other securities of any corporation or company that owns or operates prisons for profit. The board shall, in accordance with sound investment criteria and consistent with fiduciary obligations, divest any such holdings. Nothing in this subsection precludes de minimis exposure of any funds held by the board to the stocks, securities or other obligations of any corporation or company that owns or operates prisons for profit.

Sec. 3. Policy review. The Board of Trustees of the Maine Public Employees Retirement System shall review its "Environmental, Social and Governance Policy" adopted January 8, 2015 and shall make any changes necessary to its policy to conform to the requirements of the Maine Revised Statutes, Title 5, section 1957. The board shall submit its report of the review of the policy and any amendments adopted by the board to the Joint Standing Committee on Labor and Housing by January 1, 2022.

See title page for effective date.

CHAPTER 235

H.P. 306 - L.D. 422

An Act To Enact the Maine Uniform Trust Decanting Act

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

Sec. 1. 18-B MRSA c. 12 is enacted to read:

CHAPTER 12

MAINE UNIFORM TRUST DECANTING ACT

§1201. Short title

This Act may be known and cited as "the Maine Uniform Trust Decanting Act." Any references in this chapter to "Act" mean "the Maine Uniform Trust Decanting Act."

§1202. Definitions

As used in this Act, unless the context otherwise indicates, the following terms have the following meanings.

1. Appointive property. "Appointive property" means the property or property interest subject to a power of appointment.

2. Ascertainable standard. "Ascertainable standard" means a standard relating to an individual's health, education, support or maintenance within the meaning of 26 United States Code, Section 2041(b)(1)(A), as amended, or 26 United States Code, Section 2514(c)(1), as amended, and any applicable regulations.

3. Authorized fiduciary. "Authorized fiduciary" means:

A. A trustee or other fiduciary, other than a settlor, that has discretion to distribute or direct a trustee to distribute part or all of the principal of the first trust to one or more current beneficiaries;

B. A special fiduciary appointed under section 1208; or

C. A special-needs fiduciary under section 1212.

4. Beneficiary. "Beneficiary" means a person that:

A. Has a present or future, vested or contingent, beneficial interest in a trust;

B. Holds a power of appointment over trust property; or

C. Is an identified charitable organization that will or may receive distributions under the terms of the trust.

5. Charitable interest. "Charitable interest" means an interest in a trust that:

A. Is held by an identified charitable organization and makes the organization a qualified beneficiary;

B. Benefits only charitable organizations and, if the interest were held by an identified charitable organization, would make the identified charitable organization a qualified beneficiary; or

C. Is held solely for charitable purposes and, if the interest were held by an identified charitable organization, would make the identified charitable organization a qualified beneficiary.

6. Charitable organization. "Charitable organization" means:

A. A person, other than an individual, organized and operated exclusively for charitable purposes; or

B. A government or governmental subdivision, agency or instrumentality, to the extent it holds funds exclusively for a charitable purpose.

7. Charitable purpose. "Charitable purpose" means the relief of poverty, the advancement of education or religion, the promotion of health, a municipal or other governmental purpose or another purpose the achievement of which is beneficial to the community.

8. Court. "Court" means the applicable court in this State having jurisdiction in matters relating to trusts.

9. Current beneficiary. "Current beneficiary" means a beneficiary that on the date the beneficiary's qualification is determined is a distributee or permissible distributee of trust income or principal. "Current beneficiary" includes the holder of a presently exercisable general power of appointment but does not include a person that is a beneficiary only because the person holds any other power of appointment.

10. Decanting power. "Decanting power" means the power of an authorized fiduciary under this Act to distribute property of a first trust to one or more 2nd trusts or to modify the terms of the first trust.

11. Expanded distributive discretion. "Expanded distributive discretion" means a discretionary power of distribution that is not limited to an ascertainable standard or a reasonably definite standard.

12. First trust. "First trust" means a trust over which an authorized fiduciary may exercise the decanting power.

13. First-trust instrument. "First-trust instrument" means the trust instrument for a first trust.

14. General power of appointment. "General power of appointment" means a power of appointment exercisable in favor of a powerholder, the powerholder's estate, a creditor of the powerholder or a creditor of the powerholder's estate.

15. Person. "Person" means an individual, estate, business or nonprofit entity, public corporation, government or governmental subdivision, agency or instrumentality or other legal entity.

16. Power of appointment. "Power of appointment" means a power that enables a powerholder acting in a nonfiduciary capacity to designate a recipient of an ownership interest in or another power of appointment over the appointive property. "Power of appointment" does not include a power of attorney.

17. Powerholder. "Powerholder" means a person in which a donor creates a power of appointment.

18. Presently exercisable power of appointment. "Presently exercisable power of appointment" means a power of appointment exercisable by the powerholder at the relevant time. "Presently exercisable power of appointment":

A. Includes a power of appointment not exercisable until the occurrence of a specified event, the

satisfaction of an ascertainable standard or the passage of a specified time period only after:

- (1) The occurrence of the specified event;
- (2) The satisfaction of the ascertainable standard; or
- (3) The passage of the specified time period; and

B. Does not include a power exercisable only at the powerholder's death.

19. Qualified beneficiary. "Qualified beneficiary" means a beneficiary that on the date the beneficiary's qualification is determined:

A. Is a distributee or permissible distributee of trust income or principal;

B. Would be a distributee or permissible distributee of trust income or principal if the interests of the distributees described in paragraph A terminated on that date without causing the trust to terminate; or

C. Would be a distributee or permissible distributee of trust income or principal if the trust terminated on that date.

20. Reasonably definite standard. "Reasonably definite standard" means a clearly measurable standard under which a holder of a power of distribution is legally accountable within the meaning of 26 United States Code, Section 674(b)(5)(A) and any applicable regulations.

21. Record. "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

22. Second trust. "Second trust" means:

A. A first trust after modification under this Act; or

B. A trust to which a distribution of property from a first trust is or may be made under this Act.

23. Second-trust instrument. "Second-trust instrument" means the trust instrument for a 2nd trust.

24. Settlor. "Settlor," except as otherwise provided in section 1224, means a person, including a testator, that creates or contributes property to a trust. If more than one person creates or contributes property to a trust, each person is a settlor of the portion of the trust property attributable to the person's contribution except to the extent another person has power to revoke or withdraw that portion.

25. Sign. "Sign" means, with present intent to authenticate or adopt a record:

A. To execute or adopt a tangible symbol; or

B. To attach to or logically associate with the record an electronic symbol, sound or process.

§1203. Scope

1. Express trust. Except as otherwise provided in subsections 2 and 3, this Act applies to an express trust that is irrevocable or revocable by the settlor only with the consent of the trustee or a person holding an adverse interest.

2. Trust solely for charitable purposes. This Act does not apply to a trust held solely for charitable purposes.

3. Restricted or prohibited decanting power. Subject to section 1214, a trust instrument may restrict or prohibit exercise of the decanting power.

4. Power not limited. This Act does not limit the power of a trustee, powerholder or other person to distribute or appoint property in further trust or to modify a trust under the trust instrument, a law of this State other than this Act, common law, a court order or a non-judicial settlement agreement.

5. Ability of settlor. This Act does not affect the ability of a settlor to provide in a trust instrument for the distribution of the trust property or appointment in further trust of the trust property or for modification of the trust instrument.

§1204. Fiduciary duty

1. Act in accordance with fiduciary duty. In exercising the decanting power, an authorized fiduciary shall act in accordance with its fiduciary duties, including the duty to act in accordance with the purposes of the first trust.

2. No duty to exercise power; inform beneficiaries. This Act does not create or imply a duty to exercise the decanting power or to inform beneficiaries about the applicability of this Act.

3. Deemed to include decanting power. Except as otherwise provided in a first-trust instrument, for purposes of this Act and section 801 and section 802, subsection 1, the terms of the first trust are deemed to include the decanting power.

§1205. Application; governing law

- 1. This State. This Act applies to a trust that:
 - A. Has its principal place of administration in this State, including a trust whose principal place of administration has been changed to this State; or
 - B. Provides by its trust instrument that it is governed by the law of this State or is governed by the law of this State for the purpose of:
 - (1) Administration, including administration of a trust whose governing law for purposes of administration has been changed to the law of this State;

(2) Construction of terms of the trust; or

(3) Determining the meaning or effect of terms of the trust.

2. Creation of trust; court proceedings. Except as otherwise provided in this Act:

A. The Act applies to a trust created before, on or after the October 1, 2021;

B. The Act applies to any proceedings in court commenced on or after October 1, 2021;

C. The Act applies to proceedings in court pending on October 1, 2021 unless the court finds that application of a particular provision of the Act would interfere substantially with the effective conduct of the proceeding or prejudice a right of a party, in which case the particular provision of the Act does not apply; and

D. A rule of construction or presumption provided in the Act applies to a trust instrument executed prior to October 1, 2021 unless there is a clear indication of a contrary intent in the terms of the instrument.

3. Action before effective date of Act. Except as otherwise provided in subsection 2, an action done before October 1, 2021 is not affected by the Act.

§1206. Reasonable reliance

A trustee or other person that reasonably relies on the validity of a distribution of part or all of the property of a trust to another trust, or a modification of a trust, under this Act, a law of this State other than this Act or the law of another jurisdiction is not liable to any person for any action or failure to act as a result of the reliance.

§1207. Notice; exercise of decanting power

1. Notice period. For purposes of this section, a notice period begins on the day notice is given under subsection 3 and ends 59 days after the day notice is given.

2. Exercise without consent or approval. Except as otherwise provided in this Act, an authorized fiduciary may exercise the decanting power without the consent of any person and without court approval.

3. Notice. Except as otherwise provided in subsection 4 or 6, an authorized fiduciary shall give notice in a record of the intended exercise of the decanting power not later than 60 days before the exercise to:

- A. Each settlor of the first trust, if living or then in existence;
- B. Each qualified beneficiary of the first trust;
- C. Each holder of a presently exercisable power of appointment over any part or all of the first trust;
- D. Each person that currently has the right to remove or replace the authorized fiduciary;

- E. Each other fiduciary of the first trust;
- F. Each fiduciary of the 2nd trust; and
- G. The Attorney General, if section 1213, subsection 2 applies.

4. Notice not required. An authorized fiduciary is not required to give notice under subsection 3 to a person that is not known to the fiduciary or is known to the fiduciary but cannot be located by the fiduciary after reasonable diligence.

5. Requirements of notice. A notice under subsection 3 must:

- A. Specify the manner in which the authorized fiduciary intends to exercise the decanting power;
- B. Specify the proposed effective date for exercise of the decanting power;
- C. Include a copy of the first-trust instrument; and
- D. Include a copy of all 2nd-trust instruments.

6. Waiver of notice period. The decanting power may be exercised before expiration of the notice period under subsection 1 if all persons entitled to receive notice waive the notice period in a signed record.

7. Right to file application. The receipt of notice, waiver of the notice period or expiration of the notice period does not affect the right of a person to file an application under section 1208 asserting that:

- A. An attempted exercise of the decanting power is ineffective because the exercise did not comply with this Act or was an abuse of discretion or breach of fiduciary duty; or
- B. Section 1221 applies to the exercise of the decanting power.

8. Failure to give notice; reasonable care. An exercise of the decanting power is not ineffective because of the failure to give notice to one or more persons under subsection 3 if the authorized fiduciary acted with reasonable care to comply with subsection 3.

§1208. Court involvement

1. Application to court. On application of an authorized fiduciary, a person entitled to notice under section 1207, subsection 3, a beneficiary or, with respect to a charitable interest, the Attorney General, the court may:

- A. Provide instructions to the authorized fiduciary regarding whether a proposed exercise of the decanting power is permitted under this Act and consistent with the fiduciary duties of the authorized fiduciary;
- B. Appoint a special fiduciary and authorize the special fiduciary to determine whether the decanting power should be exercised under this Act and to exercise the decanting power;

- C. Approve an exercise of the decanting power;
- D. Determine that a proposed or attempted exercise of the decanting power is ineffective because:

(1) After applying section 1221, the proposed or attempted exercise does not or did not comply with this Act; or

(2) The proposed or attempted exercise would be or was an abuse of the fiduciary's discretion or a breach of fiduciary duty;

E. Determine the extent to which section 1221 applies to a prior exercise of the decanting power;

F. Provide instructions to the trustee regarding the application of section 1221 to a prior exercise of the decanting power; or

G. Order other relief to carry out the purposes of this Act.

2. Court approval. On application of an authorized fiduciary, the court may approve:

A. An increase in the fiduciary's compensation under section 1215; or

B. A modification under section 1217 of a provision granting a person the right to remove or replace the fiduciary.

§1209. Formalities

An exercise of the decanting power must be made in a record signed by an authorized fiduciary. The signed record must, directly or by reference to the notice required by section 1207, identify the first trust and the 2nd trust or trusts and state the property of the first trust being distributed to each 2nd trust and the property, if any, that remains in the first trust.

§1210. Decanting power under expanded distributive discretion

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

A. "Noncontingent right" means a right that is not subject to the exercise of discretion or the occurrence of a specified event that is not certain to occur. "Noncontingent right" does not include a right held by a beneficiary if any person has discretion to distribute property subject to the right to any person other than the beneficiary or the beneficiary's estate.

B. "Presumptive remainder beneficiary" means a qualified beneficiary other than a current beneficiary.

C. "Successor beneficiary" means a beneficiary that is not a qualified beneficiary on the date the beneficiary's qualification is determined. "Successor beneficiary" does not include a person that is a

beneficiary only because the person holds a nongeneral power of appointment.

D. "Vested interest" means:

(1) A right to a mandatory distribution that is a noncontingent right as of the date of the exercise of the decanting power;

(2) A current and noncontingent right, annually or more frequently, to a mandatory distribution of income, a specified dollar amount or a percentage of value of some or all of the trust property;

(3) A current and noncontingent right, annually or more frequently, to withdraw income, a specified dollar amount or a percentage of value of some or all of the trust property;

(4) A general power of appointment that is a presently exercisable general power of appointment; or

(5) A right, which is not subject to the exercise of discretion or to the occurrence of a specified event that is not certain to occur, to receive an ascertainable part of the trust property on the trust's termination.

2. Expanded distributive discretion over principal. Subject to subsection 3 and section 1213, an authorized fiduciary that has expanded distributive discretion over the principal of a first trust for the benefit of one or more current beneficiaries may exercise the decanting power over the principal of the first trust.

3. Restrictions on 2nd trust. Subject to section 1212, in an exercise of the decanting power under this section, a 2nd trust may not:

A. Include as a current beneficiary a person that is not a current beneficiary of the first trust, except as otherwise provided in subsection 4;

B. Include as a presumptive remainder beneficiary or successor beneficiary a person that is not a current beneficiary, presumptive remainder beneficiary or successor beneficiary of the first trust, except as otherwise provided in subsection 4; or

C. Reduce or eliminate a vested interest.

4. Permitted 2nd trust. Subject to subsection 3, paragraph C and section 1213, in an exercise of the decanting power under this section, a 2nd trust may be a trust created or administered under the law of any jurisdiction and may:

A. Retain a power of appointment granted in the first trust;

B. Omit a power of appointment granted in the first trust, other than a general power of appointment that is a presently exercisable power of appointment;

C. Create or modify a power of appointment if the powerholder is a current beneficiary of the first trust and the authorized fiduciary has expanded distributive discretion to distribute principal to the beneficiary; and

D. Create or modify a power of appointment if the powerholder is a presumptive remainder beneficiary or successor beneficiary of the first trust, but the exercise of the power of appointment may take effect only after the powerholder becomes, or would have become if then living, a current beneficiary.

5. Power of appointment; permissible appointees. A power of appointment described in subsection 4, paragraphs A to D may be general or nongeneral. The class of permissible appointees in favor of which the power may be exercised may be broader than or different from the class of beneficiaries of the first trust.

6. Expanded distributive discretion over part of principal. If an authorized fiduciary has expanded distributive discretion over part but not all of the principal of a first trust, the fiduciary may exercise the decanting power under this section over that part of the principal over which the authorized fiduciary has expanded distributive discretion.

§1211. Decanting power under limited distributive discretion

1. Limited distributive discretion defined. For purposes of this section, "limited distributive discretion" means a discretionary power of distribution that is limited to an ascertainable standard or a reasonably definite standard.

2. Limited distributive discretion over principal. An authorized fiduciary that has limited distributive discretion over the principal of the first trust for the benefit of one or more current beneficiaries may exercise the decanting power over the principal of the first trust.

3. Creation of 2nd trust; similar beneficial interests. Under this section and subject to section 1213, a 2nd trust may be created or administered under the law of any jurisdiction. Under this section, the 2nd trusts, in the aggregate, must grant each beneficiary of the first trust beneficial interests that are substantially similar to the beneficial interests of the beneficiary in the first trust.

4. Distribution for benefit of beneficiary. A power to make a distribution under a 2nd trust created pursuant to this section for the benefit of a beneficiary who is an individual is substantially similar to a power under the first trust to make a distribution directly to the beneficiary. A distribution is deemed to be for the benefit of a beneficiary if:

A. The distribution is applied for the benefit of the beneficiary;

B. The beneficiary is under a legal disability or the trustee reasonably believes the beneficiary is incapacitated and if the distribution is made as permitted under this Part; or

C. The distribution is made as permitted under the terms of the first-trust instrument and the 2nd-trust instrument for the benefit of the beneficiary.

5. Limited distributive discretion over part of principal. If an authorized fiduciary has limited distributive discretion over part but not all of the principal of a first trust, the fiduciary may exercise the decanting power under this section over that part of the principal over which the authorized fiduciary has limited distributive discretion.

§1212. Trust for beneficiary with disability

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

A. "Beneficiary with a disability" means a beneficiary of a first trust who the special-needs fiduciary believes may qualify for governmental benefits based on disability, whether or not the beneficiary currently receives those benefits or is an individual who is subject to a guardianship, a conservatorship or a protective arrangement.

B. "Governmental benefits" means financial aid or services from a state, federal or other public agency.

C. "Special-needs fiduciary" means, with respect to a trust that has a beneficiary with a disability:

(1) A trustee or other fiduciary, other than a settlor, that has discretion to distribute part or all of the principal of a first trust to one or more current beneficiaries;

(2) If no trustee or fiduciary has discretion under subparagraph (1), a trustee or other fiduciary, other than a settlor, that has discretion to distribute part or all of the income of the first trust to one or more current beneficiaries; or

(3) If no trustee or fiduciary has discretion under subparagraphs (1) and (2), a trustee or other fiduciary, other than a settlor, that is required to distribute part or all of the income or principal of the first trust to one or more current beneficiaries.

D. "Special-needs trust" means a trust the trustee believes would not be considered a resource for purposes of determining whether a beneficiary with a disability is eligible for governmental benefits.

2. Special-needs decanting. A special-needs fiduciary may exercise the decanting power under section 1210 over the principal of a first trust as if the fidu-

ciary had authority to distribute principal to a beneficiary with a disability subject to expanded distributive discretion if:

A. A 2nd trust is a special-needs trust that benefits the beneficiary with a disability; and

B. The special-needs fiduciary determines that exercise of the decanting power will further the purposes of the first trust.

3. Beneficiary with a disability. In an exercise of the decanting power under this section, the following apply:

A. Notwithstanding section 1210, subsection 3, paragraph B, the interest in the 2nd trust of a beneficiary with a disability may:

(1) Be a pooled trust as defined under the federal Medicaid program for the benefit of the beneficiary with a disability under 42 United States Code, Section 1396p(d)(4)(C); or

(2) Contain payback provisions complying with reimbursement requirements under the federal Medicaid program under 42 United States Code, Section 1396p(d)(4)(A);

B. Section 1210, subsection 3, paragraph C does not apply to the interests of a beneficiary with a disability; and

C. Except as affected by any change to the interests of a beneficiary with a disability, the 2nd trust or, if there are 2 or more 2nd trusts, the 2nd trusts in the aggregate must grant each other beneficiary of the first trust beneficial interests in the 2nd trusts that are substantially similar to the beneficiary's beneficial interests in the first trust.

§1213. Protection of charitable interest

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

A. "Determinable charitable interest" means a charitable interest that is a right to a mandatory distribution currently, periodically, on the occurrence of a specified event or after the passage of a specified time period and that is unconditional or will be held solely for charitable purposes.

B. "Unconditional" means not subject to the occurrence of a specified event that is not certain to occur, other than a requirement in a trust instrument that a charitable organization be in existence or qualify under a particular provision of the United States Internal Revenue Code of 1986 on the date of the distribution, if the charitable organization meets the requirement on the date of determination.

2. Determinable charitable interest; Attorney General may represent and bind. If a first trust contains a determinable charitable interest, for purposes of

this section, the Attorney General has the rights of a qualified beneficiary and may represent and bind the determinable charitable interest.

3. Limitation on 2nd trusts. If a first trust contains a determinable charitable interest, the 2nd trust or trusts may not:

- A. Diminish the determinable charitable interest;
- B. Diminish the interest of an identified charitable organization that holds the determinable charitable interest;
- C. Alter any charitable purpose stated in the first-trust instrument; or
- D. Alter any condition or restriction related to the determinable charitable interest.

4. Treatment of 2 or more 2nd trusts. If there are 2 or more 2nd trusts, the 2nd trusts must be treated as one trust for purposes of determining whether the exercise of the decanting power diminishes the determinable charitable interest or diminishes the interest of an identified charitable organization for purposes of subsection 3.

5. State law applicable; exceptions. If a first trust contains a determinable charitable interest, a 2nd trust or trusts that include a determinable charitable interest pursuant to subsection 3 must be administered under the law of this State unless:

- A. The Attorney General, after receiving notice under section 1207, does not object in a signed record delivered to the authorized fiduciary within the notice period;
- B. The Attorney General consents in a signed record to the 2nd trust or trusts being administered under the law of another jurisdiction; or
- C. The court approves the exercise of the decanting power.

6. Attorney General's powers and duties not limited. This Act does not limit the powers and duties of the Attorney General under a law of this State other than this Act.

§1214. Trust limitation on decanting

1. Decanting power prohibited. An authorized fiduciary may not exercise the decanting power to the extent the first-trust instrument expressly prohibits exercise of:

- A. The decanting power; or
- B. A power granted by state law to the authorized fiduciary to distribute part or all of the principal of the trust to another trust or to modify the trust.

2. Decanting power restricted. Exercise of the decanting power is subject to any restriction in the first-trust instrument that expressly applies to exercise of:

- A. The decanting power; or
- B. A power granted by state law to an authorized fiduciary to distribute part or all of the principal of the trust to another trust or to modify the trust.

3. Decanting power not precluded. A general prohibition on amendment or revocation of a first trust, a spendthrift provision or a clause restraining the voluntary or involuntary transfer of a beneficiary's interest does not preclude exercise of the decanting power.

4. First trust permits modification or distribution. Subject to subsections 1 and 2, an authorized fiduciary may exercise the decanting power pursuant to this Act even if the first-trust instrument permits the authorized fiduciary or another person to modify the first-trust instrument or to distribute part or all of the principal of the first trust to another trust.

5. Express prohibition or restriction included in 2nd trust. If a first-trust instrument contains an express prohibition described in subsection 1 or an express restriction described in subsection 2, the provision must be included in the 2nd-trust instrument.

§1215. Change in compensation

1. Compensation specified. If a first-trust instrument specifies an authorized fiduciary's compensation, the authorized fiduciary may not exercise the decanting power to increase the authorized fiduciary's compensation above the specified compensation unless:

- A. All qualified beneficiaries of the 2nd trust consent to the increase in a signed record; or
- B. The increase is approved by the court.

2. Compensation not specified. If a first-trust instrument does not specify an authorized fiduciary's compensation, the authorized fiduciary may not exercise the decanting power to increase the authorized fiduciary's compensation above the compensation permitted by this Part unless:

- A. All qualified beneficiaries of the 2nd trust consent to the increase in a signed record; or
- B. The increase is approved by the court.

3. Change in compensation incidental. A change in an authorized fiduciary's compensation that is incidental to other changes made by the exercise of the decanting power is not an increase in the authorized fiduciary's compensation for purposes of subsections 1 and 2.

§1216. Relief from liability and indemnification

1. Liability for breach of trust. Except as otherwise provided in this section, a 2nd-trust instrument may not relieve an authorized fiduciary from liability for breach of trust to a greater extent than the first-trust instrument does.

2. Indemnification for claim otherwise payable. A 2nd-trust instrument may provide for indemnification of an authorized fiduciary of the first trust or another person acting in a fiduciary capacity under the first trust for any liability or claim that would have been payable from the first trust if the decanting power had not been exercised.

3. No reduction in liability in aggregate. A 2nd-trust instrument may not reduce fiduciary liability in the aggregate.

4. Division and reallocation of fiduciary powers; relief from fiduciary liability. Subject to subsection 3, a 2nd-trust instrument may divide and reallocate fiduciary powers among fiduciaries, including one or more trustees, distribution advisors, investment advisors, trust protectors or other persons, and relieve a fiduciary from liability for an act or failure to act of another fiduciary as permitted by a law of this State other than this Act.

§1217. Removal or replacement of authorized fiduciary

An authorized fiduciary may not exercise the decanting power to modify a provision in a first-trust instrument granting another person power to remove or replace the authorized fiduciary unless:

1. Person holding power consents. The person holding the power to remove or replace the authorized fiduciary consents to the modification in a signed record and the modification applies only to the person;

2. Person holding power and qualified beneficiaries consent. The person holding the power to remove or replace the authorized fiduciary and the qualified beneficiaries of the 2nd trust consent to the modification in a signed record and the modification grants a substantially similar power to another person; or

3. Court approves. The court approves the modification and the modification grants a substantially similar power to remove or replace the authorized fiduciary to another person.

§1218. Tax-related limitations

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

A. "Grantor trust" means a trust as to which a settlor of a first trust is considered the owner under 26 United States Code, Sections 671 to 677 or 26 United States Code, Section 679.

B. "Internal Revenue Code" means the United States Internal Revenue Code of 1986.

C. "Nongrantor trust" means a trust that is not a grantor trust.

D. "Qualified benefits property" means property subject to the minimum distribution requirements

of 26 United States Code, Section 401(a)(9), and any applicable regulations, or to any similar requirements that refer to 26 United States Code, Section 401(a)(9) or an applicable regulation.

2. Limitations on decanting power. An exercise of the decanting power is subject to the following limitations:

A. If a first trust contains property that qualified, or would have qualified but for provisions of this Act other than this section, for a marital deduction for purposes of the gift or estate tax under the Internal Revenue Code or a state gift, estate or inheritance tax, the 2nd-trust instrument must not include or omit any term that, if included in or omitted from the trust instrument for the trust to which the property was transferred, would have prevented the transfer from qualifying for the deduction, or would have reduced the amount of the deduction, under the same provisions of the Internal Revenue Code or state law under which the transfer qualified.

B. If the first trust contains property that qualified, or would have qualified but for provisions of this Act other than this section, for a charitable deduction for purposes of the income, gift or estate tax under the Internal Revenue Code or a state income, gift, estate or inheritance tax, the 2nd-trust instrument may not include or omit any term that, if included in or omitted from the trust instrument for the trust to which the property was transferred, would have prevented the transfer from qualifying for the deduction, or would have reduced the amount of the deduction, under the same provisions of the Internal Revenue Code or state law under which the transfer qualified.

C. If the first trust contains property that qualified, or would have qualified but for provisions of this Act other than this section, for the exclusion from the gift tax described in 26 United States Code, Section 2503(b), the 2nd-trust instrument may not include or omit a term that, if included in or omitted from the trust instrument for the trust to which the property was transferred, would have prevented the transfer from qualifying under 26 United States Code, Section 2503(b). If the first trust contains property that qualified, or would have qualified but for provisions of this Act other than this section, for the exclusion from the gift tax described in 26 United States Code, Section 2503(b) by application of 26 United States Code, Section 2503(c), the 2nd-trust instrument may not include or omit a term that, if included or omitted from the trust instrument for the trust to which the property was transferred, would have prevented the transfer from qualifying under 26 United States Code, Section 2503(c).

D. If the property of the first trust includes shares of stock in an S corporation, as defined in 26 United States Code, Section 1361 and the first trust is, or but for provisions of this Act other than this section would be, a permitted shareholder under any provision of 26 United States Code, Section 1361, an authorized fiduciary may exercise the power with respect to part or all of the S corporation stock only if any 2nd trust receiving the stock is a permitted shareholder under 26 United States Code, Section 1361(c)(2). If the property of the first trust includes shares of stock in an S corporation and the first trust is, or but for provisions of this Act other than this section would be, a qualified subchapter S trust within the meaning of 26 United States Code, Section 1361(d), the 2nd-trust instrument may not include or omit a term that, if included or omitted, would have the effect of preventing the 2nd trust from qualifying as a qualified subchapter S trust.

E. If the first trust contains property that qualified, or would have qualified but for provisions of this Act other than this section, for an inclusion ratio of zero for purposes of the generation-skipping transfer tax under 26 United States Code, Section 2642(c), the 2nd-trust instrument may not include or omit a term that, if included in or omitted from the first-trust instrument, would have prevented the transfer to the first trust from qualifying for an inclusion ratio of zero under 26 United States Code, Section 2642(c).

F. If the first trust is directly or indirectly the beneficiary of qualified benefits property, the 2nd-trust instrument may not include or omit any term that, if included in or omitted from the first-trust instrument, would have increased the minimum distributions required with respect to the qualified benefits property under 26 United States Code, Section 401(a)(9) and any applicable regulations, or any similar requirements that refer to 26 United States Code, Section 401(a)(9) or an applicable regulation. If an attempted exercise of the decanting power violates the preceding sentence, the trustee is deemed to have held the qualified benefits property and any reinvested distributions of the property as a separate share from the date of the exercise of the power, and section 1221 applies to the separate share.

G. If the first trust qualifies as a grantor trust because of the application of 26 United States Code, Section 672(f)(2)(A), the 2nd trust may not include or omit a term that, if included in or omitted from the first-trust instrument, would have prevented the first trust from qualifying under 26 United States Code, Section 672(f)(2)(A).

H. Subject to paragraph I, a 2nd-trust instrument may not include or omit a term that, if included in

or omitted from the first-trust instrument, would have prevented qualification for a tax benefit if:

(1) The first-trust instrument expressly indicates an intent to qualify for the tax benefit or the first-trust instrument clearly is designed to enable the first trust to qualify for the tax benefit; and

(2) The transfer of property held by the first trust, or the first trust, qualified, or but for provisions of this Act other than this section would have qualified, for the tax benefit.

For the purposes of this paragraph, "tax benefit" means a federal or state tax deduction, exemption, exclusion or other benefit not otherwise listed in this section, except for a benefit arising from being a grantor trust.

I. Subject to paragraph D:

(1) Except as otherwise provided in paragraph H, the 2nd trust may be a nongrantor trust, even if the first trust is a grantor trust; and

(2) Except as otherwise provided in paragraph J, the 2nd trust may be a grantor trust, even if the first trust is a nongrantor trust.

J. An authorized fiduciary may not exercise the decanting power if a settlor objects in a signed record delivered to the authorized fiduciary within the notice period under section 1207 and:

(1) The first trust and a 2nd trust are both grantor trusts, in whole or in part, the first trust grants the settlor or another person the power to cause the first trust to cease to be a grantor trust and the 2nd trust does not grant an equivalent power to the settlor or other person; or

(2) The first trust is a nongrantor trust and a 2nd trust is a grantor trust, in whole or in part, with respect to the settlor, unless:

(a) The settlor has the power at all times to cause the 2nd trust to cease to be a grantor trust; or

(b) The first-trust instrument contains a provision granting the settlor or another person a power that would cause the first trust to cease to be a grantor trust and the 2nd-trust instrument contains the same provision.

§1219. Duration of 2nd trust

1. Duration. Subject to subsection 2, a 2nd trust may have a duration that is the same as or different from the duration of the first trust.

2. Rules applicable to property. To the extent that property of a 2nd trust is attributable to property of the first trust, the property of the 2nd trust is subject to

any rules governing maximum perpetuity, accumulation or suspension of the power of alienation that apply to property of the first trust.

§1220. Need to distribute not required

An authorized fiduciary may exercise the decanting power whether or not, under the first trust's discretionary distribution standard, the authorized fiduciary would have made or could have been compelled to make a discretionary distribution of principal at the time of the exercise.

§1221. Savings provision

1. Second-trust instrument in part not in compliance. If exercise of the decanting power would be effective under this Act except for the 2nd-trust instrument's partial noncompliance with this Act, the exercise of the decanting power is effective and the following applies with respect to the principal of the 2nd trust attributable to the exercise of the decanting power:

A. A provision in the 2nd-trust instrument that is not permitted under this Act is void to the extent necessary to comply with this Act; and

B. A provision required by this Act to be in the 2nd-trust instrument that is not contained in the instrument is deemed to be included in the instrument to the extent necessary to comply with this Act.

2. Fiduciary action. If a trustee or other fiduciary of a 2nd trust determines that subsection 1 applies to a prior exercise of the decanting power, the fiduciary shall take corrective action consistent with the fiduciary's duties.

§1222. Trust for care of animal

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

A. "Animal trust" means a trust or an interest in a trust created to provide for the care of one or more animals.

B. "Protector" means a person appointed in an animal trust to enforce the trust on behalf of the animal or, if no such person is appointed in the trust, a person appointed by the court for that purpose.

2. Consent of protector. The decanting power may be exercised over an animal trust that has a protector to the extent the trust could be decanted under this Act if each animal that benefits from the trust were an individual, if the protector consents in a signed record to the exercise of the power.

3. Rights of qualified beneficiary. A protector for an animal has the rights under this Act of a qualified beneficiary.

4. Time period first trust benefited animal. Notwithstanding any provision of this Act to the contrary,

if a first trust is an animal trust, in an exercise of the decanting power, the 2nd trust must provide that trust property may be applied only for its intended purpose for the time period the first trust benefited the animal.

§1223. Terms of 2nd trust

A reference in this Title to a trust instrument or terms of the trust includes a 2nd-trust instrument and the terms of the 2nd trust.

§1224. Settlor

1. Settlor of first trust is settlor of 2nd trust. For purposes of the law of this State other than this Act and subject to subsection 2, a settlor of a first trust is deemed to be the settlor of the 2nd trust with respect to the portion of the principal of the first trust subject to the exercise of the decanting power.

2. Consideration of intent. In determining settlor intent with respect to a 2nd trust, the intent of a settlor of the first trust, a settlor of the 2nd trust and the authorized fiduciary may be considered.

§1225. Later-discovered property

1. Distribution of all principal of first trust. Except as otherwise provided in subsection 3, if exercise of the decanting power was intended to distribute all the principal of the first trust to one or more 2nd trusts, later-discovered property belonging to the first trust and property paid to or acquired by the first trust after the exercise of the decanting power is part of the trust estate of the 2nd trust or trusts.

2. Distribution of less than all principal of first trust. Except as otherwise provided in subsection 3, if exercise of the decanting power was intended to distribute less than all the principal of the first trust to one or more 2nd trusts, later-discovered property belonging to the first trust or property paid to or acquired by the first trust after exercise of the decanting power remains part of the trust estate of the first trust.

3. Disposition by fiduciary. An authorized fiduciary may provide in an exercise of the decanting power or by the terms of a 2nd trust for disposition of later-discovered property belonging to the first trust or property paid to or acquired by the first trust after the exercise of the decanting power.

§1226. Obligations

A debt, liability or other obligation enforceable against property of a first trust is enforceable to the same extent against the property when held by the 2nd trust after exercise of the decanting power.

§1227. Uniformity of application and construction

In applying and construing this Act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

§1228. Relation to Electronic Signatures in Global and National Commerce Act

This Act modifies, limits or supersedes the Electronic Signatures in Global and National Commerce Act, 15 United States Code, Section 7001 et seq., but does not modify, limit or supersede 15 United States Code, Section 7001(c), or authorize electronic delivery of any of the notices described in 15 United States Code, Section 7003(b).

§1229. Effective date

This Act takes effect October 1, 2021.

See title page for effective date.

CHAPTER 236

H.P. 782 - L.D. 1053

An Act To Allow Microgrids That Are in the Public Interest

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

Sec. 1. 35-A MRSA §120, sub-§6, as enacted by PL 2009, c. 122, §10, is amended to read:

6. Significant developments. Any significant developments in the utility sectors or other areas of commission oversight; ~~and~~

Sec. 2. 35-A MRSA §120, sub-§6-A is enacted to read:

6-A. Microgrids. Beginning February 1, 2025, any activities undertaken by the commission related to new microgrids as defined in section 3351, subsection 1, paragraph B, including whether any new microgrids have been approved; and

Sec. 3. 35-A MRSA §2305-B, sub-§1, as enacted by PL 2001, c. 110, §2, is amended to read:

1. Transmission and distribution utilities; microgrids. A transmission and distribution utility or a person that constructs, maintains or operates a new microgrid approved in accordance with section 3351, subsection 3 may construct and maintain its lines in, upon, along, over, across or under the roads and streets in any municipality in which it is authorized to supply electricity, subject to the conditions and restrictions provided in this chapter and chapter 25.

Sec. 4. 35-A MRSA §2305-B, sub-§2, as enacted by PL 2001, c. 110, §2, is amended to read:

2. Persons other than transmission and distribution utilities or person that constructs, maintains or operates new microgrid. A person other than a transmission and distribution utility or person that constructs, maintains or operates a new microgrid approved in accordance with section 3351, subsection 3 may not

construct or maintain electric lines, including poles or other related structures, in, upon, along, over, across or under a road, street or other public way unless:

A. The person satisfies the requirements of section 2503;

B. The person or the person's contractor hired to construct the line provides to the applicable licensing authority a performance bond:

(1) In the amount of the value of the line, including poles or other related structures, to be located in the public way; and

(2) That is enforceable for one year from the date the line is energized;

C. Prior to constructing the line, the person notifies the transmission and distribution utility in whose service territory the line is proposed to be built of the proposed location of the line; and

D. If a public utility objects to the line on the basis that it may constitute a duplication of existing transmission or distribution facilities or may interfere with the adequate and safe delivery of electricity to others, the commission issues a finding that the line is not a duplication of existing transmission or distribution facilities and does not interfere with the adequate and safe delivery of electricity to others. A finding is not required under this paragraph unless a public utility has objected in writing to the applicable licensing authority.

Sec. 5. 35-A MRSA c. 33-A is enacted to read:

CHAPTER 33-A

MICROGRIDS

§3351. Microgrids

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

A. "Distributed energy resources" means small-scale electrical generation sources located close to where the generated electricity is used, energy storage resources, energy efficiency resources or demand response resources.

B. "New microgrid" means a group of interconnected loads and distributed energy resources within clearly defined electrical boundaries that acts as a single controllable entity with respect to the electric grid and can connect and disconnect from the electric grid to enable the new microgrid to operate in both electric grid-connected mode and nongrid-connected mode, referred to in this chapter as "island mode," and that is constructed after October 1, 2020.

2. Microgrids, public utility exception. Notwithstanding section 2102 or any other provision of this

Title to the contrary, a person that constructs, maintains or operates a new microgrid approved under subsection 3 does not, solely as a result of furnishing service through that new microgrid to participating consumers, become a public utility and is not subject to regulation as a public utility under this Title.

3. Commission approval; requirements. A person may not construct or operate a new microgrid without commission approval in accordance with this subsection.

A. The commission shall approve a petition to construct and operate a new microgrid if the commission finds that operation of the new microgrid is in the public interest and the new microgrid meets at least the following requirements:

(1) The proposed new microgrid will serve a total load of no more than 10 megawatts, except that the commission may approve no more than 2 new microgrids that each serve a load greater than 10 megawatts but no more than 25 megawatts;

(2) The proposed new microgrid is located in the service territory of a transmission and distribution utility with more than 50,000 customers;

(3) The distributed energy resources for the new microgrid meet the applicable portfolio requirements in section 3210, subsections 3, 3-A, 3-B and 3-C;

(4) Any distributed energy resources constructed after the effective date of this subsection for the new microgrid are a renewable capacity resource as defined in section 3210, subsection 2, paragraph B-3 or a renewable resource as defined in section 3210, subsection 2, paragraph C;

(5) The person proposing the new microgrid demonstrates that the person has secured the financial capacity to operate the proposed new microgrid;

(6) The person proposing the new microgrid demonstrates that the person has secured the technical capability to operate the proposed new microgrid;

(7) There is a contractual relationship between the proposed new microgrid operator and consumers within the area to be served by the proposed new microgrid; and

(8) The proposed new microgrid will not negatively affect the reliability and security of the electric grid.

For the purposes of this paragraph, when determining whether a proposed new microgrid is in the

public interest, the commission shall consider possible ratepayer effects, whether positive or negative; benefits due to the increased resilience or reliability of the electric grid; economic development benefits; and any other factors the commission considers necessary to promote the public interest.

B. As a condition of approval of a new microgrid, the commission shall:

(1) Require that any increase in costs to the electric transmission and distribution system in the State as a result of the new microgrid must be fully recovered from the person approved under this subsection to construct, maintain or operate the new microgrid and customers of the microgrid and may not be passed on to other electric ratepayers; and

(2) Impose any other terms, conditions or requirements on the construction, maintenance or operation of the new microgrid as, in its judgment, it considers necessary, which may include but are not limited to parameters regarding the ability of the new microgrid to enter island mode, as defined by the commission by rule, and the operation of the new microgrid in grid-connected mode and island mode.

4. Commission oversight; grid protections; consumer protections. A new microgrid approved in accordance with subsection 3 is subject to commission oversight to ensure reliability and security of the electric grid and consumer protections for customers of the new microgrid.

5. Services. Services provided by a new microgrid may include, but are not limited to:

A. Standby electric service, as defined by the commission by rule, when the new microgrid is operating in island mode; and

B. Selling electricity as a competitive electricity provider when the new microgrid is operating in grid-connected mode.

6. Rulemaking. The commission may adopt rules to implement this section. Rules adopted under this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 6. Report. The Public Utilities Commission shall submit a report by January 7, 2023 to the joint standing committee of the Legislature having jurisdiction over energy and utility matters detailing its activities related to new microgrids as defined in the Maine Revised Statutes, Title 35-A, section 3351, subsection 1, paragraph B, including whether any new microgrids have been approved under Title 35-A, section 3351. The report must also include any recommendations for legislation that may be necessary to clarify or enhance the law regarding new microgrids. The committee may

report out a bill to the First Regular Session of the 131st Legislature based on the report.

Sec. 7. Precedent established by Public Utilities Commission. The provisions of this Act may not be interpreted to modify or nullify the analytical framework and precedent for analyzing whether an entity is a transmission and distribution utility or a competitive electricity provider established by the Public Utilities Commission in opinions and orders issued prior to the effective date of this Act, including, but not limited to, opinions and orders issued under Docket Number 2000-653, Request for Commission Investigation Regarding the Plans of Boralex Stratton Energy, Inc. to Provide Electric Service Directly from Stratton Lumber Company and Docket Number 2011-200, ReEnergy Rumford, LLC, Request for Advisory Ruling.

See title page for effective date.

CHAPTER 237

S.P. 340 - L.D. 1072

An Act Regarding Career and Technical Education, Adult Education and Memoranda of Understanding with Community Colleges and the University of Maine System

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

Sec. 1. 20-A MRSA §8308 is enacted to read:

§8308. Memorandum of understanding for educational programs

A center or region, adult education program pursuant to chapter 315 and a community college or university may enter into a memorandum of understanding with one another pursuant to this section to provide educational programs to career and technical education and adult education students. For the purposes of this section, "community college" means a community college of the Maine Community College System and "university" means a university of the University of Maine System. A memorandum of understanding under this section must include the following components.

1. Schedules. The center or region, adult education program and the community college or university must address how to align schedules to allow students to take courses through the community college or university.

2. Postsecondary credit. The community college or university shall grant full credit to any student who successfully completes a course at the community college or university provided pursuant to this section. The course must apply to graduation requirements at the

community college or university in which it was taken or be transferable to another community college or university on an equal basis with a course taken by any other student at the community college or university.

3. Funding. Funding for career and technical education students attending courses at a community college or university may be provided in accordance with section 15689-A, subsection 23 or chapter 208-A.

See title page for effective date.

CHAPTER 238

S.P. 373 - L.D. 1111

An Act To Update the Statutes Governing Membership of the Board of Trustees of the Maine Veterans' Homes

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

Sec. 1. 37-B MRSA §603, as amended by PL 2015, c. 397, §10 and PL 2019, c. 377, §6, is repealed and the following enacted in its place:

§603. Board of trustees

1. Administration of the homes. The administration of the homes is vested in the Board of Trustees of the Maine Veterans' Homes, as authorized by Title 5, section 12004-G, subsection 34.

2. Appointment; composition. The board consists of 11 members, one of whom must be the Director of the Maine Bureau of Veterans' Services, ex officio, who serves without term. The Governor shall appoint the remaining members. The board shall submit a list of nominees to the Governor for the Governor's consideration. The board shall request established veterans' service organizations with chapters in the State and organizations and individuals who have demonstrated leadership in their fields to submit names of nominees to the board. The membership of the board must reflect the diversity of the State, including, but not limited to, diversity in geographic location, cultural and ethnic background, sexual orientation, gender identity and professional experience. The majority of board members must be honorably discharged veterans.

3. Terms; vacancies. Except for the Director of the Maine Bureau of Veterans' Services, board members serve 3-year terms and are limited to serving 3 full terms. In the event of a vacancy, a successor may be appointed to complete a member's unexpired term or to a new 3-year term. Each member continues to hold office until a successor is appointed.

Sec. 2. 37-B MRSA §604, sub-§2, as amended by PL 2001, c. 676, §2, is further amended to read:

2. Meetings. The board shall meet at least ~~6~~ 4 times annually. Six members constitute a quorum.

Sec. 3. 37-B MRSA §604, sub-§3, as corrected by RR 2019, c. 1, Pt. B, §44, is amended to read:

3. Selection of officers. At its first ~~annual~~ meeting ~~each year, which must be held in July each year,~~ the board shall elect a chair, vice-chair, treasurer and secretary for that fiscal year.

Sec. 4. 37-B MRSA §606, as amended by PL 2015, c. 397, §13, is further amended to read:

§606. Chief executive officer

The chief executive officer ~~must be an honorably discharged veteran who~~ shall administer the homes in accordance with the rules, guidelines and general policies established by the board. The chief executive officer serves an indefinite term, but may be removed for cause by the board. The chief executive officer's salary is set by the board. The chief executive officer shall hire the necessary employees to operate the homes and, whenever possible, give preference in hiring to veterans. These employees are not deemed employees of the State.

Sec. 5. 37-B MRSA §610, 2nd ¶, as enacted by PL 2003, c. 3, §1 and amended by c. 689, Pt. B, §6, is repealed.

Sec. 6. Transition. Notwithstanding the Maine Revised Statutes, Title 37-B, section 603, a member of the Board of Trustees of the Maine Veterans' Homes serving on the board on the effective date of this Act may serve the remainder of that member's term.

See title page for effective date.

CHAPTER 239

H.P. 811 - L.D. 1133

**An Act To Amend the
Transportation Laws**

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

Sec. 1. 23 MRSA §73, sub-§7, as enacted by PL 2011, c. 610, Pt. B, §2, is amended to read:

7. Priorities, service levels, capital asset management goals and reporting. The Department of Transportation shall classify the State's public highways as Priority 1 to Priority ~~6~~ 5 ~~corridors~~ using factors such as the federal functional classification system, regional economic significance, heavy haul truck use and relative regional traffic volumes. The department shall also establish customer service levels related to safety, condition and serviceability appropriate to the priority of the highway, resulting in a system that grades each

highway as ~~Excellent, Good, Fair, or Poor or Unacceptable.~~

To provide a capital transportation program that is geographically balanced and that addresses urban and rural needs and meets customer expectations and transportation system needs, the department shall include the following goals as part of its ~~capital improvement plans and program delivery~~ asset management and work plan preparation. The goals are to:

~~A. By 2022, improve all Priority 1 and Priority 2 corridors so that their safety, condition and serviceability customer service level equals Fair or better;~~

A-1. Maintain Priority 1 highways in accordance with the department's federally required transportation asset management plan and the department's customer service measures so that no more than 15% of the highways are rated as Poor;

~~B. By 2027, improve all Priority 3 corridors so that their safety, condition and serviceability customer service level equals Fair or better;~~

B-1. Maintain Priority 2 and Priority 3 highways so that no more than 15% of the highways are rated as Poor; and

~~C. By 2017, implement a pavement program for all Priority 4 corridors that maintains their ride quality customer service level at Fair or better;~~

D. Continue the light capital paving program on a 7-year cycle for Priority ~~5~~ 4 ~~corridors~~ highways outside compact areas as defined in section 754; ~~and.~~

~~E. By 2015, develop and implement a similar asset priority and customer service level system of measurement for all major freight and passenger transportation assets owned or supported by the department, including capital goals.~~

The department shall report to the joint standing committee of the Legislature having jurisdiction over transportation matters by March 1st of each odd-numbered year quantifying ~~progress realized and time that has elapsed since the goals were established~~ the status of each of the goals. The department shall recommend any remedial actions, including additional funding or revisions to the goals, that the department determines to be necessary or appropriate.

Sec. 2. 23 MRSA §75 is enacted to read:

§75. Rail corridor use advisory councils

1. Purpose. Upon petition by one or more governmental entities that represent communities along a state-owned rail corridor in which the department controls the right-of-way requesting the department to review a nonrail recreational or nonrecreational transportation use of that rail corridor, the Commissioner of Transportation, for each petition received, shall notify the joint

standing committee of the Legislature having jurisdiction over transportation matters and may establish a rail corridor use advisory council, referred to in this section as "a council," to facilitate discussion, gather information and provide advice to the commissioner regarding future use of the rail corridor identified in the petition. The council shall review and make recommendations on the likelihood, benefits and costs of potential uses of the rail corridor, including, but not limited to, rail use, trail use or bikeways. Any nonrail use of a rail corridor must be considered by a council to be interim in nature, and all such rail corridors must be preserved for future rail use as provided in chapter 615.

2. Membership. The Commissioner of Transportation shall invite at least 9 and no more than 15 persons to serve on a council. Membership may include:

A. The Commissioner of Transportation or the commissioner's designee;

B. The Commissioner of Agriculture, Conservation and Forestry or the commissioner's designee;

C. The Commissioner of Economic and Community Development or the commissioner's designee;

D. The Commissioner of Health and Human Services or the commissioner's designee;

E. One or more members representing other state agencies;

F. One member representing a statewide tourism organization or a regional tourism organization of the geographic area containing the rail corridor;

G. One member representing a chamber of commerce or other regional or local economic development entity of the geographic area containing the rail corridor;

H. One member representing an organization advocating for rail use or preservation;

I. One member representing an organization advocating for recreational trail use or advocating for bicyclist or pedestrian interests; and

J. One or more municipal officials or staff from municipalities located on the rail corridor.

3. Meetings; chair. The Commissioner of Transportation shall designate the chair of a council. The department shall provide staff support to the council. The council may adopt bylaws and other policies to effectively govern its proceedings. The council shall meet at the call of the chair and shall hold a minimum of one public hearing located in the geographic area along the rail corridor for which the council was formed.

4. Report. Within 9 months of convening its first meeting, a council shall submit a report to the Commissioner of Transportation on its findings and recommendations regarding the use of the rail corridor, including

majority and minority reports if necessary. Upon conclusion of the council's work, the Commissioner of Transportation shall disband that council.

Sec. 3. 23 MRSA §7107, as enacted by PL 2003, c. 498, §4, is amended to read:

§7107. Dismantling of state-owned track or other nonrail use

Except as provided in this section, the Department of Transportation may not dismantle or change state-owned track for a nonrail use or contract with a state agency or private entity for the dismantling or changing of state-owned track for a nonrail use. When the department, in consultation with a regional economic planning entity and a regional transportation advisory committee established in accordance with rules adopted under section 73, subsection 4, determines that removal of a specific length of rail owned by the State will not have a negative impact on a region or on future economic opportunities for that region, the Commissioner of Transportation shall seek review by the joint standing committee of the Legislature having jurisdiction over transportation matters prior to removal.

The Department of Transportation may not convert a state-owned rail corridor in which the department controls the right-of-way to a nonrail recreational or nonrecreational transportation use without following the rail corridor use advisory council process established under section 75 and without legislative approval. If the Commissioner of Transportation receives a report from a rail corridor use advisory council established under section 75 that includes a recommendation of track removal or other change for nonrail use and the commissioner concurs with that recommendation, the commissioner shall seek legislative approval of the recommendation by submitting legislation to the joint standing committee of the Legislature having jurisdiction over transportation matters prior to track removal or the other change for nonrail use. Legislation submitted under this section must include language stating that any track removal or other change for nonrail use is considered interim in nature and that the rail corridor will be preserved for future rail use as provided under this chapter.

Sec. 4. 29-A MRSA §101, sub-§63-C is enacted to read:

63-C. Rotary. "Rotary" means a type of circular intersection with a large diameter and straight entries in which traffic circulates counterclockwise around a center traffic island.

Sec. 5. 29-A MRSA §101, sub-§63-D is enacted to read:

63-D. Roundabout. "Roundabout" means a type of circular intersection with curved entries in which

traffic circulates counterclockwise around a center traffic island. "Roundabout" includes a mini-roundabout with a traversable island.

Sec. 6. 29-A MRSA §2053, sub-§3, ¶A, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

A. At a roundabout, traffic circle or rotary; or

Sec. 7. 29-A MRSA §2053, sub-§6, as repealed and replaced by PL 2003, c. 452, Pt. Q, §33 and affected by Pt. X, §2, is amended to read:

6. Traffic circles, roundabouts or rotary intersections rotaries. The operator of a vehicle:

A. Approaching a traffic circle, roundabout or rotary ~~intersection~~ shall yield the right-of-way to a vehicle already within the traffic circle, roundabout or rotary ~~intersection~~ unless otherwise regulated by a law enforcement officer or by traffic control devices;

B. Entering ~~and passing~~, circulating around and exiting a ~~rotary or~~ traffic circle, roundabout or rotary may drive only to the right of the center traffic island of a roundabout, mini-roundabout, rotary or traffic circle and shall yield the right-of-way to a vehicle on the operator's left; ~~and~~

C. May not drive on or across the center part of a rotary, roundabout or traffic circle, except that the wheels of a semitrailer or trailer may cross the center part as long as the wheels of the towing vehicle do not cross the center part, or, in the case of a mini-roundabout, may drive across a traversable center traffic island only if the operator is operating a combination vehicle or a bus;

D. May not travel in a traffic circle, roundabout or rotary beyond 2 exit points in the outside lane; and

E. Shall obey all signs and markings on the pavement lawfully placed at the traffic circle, roundabout or rotary.

Sec. 8. 30-A MRSA §6006-G, sub-§1, as amended by PL 2011, c. 610, Pt. B, §3, is further amended to read:

1. Establishment; purposes. The TransCap Trust Fund, referred to in this section as "the fund," is established in the custody of the bank to provide transportation capital investment for the Department of Transportation and municipalities in accordance with this section. The purpose of the fund is to provide financial assistance for the planning, design, acquisition, reconstruction and rehabilitation of transportation capital improvements of all modes including improvements that will forward the ~~capital~~ asset management goals set forth in Title 23, section 73, subsection 7.

Sec. 9. 30-A MRSA §6006-G, sub-§4, ¶B, as amended by PL 2011, c. 610, Pt. B, §4, is further amended to read:

B. To guarantee or insure, directly or indirectly, the payment of notes or bonds issued or to be issued by the State for the purpose of financing capital improvements that will forward the ~~capital~~ asset management goals set forth in Title 23, section 73, subsection 7;

See title page for effective date.

CHAPTER 240

H.P. 871 - L.D. 1193

An Act To Exempt Certain Disabled Veterans from the Motor Vehicle Excise Tax

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

Sec. 1. 36 MRSA §1483, sub-§12, as amended by PL 2009, c. 434, §20, is further amended to read:

12. Certain veterans. Automobiles owned by veterans who are granted free registration of those vehicles by the Secretary of State under Title 29-A, section 523, subsection 1 or who are disabled by injury or disease incurred or aggravated during active military service in the line of duty and are receiving any form of pension or compensation from the United States Government for total, service-connected disability;

See title page for effective date.

CHAPTER 241

H.P. 925 - L.D. 1258

An Act To Implement the Recommendations of the Stakeholder Group Convened by the Emergency Medical Services' Board Related to Reimbursement Rates for Ambulance Services by Health Insurance Carriers and To Improve Participation of Ambulance Service Providers in Carrier Networks

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

Sec. 1. 24-A MRSA §4303-C, sub-§2, ¶D, as enacted by PL 2019, c. 668, §2, is amended to read:

D. A Until December 31, 2023, unless the carrier and out-of-network provider agree otherwise, a

carrier shall reimburse an out-of-network provider for ambulance services that are covered emergency services at the ~~out of network provider's rate, unless the carrier and out of network provider agree otherwise.~~ rate required by section 4303-F;

~~This paragraph is repealed October 1, 2021;~~

Sec. 2. 24-A MRSA §4303-C, sub-§2, ¶E, as enacted by PL 2019, c. 668, §2, is amended to read:

E. If an out-of-network provider disagrees with a carrier's payment amount for a surprise bill for emergency services or for covered emergency services as determined in accordance with paragraph B or paragraph D, the carrier and the out-of-network provider have 30 calendar days to negotiate an agreement on the payment amount in good faith. If the carrier and the out-of-network provider do not reach agreement on the payment amount within 30 calendar days, the out-of-network provider may submit a dispute regarding the payment and receive another payment from the carrier determined in accordance with the dispute resolution process in section 4303-E, including any payment made pursuant to section 4303-E, subsection 1, paragraph G; and

Sec. 3. 24-A MRSA §4303-F is enacted to read:
§4303-F. Reimbursement for ambulance services and participation of ambulance service providers in carrier networks

1. Reimbursement for ambulance services. Until December 31, 2023, with respect to a bill for covered emergency services rendered by an ambulance service provider, a carrier shall reimburse the ambulance service provider or enrollee, as applicable, as follows.

A. If the ambulance service provider participates in the carrier's network, the carrier shall reimburse at the ambulance service provider's rate or 200% of the Medicare rate for that service, whichever is less, plus any adjustment required by paragraph C.

B. If the ambulance service provider is an out-of-network provider, the carrier shall reimburse at the ambulance service provider's rate or 180% of the Medicare rate for that service, whichever is less, plus any adjustment required by paragraph C.

C. If the ambulance service provider is located in a rural or super rural area as designated by the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services and eligible for additional Medicare reimbursement for services that were provided to a Medicare enrollee, the carrier shall increase the reimbursement to that ambulance service provider in the same amount as the additional Medicare reimbursement.

D. If, on the effective date of this subsection, an ambulance service provider's charge for ambulance

services is below 200% of the Medicare rate for that service, the ambulance service provider may not increase the charge for that service by more than 5% annually.

This subsection is repealed December 31, 2023.

2. Network participation; standard contract. A carrier shall offer a standard contract to all ambulance service providers willing to participate in the carrier's provider network with the following provisions:

A. The reimbursement rate paid for ambulance services conforms to the requirements of subsection 1.

This paragraph is repealed December 31, 2023;

B. The contract term is for a minimum of 24 months;

C. The contract may be terminated as long as the party seeking to terminate the contract provides at least 180 days' prior notice; and

D. The contract provides that an ambulance service provider has a minimum of 120 days to submit a claim.

3. Exemption. This section does not apply to air ambulance services.

Sec. 4. 32 MRSA §86, sub-§1, ¶A is enacted to read:

A. The board shall adopt rules and protocols to evaluate the need for any new ambulance service in this State before granting a license under this subsection, including rules that provide an appeal process for any decision made by the board. Rules adopted pursuant to this paragraph are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

This paragraph is repealed December 31, 2026.

Sec. 5. 32 MRSA §88, sub-§2, ¶K is enacted to read:

K. The board shall establish by rule a program for collecting and reporting cost and performance metrics related to emergency medical treatment services, including ambulance services. Rules adopted pursuant to this paragraph are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 6. Review of financial health and costs of ambulance service providers and the delivery of services by ambulance service providers. The Emergency Medical Services' Board shall convene a stakeholder group, including representatives of the Maine Ambulance Association, municipal and private ambulance services, health insurance carriers and the Department of Professional and Financial Regulation, Bureau of Insurance, to review issues related to financial health and costs of ambulance service providers and

the delivery of services by ambulance service providers in this State, including issues related to the medical necessity and reasonableness of ambulance services. The stakeholder group shall consider and develop financial and cost reporting standards and other metrics related to the delivery and quality of ambulance services to measure and evaluate ambulance services in this State. The Emergency Medical Services' Board shall submit a report on the results of its review, including any recommendations, to the joint standing committee of the Legislature having jurisdiction over health coverage, insurance and financial services matters no later than February 1, 2023. The joint standing committee may report out a bill based on the report to the First Regular Session of the 131st Legislature.

See title page for effective date.

**CHAPTER 242
H.P. 975 - L.D. 1323**

An Act To Maximize Service to Students by Adopting Conditional Allowances for Participation by Families of School Board Members in School Activities

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

Sec. 1. 20-A MRSA §1002, sub-§1, ¶A, as enacted by PL 1999, c. 128, §1, is amended to read:

A. "Employee" means a person who receives ongoing monetary payment or benefits, no matter the amount paid or hours worked, for personal services performed for a school administrative unit.

Sec. 2. 20-A MRSA §1002, sub-§1, ¶A-1 is enacted to read:

A-1. "Stipend employee" means a person who receives limited monetary payment or benefits, through a series of payments or in a lump sum, for personal services performed in an advisory, mentoring or coaching capacity for a school administrative unit.

Sec. 3. 20-A MRSA §1002, sub-§2, as amended by PL 1999, c. 128, §2, is further amended to read:

2. Employment by school administrative unit, school union, academy. A member of a school board or spouse of a member may not be an employee in a public school within the jurisdiction of the school board to which the member is elected or in a contract high school or academy located within a supervisory union in which the member is a representative on the union committee.

A. A school board may, but is not required to, permit the spouse of a member of the school board to serve as a stipend employee on a contractual basis when that action is in the best interest of students and a summation of potential conflicts of interest is documented and a priori mitigations are described in the signed contract. A school board may adopt a written policy on nepotism that includes hiring practices for school-sanctioned stipend positions, discourages favoritism and political patronage, considers the needs of the school system and provides that all qualified applicants have a fair and equal opportunity to be selected on merit, with priority consideration given to the best interest of students without restrictions based solely on family association.

This paragraph is repealed July 1, 2024.

Sec. 4. 20-A MRSA §1002, sub-§2-B is enacted to read:

2-B. Permissive volunteer placement by school administrative unit, school union, academy. Notwithstanding subsection 2-A, a school board may, but is not required to, permit a school board member's spouse to serve as a volunteer. A school board may adopt a written policy on nepotism to discourage favoritism and political patronage, consider the needs of the school system and provide that all volunteers have a fair and equal opportunity to be selected on merit, with priority consideration given to the best interest of students without restrictions based solely on family association.

This subsection is repealed July 1, 2024.

See title page for effective date.

**CHAPTER 243
S.P. 462 - L.D. 1412**

An Act To Update and Improve the MaineEARNs Database and Reconvene the State Education and Employment Outcomes Task Force

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

Sec. 1. 20-A MRSA §12902 is enacted to read: **§12902. Educational outcome database**

No later than January 1, 2022, and biennially thereafter, the Department of Labor, in consultation with the Department of Education and the task force, shall update the database.

Sec. 2. State Education and Employment Outcomes Task Force appointments. All appointments to the State Education and Employment

Outcomes Task Force pursuant to the Maine Revised Statutes, Title 20-A, section 12901 must be made no later than 30 days following the effective date of this Act. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the task force. If 30 days or more after the effective date of this Act a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the task force to meet and conduct its business.

Sec. 3. State Education and Employment Outcomes Task Force to study improvements to the Department of Labor's educational outcome database. The State Education and Employment Outcomes Task Force shall study the updating of, and improvements to, the educational outcome database under the Maine Revised Statutes, Title 20-A, section 12901. The study must include, but is not limited to, methods of ensuring the database contains the most current data available, ways to add to and improve the database with additional data regarding vocational schools, student loan information, financial aid awards and student loan default rates, incorporation of data available in other publicly available state or national databases, best practices from other states and any other information that would inform a prospective student. The task force shall report to the joint standing committees of the Legislature having jurisdiction over education and cultural affairs and labor and housing matters no later than November 1, 2022. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may report out a bill related to the report to the First Regular Session of the 131st Legislature.

See title page for effective date.

**CHAPTER 244
H.P. 1047 - L.D. 1431**

An Act To Allow Certain Veterans' Organizations To Be Billed for Electricity Usage at the Same Rate as Residential Customers and To Require the Public Utilities Commission To Consider Rate Design Modifications

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

Sec. 1. 35-A MRSA §3109 is enacted to read:

§3109. Military veterans' organizations; residential customer

1. Definitions. For the purposes of this section, the following terms have the following meanings.

A. "Eligible military veterans' organization" means a military veterans' organization qualified under the federal Internal Revenue Code of 1986, 26 United States Code, Section 501(c)(19), as amended, excluding a trust or foundation for a post or organization of past or present members of the Armed Forces of the United States.

B. "Residential customer" means a customer defined as residential under the terms and conditions of the customer's transmission and distribution utility.

2. Residential rate for military veterans' organizations. A transmission and distribution utility shall, at the request of an eligible military veterans' organization, bill that organization at the same rate as the utility bills a residential customer for electric power or service provided to a facility owned by that organization or a facility rented by that organization if that organization is billed directly for electric power or service provided by the utility.

3. Repeal. This section is repealed September 1, 2025.

Sec. 2. Consideration of charges. The Public Utilities Commission shall, in its current proceeding on grid modernization, Docket No. 2021-00039, consider rate design modifications, including adjustments to fixed charges and demand charges.

See title page for effective date.

**CHAPTER 245
H.P. 1082 - L.D. 1466**

An Act To Improve the Efficiency of Certain Consumer Credit Protection Laws

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

PART A

Sec. A-1. 9-A MRSA §1-201, sub-§1, as amended by PL 2005, c. 604, §1, is further amended to read:

1. Except as otherwise provided in this section, this Act applies to consumer credit transactions and open-end credit plans made or entered into in this State. For purposes of this Act, a consumer credit transaction or open-end credit plan is made or entered into in this State if: the creditor, wherever located, enters into a consumer credit transaction or open-end credit plan with a consumer who is located in this State.

~~A. A signed writing evidencing the obligation or offer of the consumer is received by the creditor in this State;~~

~~B. The creditor, wherever located, induces the consumer who is a resident of this State to enter into the transaction or open end credit plan by face to face, mail, telephone or electronic mail solicitation in this State; or~~

~~C. With respect to a payday loan, the lender, wherever located, enters into a payday loan transaction with a consumer who is located in this State.~~

Sec. A-2. 9-A MRSA §1-301, sub-§17, as amended by PL 2017, c. 106, §1, is further amended by amending the 4th blocked paragraph to read:

A Except with respect to credit sales of automobiles, a person regularly extends consumer credit only if the person extended credit other than credit subject to high-cost mortgage loan requirements more than 25 times or more than 5 times for transactions secured by a dwelling in the preceding calendar year. With respect to credit sales of automobiles, a person regularly extends consumer credit only if the person extended credit more than 15 times in the preceding calendar year. If a person did not meet these numerical standards in the preceding calendar year, the numerical standards must be applied to the current calendar year.

Sec. A-3. 9-A MRSA §2-301, sub-§2, as amended by PL 2017, c. 106, §4, is further amended to read:

2. Taking assignments of and undertaking direct collection of payments from or enforcement of rights ~~from an office in this State~~ against debtors arising from supervised loans; or

Sec. A-4. 9-A MRSA §6-116, sub-§2, as amended by PL 2009, c. 402, §4, is further amended to read:

2. Financial information not normally available to the public that is submitted in confidence by an individual or organization to comply with the licensing, registration or other regulatory functions of the administrator, including information derived from a credit or background investigation conducted pursuant to section 6-105-A, subsection 2;

Sec. A-5. 9-A MRSA §6-203, sub-§3-D is enacted to read:

3-D. Notwithstanding subsection 3-C, the administrator may by rule adjust the fees paid with respect to creditors that are not supervised financial organizations making residential mortgage loans to support the costs of compliance and staff attorney positions. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. A-6. 10 MRSA §1273, as enacted by PL 1993, c. 115, §1 and amended by PL 1995, c. 309, §27, is further amended to read:

§1273. Administrative enforcement

~~The Director of Consumer Credit Regulation~~ Superintendent of Consumer Credit Protection may take appropriate action to ensure compliance with this chapter, including without limitation: to receive and act on complaints; negotiate an assurance in writing that a violator will not engage in the same or similar conduct in the future; conduct hearings in accordance with the Maine Administrative Procedure Act and issue a cease and desist order for violation of this chapter; and refer cases to the Attorney General, who may bring a civil action against a person for knowingly violating a written assurance of discontinuance. If a court finds a violation of this chapter it may assess a civil forfeiture of not more than \$1,000.

Sec. A-7. 10 MRSA §1495-H, sub-§6, as enacted by PL 2003, c. 668, §6 and affected by §12, is repealed and the following enacted in its place:

6. Action on license. After notice and the opportunity for hearing before the administrator, revocation, suspension or nonrenewal of the payroll processor's license.

A respondent aggrieved by an order of the administrator may obtain judicial review of the order in the Superior Court. The proceeding for review is initiated and conducted in accordance with Title 5, chapter 375, subchapter 7.

Sec. A-8. 30-A MRSA §3964-A, sub-§3, as amended by PL 2011, c. 427, Pt. D, §19, is further amended to read:

3. Model forms. ~~The Director of Consumer Credit Regulation~~ Superintendent of Consumer Credit Protection may issue model disclosure forms and clauses to facilitate compliance with the disclosure and computational requirements of this subchapter, pursuant to the truth-in-lending provisions of the Maine Consumer Credit Code, Title 9-A, Article 8-A.

Sec. A-9. 32 MRSA §6102, sub-§10, as enacted by PL 1997, c. 155, Pt. A, §2, is amended to read:

10. Money transmission. "Money transmission" means the business of selling or issuing payment instruments or the business of receiving money, including virtual currencies, for transmission or transmitting money, including virtual currencies, within the United States or to locations abroad by any means, including, but not limited to, payment instrument, wire, facsimile or electronic transfer.

Sec. A-10. 32 MRSA §6102, sub-§15 is enacted to read:

15. Virtual currency. "Virtual currency":

A. Means a digital representation of value that:

- (1) Is used as a medium of exchange, unit of account or store of value; and
- (2) Is not legal tender, whether or not denominated in legal tender; and

B. Does not include:

- (1) A transaction in which a merchant grants, as part of an affinity or rewards program, value that cannot be taken from or exchanged with the merchant for legal tender, bank credit or virtual currency; or
- (2) A digital representation of value issued by or on behalf of a publisher and used solely within an online game, game platform or family of games sold by the same publisher or offered on the same game platform.

Sec. A-11. 32 MRSA §11051, as amended by PL 2009, c. 243, §7, is further amended to read:

§11051. Investigation, suspension and revocation of licenses

The Bureau of Consumer Credit Protection may examine or investigate the records and practices of any person the ~~superintendent~~ administrator believes has engaged in conduct governed by this chapter in accordance with Title 9-A, section 6-106, may review and approve collection letters proposed for use in this State and may charge for expenses incurred pursuant to Title 9-A, section 6-106, subsection 6. ~~The superintendent may file a complaint with the District Court to suspend or revoke a license issued pursuant to this chapter, if, after investigation or hearing, or both, the superintendent has reason to believe that the licensee has violated any provisions of this chapter or any administrative rules issued pursuant to this chapter, or has failed to maintain its financial condition sufficient to qualify for a license on an original application.~~

After notice and opportunity for hearing, the administrator may suspend or revoke a licensee's license issued pursuant to this chapter if the administrator finds that:

- 1. Grounds for denial. A fact or condition exists that, if it had existed at the time when the licensee applied for its license, would have been grounds for denying the application;
- 2. Violations. The licensee has knowingly violated any material provision of this chapter or any rule adopted or order validly issued by the administrator under authority of this chapter;
- 3. Safety and soundness. The licensee is conducting its business in an unsafe or unsound manner;
- 4. Insolvency. The licensee is insolvent;

5. Failure to meet obligations. The licensee has suspended payment of its obligations, has made an assignment for the benefit of its creditors or has admitted in writing its inability to pay its debts as they become due;

6. Bankruptcy. The licensee has applied for an adjudication of bankruptcy, reorganization, arrangement or other relief under any bankruptcy;

7. Refusal of examination. The licensee has refused to permit the administrator to make an examination authorized by this chapter;

8. Failure to respond. The licensee has failed to promptly and adequately respond to communications from the administrator; or

9. Failure to file report. The licensee has willfully failed to make a report required by this chapter.

Sec. A-12. 32 MRSA §11051-B is enacted to read:

§11051-B. Administrative enforcement orders

1. Cease and desist. After notice and hearing, the administrator may order a person to cease and desist from engaging in violations of this chapter or a lawful rule adopted or order issued by the administrator and may further order that the person take appropriate corrective action to reimburse consumers in cases in which consumers have been charged amounts in excess of those permitted by this chapter. Notice and hearing need not be provided prior to issuance of an order to cease and desist when, in the opinion of the administrator, immediate action is required to protect the public interest and:

- A. The debt collector has not complied with section 11031; or
- B. The debt collector does not maintain a permanent place of business in this State.

A respondent aggrieved by an order of the administrator may obtain judicial review of the order in the Superior Court. The proceeding for review is initiated and conducted in accordance with Title 5, chapter 375, subchapter 7.

2. Objection not urged; remand. An objection not urged at the hearing under subsection 1 may not be considered by the court unless the failure to urge the objection is excused for good cause shown. A party may move the court to remand the case to the administrator in the interest of justice for the purpose of adducing additional specified and material evidence and seeking findings thereon upon good cause shown for the failure to adduce this evidence before the administrator.

3. Testimony available to parties. The administrator's copy of the testimony at the hearing under subsection 1 must be available at reasonable times to all parties for examination without cost.

4. Obtain decree. If no proceeding is initiated under subsection 1, the administrator, through the Attorney General, may obtain a decree of the Superior Court for enforcement of its order upon showing that the order was issued in compliance with this section, that no proceeding for review was timely initiated and that the respondent is subject to the jurisdiction of the court. The decree of the Superior Court may also provide any relief available in an action brought under Title 9-A, section 6-110.

5. Unconscionable agreements; fraudulent, unconscionable conduct. With respect to unconscionable agreements or fraudulent or unconscionable conduct by the respondent, the administrator may not issue an order pursuant to this section, but, through the Attorney General, may bring a civil action for an injunction.

Sec. A-13. 32 MRSA §11051-C is enacted to read:

§11051-C. Assurance of discontinuance

If it is claimed that a person has engaged in conduct that could be subject to an order by the administrator or by a court, the administrator may accept an assurance in writing that the person will not engage in the same or in similar conduct in the future. Such an assurance may include any or any combination of the following: stipulations for the voluntary payment by the debt collector of the costs of investigation or of an amount to be held in escrow as restitution to debtors aggrieved by past or future conduct of the debt collector or to cover costs of future investigation; or admissions of past specific acts by the debt collector or that such acts violated this chapter or other statutes. A violation of an assurance of discontinuance is a violation of this chapter.

Sec. A-14. 33 MRSA §527, as amended by PL 2001, c. 44, §11 and affected by §14, is further amended to read:

§527. Enforcement

With respect to lenders that are supervised financial organizations as that term is defined in Title 9-A, section 1-301, subsection 38-A, a violation of this subchapter is deemed an anticompetitive and deceptive practice and the Superintendent of Financial Institutions may take appropriate action to ensure compliance with this subchapter. With respect to all other supervised lenders, as that term is defined in Title 9-A, section 1-301, subsection 39, the ~~Director of Consumer Credit Regulation~~ Superintendent of Consumer Credit Protection may take such action.

PART B

Sec. B-1. 9-A MRSA §6-105-A, as amended by PL 2011, c. 427, Pt. B, §§10 and 11, is further amended to read:

§6-105-A. Uniform multistate automated licensing system

For the purposes of participating in the establishment and implementation of a uniform multistate automated licensing system, referred to in this section as "the system," for loan brokers, supervised lenders that are not supervised financial organizations and individual mortgage loan originators thereof, or entities in other license categories processed by the system that are licensed or registered by the administrator, the administrator may undertake the following actions.

1. The administrator may establish new rules and procedures, consistent with the principles for operation and implementation established by the system, that are necessary for the State to participate in the system, including rules and procedures authorizing the system to collect license fees on behalf of the State and remit those fees to the State, authorizing collection fees by the system to pay for its services, authorizing the system to process and maintain license records and authorizing use of the system's uniform forms, upon the ~~director's~~ administrator's finding that each new rule or procedure is consistent with the public interest and the purposes of this Act. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

2. The administrator may require a credit and background investigation of each applicant for a license as a loan broker, a supervised lender that is not a supervised financial organization or a mortgage loan originator thereof, or entity in another license category processed by the system that is licensed or registered by the administrator, by means including fingerprint checks for state and national criminal histories, commencing at the time the State joins the system pursuant to this section. The cost of the investigations must be charged to the applicants. Information obtained or held by the administrator pursuant to this subsection is nonpublic pursuant to section 6-116 and not subject to disclosure.

Any information provided by or to the administrator pursuant to this section that has been designated as confidential by another state's regulatory agency remains the property of the agency furnishing the information and must be kept confidential by the administrator and the system except as authorized by the agency that furnished the information.

Sec. B-2. 9-A MRSA §6-202, sub-§1, as amended by PL 2009, c. 228, §1, is further amended to read:

1. Persons subject to this Part shall file notification with the administrator before commencing business in this State, and, annually thereafter, on or before January 31st ~~of each year~~ or an alternate date established by the administrator. The notification filings must be made to the administrator and must be in a form and contain information that the administrator considers appropriate for the proper supervision and regulation of such persons.

PART C

Sec. C-1. 9-A MRSA §12-107, sub-§4, as enacted by PL 2007, c. 394, §1 and affected by §3, is repealed.

PART D

Sec. D-1. 9-A MRSA §2-302, sub-§1, as amended by PL 2017, c. 106, §5, is further amended to read:

1. The administrator shall receive and act on all applications for licenses to make or service supervised loans under this Act. Applications must be filed in the manner prescribed by the administrator and must contain the information required by the administrator to make an evaluation of the financial responsibility, character and fitness of the applicant.

A. ~~For a lender subject to this subsection whose activities include making or arranging residential mortgage loans, an~~ The administrator may require an application for a license to make or service supervised loans must to be made electronically, through the nationwide mortgage licensing system and registry as defined in section 13-102, subsection 8. Licenses for which applications were made electronically through the nationwide mortgage licensing system and registry expire December 31st of each year and must be renewed through the nationwide mortgage licensing system and registry. An application for an initial license must be accompanied by a fee of \$250, and an annual renewal application must be accompanied by a fee of \$100. An application for an initial license or renewal for a place of business other than that of the applicant's first licensed location must be accompanied by a fee of \$100. The administrator may establish, by rule, fees to apply for or renew licenses, except that the fee for an initial application may not exceed \$1,000 and for a renewal may not exceed \$600 for any licensed location. Renewal applications received after the expiration date are subject to a late fee of \$100. An applicant who applies through the nationwide mortgage licensing system and registry must also pay a nationwide mortgage licensing system and registry processing fee in an amount to be determined by the administrators of the nationwide mortgage licensing system and registry. A Fees set by the administrator by rule for a nonprofit organization exempt from taxation under the United States Internal Revenue Code, Section 501(c)(3) and engaged in the financing of housing for low-income people under a program designed specifically for that purpose must pay an initial licensing fee, and a fee for each branch location, of \$20 and a renewal licensing fee and renewal fee for each branch location of \$10, may not exceed \$150 for an initial application and \$100 per year for a renewal

for any licensed location, plus the applicable nationwide mortgage licensing system and registry processing fee.

~~B. For a lender subject to this subsection whose activities do not include making or arranging residential mortgage loans, an initial application for a license must be accompanied by a \$500 fee and a renewal application must include a \$200 fee. A license is granted for a 2 year period and expires on September 30th of the 2nd year. An application for an initial license or renewal for a place of business other than that of the applicant's first licensed location must be accompanied by a fee of \$200.~~

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. D-2. 9-A MRSA §10-201, as repealed and replaced by PL 2013, c. 466, §7, is amended to read:

§10-201. Licensing and biennial relicensing renewal licensing

A person desiring to engage or continue in business in this State as a loan broker shall apply to the administrator for a license under this Article as set forth in this section. The administrator may refuse the application if it contains erroneous or incomplete information. A license may not be issued unless the administrator, upon investigation, finds that the financial responsibility, character and fitness of the applicant and, when applicable, its partners, officers and directors and, when applicable, the character and fitness of its mortgage loan originators; warrant belief that the business will be operated honestly and fairly within the purposes of this Title.

1. Loan broker whose activities include arranging for or obtaining an extension of credit for a residential mortgage loan. ~~A loan broker subject to this section whose activities include arranging for or obtaining an extension of credit for a residential mortgage loan must apply for a license electronically through the nationwide mortgage licensing system and registry. The initial application must include a fee of \$300 and a renewal application must include a fee of \$150. An application for a branch location license for a location other than that of the first licensed location from which the applicant conducts business or from which the applicant conducts business under a different name than that listed on the first license must be accompanied by a license fee of \$150 and an annual renewal fee of \$75. The applicant must also pay such nationwide mortgage licensing system and registry processing fees as are established by the nationwide mortgage licensing system and registry. A license expires on December 31st of each year and must be renewed through the nationwide mortgage licensing system and registry. Notwithstanding other remedies available under this Title, an appli-~~

ation received after the due date is subject to an additional fee of \$100. A licensed loan broker subject to this subsection may conduct business only through a mortgage loan originator who possesses a current, valid license.

2. Loan broker whose activities do not include arranging for or obtaining an extension of credit for a residential mortgage loan. The initial application for a license as a loan broker subject to this section whose activities do not include arranging for or obtaining an extension of credit for a residential mortgage loan must be made directly to the administrator. Initial licenses are granted for a period not to exceed 2 years and expire January 31st. The initial application must include a fee of \$600, and a biennial relicensing application must include a fee of \$300. An application for a branch location license for a location other than that of the first licensed location from which the applicant conducts business or from which the applicant conducts business under a different name than that listed on the first license must be accompanied by a license fee of \$300 and a biennial renewal fee of \$150. Notwithstanding other remedies available under this Title, applications received after the due date are subject to an additional fee of \$100.

3. Nationwide mortgage licensing system and registry. The administrator may require licensing of loan brokers subject to this section through the nationwide mortgage licensing system and registry as defined in section 13-102, subsection 8. The administrator is authorized to participate in the nationwide mortgage licensing system and registry.

4. Fees and requirements. In all cases, whether licensing of loan brokers subject to this section is through the nationwide mortgage licensing system and registry as defined in section 13-102, subsection 8 or otherwise, the administrator may establish, by rule, requirements for licensing, including but not limited to:

A. Background checks for:

- (1) Criminal history through fingerprint or other databases;
- (2) Civil or administrative records;
- (3) Credit history; or
- (4) Any other information determined necessary by the nationwide mortgage licensing system and registry;

B. The payment of fees to apply for or renew licenses, except that the fee for an initial application may not exceed \$1,000 and for a yearly renewal may not exceed \$600. If licensing is through the nationwide mortgage licensing system and registry, an applicant must also pay a nationwide mortgage licensing system and registry processing fee in an amount to be determined by the administrators of the nationwide mortgage licensing system

and registry. Renewal applications received after the due date are subject to an additional fee of \$100;

C. The setting or resetting as necessary of renewal or reporting dates; and

D. Other requirements for application for, amendment of or revocation of a license or any other such activities as the administrator considers necessary.

A licensed loan broker whose activities include arranging for or obtaining an extension of credit for a residential mortgage loan may conduct business only through a mortgage loan originator who possesses a current, valid license.

The administrator may direct each licensee to file composite annual and quarterly reports relating to all brokered loans arranged or obtained by that licensee. Information contained in annual and quarterly reports is confidential and may be published only in composite form. The administrator may at any time require additional reports if the administrator determines such action necessary to the proper supervision of licensees.

Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. D-3. 9-A MRSA §12-106, sub-§2, as enacted by PL 2007, c. 394, §1 and affected by §3, is amended to read:

2. Registration must be filed in the manner prescribed by the administrator and must contain the information the administrator requires to make an evaluation of the character, fitness and financial responsibility of the applicant. The initial application must be accompanied by a \$500 fee. A renewal registration must include a \$200 fee. A registration must be renewed every 2 years and expires on September 30th. The administrator may require registration through the nationwide mortgage licensing system and registry as defined in section 13-102, subsection 8. The administrator is authorized to participate in the nationwide mortgage licensing system and registry.

In all cases, whether registration is through the nationwide mortgage licensing system and registry or otherwise, the administrator may establish, by rule, requirements for registration, including but not limited to:

A. Background checks for:

- (1) Criminal history through fingerprint or other databases;
- (2) Civil or administrative records;
- (3) Credit history; or
- (4) Any other information determined necessary by the nationwide mortgage licensing system and registry;

B. The payment of fees to apply for or renew registrations, except that the fee for an initial application may not exceed \$800 and for a renewal may not exceed \$500. If registration is through the nationwide mortgage licensing system and registry, an applicant must also pay a nationwide mortgage licensing system and registry processing fee in an amount to be determined by the administrators of the nationwide mortgage licensing system and registry. Renewal applications received after the due date are subject to an additional fee of \$100;

C. The setting or resetting as necessary of renewal or reporting dates; and

D. Other requirements for application for, amendment of or revocation of a registration or any other such activities as the administrator considers necessary.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. D-4. 10 MRSA §1310-A, sub-§1, ¶G, as enacted by PL 2013, c. 228, §1, is repealed and the following enacted in its place:

G. Require registration of consumer reporting agencies located in this State or serving users within this State through the nationwide mortgage licensing system and registry as defined in Title 9-A, section 13-102, subsection 8. The administrator is authorized to participate in the nationwide mortgage licensing system and registry.

In all cases, whether licensing is through the nationwide mortgage licensing system and registry, as defined in Title 9-A, section 13-102, subsection 8, or otherwise, the administrator may establish, by rule, requirements for registration, including but not limited to:

- (1) Background checks for:
 - (a) Criminal history through fingerprint or other databases;
 - (b) Civil or administrative records;
 - (c) Credit history; or
 - (d) Any other information determined necessary by the nationwide mortgage licensing system and registry;

(2) The payment of fees to apply for or renew registrations, except that the fee for an initial application may not exceed \$500 and for a renewal may not exceed \$500. If licensing is through the nationwide mortgage licensing system and registry, an applicant must also pay a nationwide mortgage licensing system and registry processing fee in an amount to be de-

termined by the administrators of the nationwide mortgage licensing system and registry. Renewal applications received after the due date are subject to an additional fee of \$100;

(3) The setting or resetting as necessary of renewal or reporting dates; and

(4) Other requirements for application for, amendment of or revocation of a registration or any other such activities as the administrator considers necessary.

Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. D-5. 10 MRSA §1396, sub-§2, as enacted by PL 2009, c. 61, §1, is amended to read:

2. Issuance of license; requirements; fees. An application for a license as an exchange facilitator must be in writing and filed with the administrator in the manner and form prescribed by the administrator. ~~The administrator shall set an application fee for a primary office not to exceed \$350 and for any branch offices not to exceed \$200. All funds received by the administrator under this chapter are appropriated for the use of the administrator. The administrator may require licensing through the nationwide mortgage licensing system and registry as defined in Title 9-A, section 13-102, subsection 8. The administrator is authorized to participate in the nationwide mortgage licensing system and registry.~~

In all cases, whether licensing is through the nationwide mortgage licensing system and registry or otherwise, the administrator may establish, by rule, requirements for licensing, including but not limited to:

- A. Background checks for:
 - (1) Criminal history through fingerprint or other databases;
 - (2) Civil or administrative records;
 - (3) Credit history; or
 - (4) Any other information determined necessary by the nationwide mortgage licensing system and registry;

B. The payment of fees to apply for or renew licenses, except that the fee for an initial application may not exceed \$600 and for a renewal may not exceed \$500. If licensing is through the nationwide mortgage licensing system and registry, an applicant must also pay a nationwide mortgage licensing system and registry processing fee in an amount to be determined by the administrators of the nationwide mortgage licensing system and registry. Renewal applications received after the due date are subject to an additional fee of \$100;

C. The setting or resetting as necessary of renewal or reporting dates; and

D. Other requirements for application for, amendment of or revocation of a license or any other such activities as the administrator considers necessary.

All funds received by the administrator under this chapter are appropriated for the use of the administrator, and any balance of the funds does not lapse but must be carried forward to be expended for the same purposes in the following fiscal year.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. D-6. 10 MRSA §1396, sub-§3, as enacted by PL 2009, c. 61, §1, is repealed.

Sec. D-7. 10 MRSA §1400-B, sub-§1, as enacted by PL 2009, c. 61, §2, is amended to read:

1. Registration. A person may not directly or indirectly engage in or carry on, or purport to engage in or carry on, the business of, or act in the capacity of, a settlement agency in this State without first registering with the administrator in accordance with this chapter. The registration must be in a manner and form prescribed by the administrator. ~~The administrator shall set a registration fee for a primary office or a branch office not to exceed \$25. All funds received by the administrator under this chapter are appropriated for the use of the administrator.~~ The administrator may require registration through the nationwide mortgage licensing system and registry as defined in Title 9-A, section 13-102, subsection 8. The administrator is authorized to participate in the nationwide mortgage licensing system and registry.

In all cases, whether registration is through the nationwide mortgage licensing system and registry or otherwise, the administrator may establish, by rule, requirements for registration, including but not limited to:

- A. Background checks for:
 - (1) Criminal history through fingerprint or other databases;
 - (2) Civil or administrative records;
 - (3) Credit history; or
 - (4) Any other information determined necessary by the nationwide mortgage licensing system and registry;

B. The payment of fees to apply for or renew registrations, except that the fee for an initial application may not exceed \$300 and for a renewal may not exceed \$300. If registration is through the nationwide mortgage licensing system and registry, an applicant must also pay a nationwide mortgage licensing system and registry processing fee in an amount to be determined by the administrators of

the nationwide mortgage licensing system and registry. Renewal applications received after the due date are subject to an additional fee of \$100;

C. The setting or resetting as necessary of renewal or reporting dates; and

D. Other requirements for application for, amendment of or revocation of a registration or any other such activities as the administrator considers necessary.

All funds received by the administrator under this chapter are appropriated for the use of the administrator, and any balance of the funds does not lapse but must be carried forward to be expended for the same purposes in the following fiscal year.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. D-8. 10 MRSA §1400-B, sub-§3, as enacted by PL 2009, c. 61, §2, is amended to read:

3. Renewal. On or before April 30th of each year, a settlement agency registered under this chapter shall pay an annual renewal fee ~~of \$25~~ as determined pursuant to subsection 1 and shall file with the administrator a renewal form containing such information as the administrator may require.

Sec. D-9. 10 MRSA §1495-D, sub-§1-A is enacted to read:

1-A. License requirements; fees. The administrator may require licensing under this section through the nationwide mortgage licensing system and registry as defined in Title 9-A, section 13-102, subsection 8. The administrator is authorized to participate in the nationwide mortgage licensing system and registry.

In all cases, whether licensing is through the nationwide mortgage licensing system and registry or otherwise, the administrator may establish, by rule, requirements for licensing, including but not limited to:

- A. Background checks for:
 - (1) Criminal history through fingerprint or other databases;
 - (2) Civil or administrative records;
 - (3) Credit history; or
 - (4) Any other information determined necessary by the nationwide mortgage licensing system and registry;

B. The payment of fees to apply for or renew licenses, except that the fee for an initial application may not exceed \$1,200 and for a renewal may not exceed \$1,200. If licensing is through the nationwide mortgage licensing system and registry, an applicant must also pay a nationwide mortgage licensing system and registry processing fee in an

amount to be determined by the administrators of the nationwide mortgage licensing system and registry. Renewal applications received after the due date are subject to an additional fee of \$100;

C. The setting or resetting as necessary of renewal or reporting dates; and

D. Other requirements for application for, amendment of or revocation of a license or any other such activities as the administrator considers necessary.

The aggregate of license fees and other fees and assessments provided for by this chapter is appropriated for the use of the administrator. Any balance of these funds does not lapse but must be carried forward to be expended for the same purpose in the following fiscal year.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. D-10. 10 MRSA §1495-D, sub-§4, as repealed and replaced by PL 2011, c. 308, §5, is repealed.

Sec. D-11. 10 MRSA §1500-H, sub-§6, as repealed and replaced by PL 2017, c. 475, Pt. A, §13, is amended to read:

6. Enforcement. ~~The superintendent may require the filing of notification by an administrator pursuant to Title 9-A, section 6-202 and section 6-203, subsection 1.~~ The superintendent may require the filing of waivers in use by an administrator. Upon request by the superintendent, an administrator shall annually file a record of waivers administered by the administrator.

The superintendent may take action that is necessary or appropriate to enforce the provisions of this chapter and to protect borrowers who hold waivers in this State. In cases in which a credit union or financial institution authorized to do business in this State, as defined in Title 9-B, section 131, subsections 12-A and 17-A, is a creditor, the Superintendent of Financial Institutions is responsible for enforcement. After notice and opportunity for hearing, the superintendent may:

A. Order the creditor, administrator or any other person not in compliance with this chapter to cease and desist from further waiver-related operations that are in violation of this chapter; and

B. Impose a penalty of not more than \$500 per violation and not more than \$10,000 in the aggregate for all violations of a similar nature. For purposes of this paragraph, violations must be considered of a similar nature if the violations consist of the same or a similar course of conduct, action or practice, irrespective of the number of times the conduct, action or practice that is determined to be a violation of this chapter occurred.

Sec. D-12. 10 MRSA §1500-H, sub-§6-A is enacted to read:

6-A. Registration; fees. The superintendent may require registration of an administrator that may include use of the nationwide mortgage licensing system and registry as defined in Title 9-A, section 13-102, subsection 8. The administrator is authorized to participate in the nationwide mortgage licensing system and registry.

In all cases, whether registration is through the nationwide mortgage licensing system and registry or otherwise, the administrator may establish, by rule, requirements for registration, including but not limited to:

A. Background checks for:

(1) Criminal history through fingerprint or other databases;

(2) Civil or administrative records;

(3) Credit history; or

(4) Any other information determined necessary by the nationwide mortgage licensing system and registry;

B. The payment of fees to apply for or renew registrations, except that the fee for an initial application may not exceed \$300 and for a renewal may not exceed \$300. If registration is through the nationwide mortgage licensing system and registry, an applicant must also pay a nationwide mortgage licensing system and registry processing fee in an amount to be determined by the administrators of the nationwide mortgage licensing system and registry. Renewal applications received after the due date are subject to an additional fee of \$100;

C. The setting or resetting as necessary of renewal or reporting dates; and

D. Other requirements for application for, amendment of or revocation of a registration or any other such activities as the administrator considers necessary.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. D-13. 10 MRSA §1500-H, sub-§7, ¶B, as repealed and replaced by PL 2017, c. 475, Pt. A, §13, is amended to read:

B. Subsection 2, paragraph C and subsections 4 and 6 and 6-A are not applicable to a waiver offered in connection with a retail installment sale associated with a commercial transaction.

Sec. D-14. 32 MRSA §6103, sub-§3 is enacted to read:

3. Nationwide mortgage licensing system and registry. The administrator may require licensing under this section through the nationwide mortgage licensing system and registry as defined in Title 9-A, section 13-102, subsection 8. The administrator is authorized to

participate in the nationwide mortgage licensing system and registry.

Sec. D-15. 32 MRSA §6103, sub-§4 is enacted to read:

4. License requirements; fees. In all cases, whether licensing is through the nationwide mortgage licensing system and registry as defined in Title 9-A, section 13-102, subsection 8 or otherwise, the administrator may establish, by rule, requirements for licensing under this section, including but not limited to:

A. Background checks for:

- (1) Criminal history through fingerprint or other databases;
- (2) Civil or administrative records;
- (3) Credit history; or
- (4) Any other information determined necessary by the nationwide mortgage licensing system and registry;

B. The payment of fees to apply for or renew licenses, except that the fee for an initial application may not exceed \$1,200 and for a renewal may not exceed \$1,000. If licensing is through the nationwide mortgage licensing system and registry, an applicant must also pay a nationwide mortgage licensing system and registry processing fee in an amount to be determined by the administrators of the nationwide mortgage licensing system and registry. Renewal applications received after the due date are subject to an additional fee of \$100;

C. The setting or resetting as necessary of renewal or reporting dates; and

D. Other requirements for application for, amendment of or revocation of a license or any other such activities as the administrator considers necessary.

In addition, the application or renewal application must be accompanied by a registration fee of \$50 for each authorized delegate designated by the licensee, up to a maximum of \$2,500.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. D-16. 32 MRSA §6108, as enacted by PL 1997, c. 155, Pt. A, §2, is repealed.

Sec. D-17. 32 MRSA §6110, sub-§1, as enacted by PL 1997, c. 155, Pt. A, §2, is repealed.

Sec. D-18. 32 MRSA §6110, sub-§2, as enacted by PL 1997, c. 155, Pt. A, §2, is amended to read:

2. Annual Renewal fee; annual report. The renewal fee established pursuant to section 6103, subsection 4 must be accompanied by a report in a form prescribed by the administrator. The form must be sent by

the administrator to each licensee no later than 3 months immediately preceding the date established by the administrator for license renewal. The licensee must include the following in its annual renewal report:

A. A copy of its most recent audited annual financial statement, including balance sheet, statement of income or loss, statement of changes in shareholder's equity and statement of changes in financial position. With the approval of the administrator, in the case of a licensee that is a wholly owned subsidiary of another corporation, the consolidated audited annual financial statement of the parent corporation may be filed in lieu of the licensee's audited annual financial statement;

B. For the most recent quarter for which data are available prior to the date of the filing of the renewal application, but in no event more than 120 days prior to the renewal date, the number of payment instruments sold by the licensee in the State, the dollar amount of those instruments and the dollar amount of those instruments currently outstanding;

C. Any material changes to any of the information submitted by the licensee on its original application that have not previously been reported to the administrator on any other report required to be filed under this subchapter; and

D. A list of the locations within this State at which business regulated by this subchapter is being conducted by either the licensee or its authorized delegate.

The administrator is authorized, for good cause shown, to waive any requirement of this subsection with respect to any renewal application or to permit a renewal applicant to submit substituted information in its renewal application in lieu of the information required by this subsection.

Sec. D-19. 32 MRSA §6110, sub-§3, as enacted by PL 1997, c. 155, Pt. A, §2, is amended to read:

3. Suspension. A licensee that has not filed a renewal report or paid its renewal fee established pursuant to section 6103, subsection 4 by the renewal filing deadline and has not been granted an extension of time to do so by the administrator must be notified by the administrator, in writing, that its license is suspended. At the licensee's request, the suspension may be stayed, and a hearing will be scheduled, at which time the licensee will be required to show cause why its license should not be suspended pending compliance with these requirements.

Sec. D-20. 32 MRSA §6133, sub-§2, as enacted by PL 1997, c. 155, Pt. A, §2, is amended to read:

2. Additional locations. A registrant may conduct its business in this State at one or more locations, directly or indirectly owned, or through one or more

authorized delegates, subject to the ~~additional~~ requirements set forth in this section 6137.

Sec. D-21. 32 MRSA §6133, sub-§3 is enacted to read:

3. Nationwide mortgage licensing system and registry. The administrator may require registration under this section through the nationwide mortgage licensing system and registry as defined in Title 9-A, section 13-102, subsection 8. The administrator is authorized to participate in the nationwide mortgage licensing system and registry.

Sec. D-22. 32 MRSA §6133, sub-§4 is enacted to read:

4. Registration requirements; fees. In all cases, whether registration is through the nationwide mortgage licensing system and registry as defined in Title 9-A, section 13-102, subsection 8 or otherwise, the administrator may establish, by rule, requirements for registration under this section, including but not limited to:

A. Background checks for:

- (1) Criminal history through fingerprint or other databases;
- (2) Civil or administrative records;
- (3) Credit history; or
- (4) Any other information determined necessary by the nationwide mortgage licensing system and registry;

B. The payment of fees to apply for or renew registrations, including for locations other than the applicant's main office location, except that the fee for an initial application may not exceed \$500 and for a renewal may not exceed \$500. If registration is through the nationwide mortgage licensing system and registry, an applicant must also pay a nationwide mortgage licensing system and registry processing fee in an amount to be determined by the administrators of the nationwide mortgage licensing system and registry. Renewal applications received after the due date are subject to an additional fee of \$100;

C. The setting or resetting as necessary of renewal or reporting dates; and

D. Other requirements for application for, amendment of or revocation of a registration or any other such activities as the administrator considers necessary.

The aggregate of all fees, including those provided for by this section and in section 6140, is appropriated for the use of the administrator. Any balance of the funds does not lapse but must be carried forward to be expended for the same purposes in the following fiscal year.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. D-23. 32 MRSA §6137, as enacted by PL 1997, c. 155, Pt. A, §2, is repealed.

Sec. D-24. 32 MRSA §6173, as amended by PL 2009, c. 243, §4, is further amended to read:

§6173. Registration and annual reregistration

2. Registration and reregistration. An organization desiring to act, or continue to act, as a debt management service provider shall apply to the administrator for registration or reregistration in accordance with this chapter. The application must be in a form prescribed by the administrator. The administrator may refuse the application if it contains erroneous or incomplete information. A registration may not be issued unless the administrator, upon investigation, finds that the financial soundness and responsibility, insurance coverage, consumer education programs and services component, character and fitness of the applicant and, when applicable, its partners, officers or directors, warrant belief that the business will be operated honestly and fairly within the purposes of this chapter. ~~The initial application for registration may be filed at any time and must include a fee of \$500. A registration or reregistration under this chapter expires on December 31st of the year approved. An annual reregistration application must be filed by December 1st of each year for the following year and must include a fee of \$250.~~

2-A. Separate registration required. A separate registration is required for each place of business. ~~A application fee of \$250 must accompany an application for registration for a place of business other than that of the first registered location of the registrant.~~

2-B. Registration requirements; fees. The administrator may require registration under this section through the nationwide mortgage licensing system and registry as defined in Title 9-A, section 13-102, subsection 8. The administrator is authorized to participate in the nationwide mortgage licensing system and registry.

In all cases, whether registration is through the nationwide mortgage licensing system and registry or otherwise, the administrator may establish, by rule, requirements for registration, including but not limited to:

A. Background checks for:

- (1) Criminal history through fingerprint or other databases;
- (2) Civil or administrative records;
- (3) Credit history; or
- (4) Any other information determined necessary by the nationwide mortgage licensing system and registry;

B. The payment of fees to apply for registrations or reregistrations, except that the fee for an initial application may not exceed \$800 and for a reregistration may not exceed \$600. If registration is through the nationwide mortgage licensing system and registry, an applicant must also pay a nationwide mortgage licensing system and registry processing fee in an amount to be determined by the administrators of the nationwide mortgage licensing system and registry. Reregistration applications received after the due date are subject to an additional fee of \$100;

C. The setting or resetting as necessary of reregistration or reporting dates; and

D. Other requirements for application for, amendment of or revocation of a registration or any other such activities as the administrator considers necessary.

3. Action on registration application. The administrator shall take action on an application within 30 days after the administrator has accepted the application as complete. Upon written request, the applicant is entitled to a hearing on the question of the applicant's qualifications for registration if the administrator has notified the applicant in writing that the application has been denied or the administrator has not issued a registration within 30 days after the application for the registration was accepted as complete by the administrator. A request for a hearing may not be made more than 60 days after the application was accepted as complete or the administrator has mailed a written notice to the applicant stating that the application has been denied and stating the reasons for the denial of the application.

Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. D-25. 32 MRSA §6193, as enacted by PL 2007, c. 596, §1, is amended to read:

§6193. License required; license requirements; fees

A foreclosure purchaser may not engage in the business of foreclosure purchasing in this State without first obtaining a license from the administrator, except that a supervised financial organization as defined in Title 9-A, section 1-301, subsection 38-A is not required to be licensed. ~~The requirements for obtaining a license under this chapter must be substantially similar to the requirements for a supervised lender license as provided in Title 9-A, section 2-301. The administrator may require licensing through the nationwide mortgage licensing system and registry as defined in Title 9-A, section 13-102, subsection 8 and referred to in this section as "the nationwide mortgage licensing system and registry." The administrator is authorized to participate in the nationwide mortgage licensing system and registry.~~

In all cases, whether licensing is through the nationwide mortgage licensing system and registry or otherwise, the administrator may establish, by rule or order, requirements for licensing, including but not limited to:

1. Background checks. Background checks for:

A. Criminal history through fingerprint or other databases;

B. Civil or administrative records;

C. Credit history; or

D. Any other information determined necessary by the nationwide mortgage licensing system and registry;

2. Fees. The payment of fees to apply for or renew licenses, except that the fee for an initial application may not exceed \$1,000 and for a renewal may not exceed \$600. If licensing is through the nationwide mortgage licensing system and registry, an applicant must also pay a nationwide mortgage licensing system and registry processing fee in an amount to be determined by the administrators of the nationwide mortgage licensing system and registry. Renewal applications received after the due date are subject to an additional fee of \$100;

3. Dates. The setting or resetting as necessary of renewal or reporting dates; and

4. Other requirements. Other requirements for application for, amendment of or revocation of a license or any other such activities as the administrator considers necessary.

Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. D-26. 32 MRSA §11031, sub-§2, as amended by PL 2009, c. 243, §6, is further amended to read:

2. Licenses. ~~Licenses granted by the superintendent under this section are for a period of 2 years and expire on July 31st or at such other times as the superintendent may designate. Each license may be renewed biennially as long as the superintendent regards the business as responsible and safe, but in all cases terminate unless renewed by the expiration date. Each license must plainly state the name and business address of the licensee and be posted in a conspicuous place in the office where the business is transacted. The fee for each biennial license is \$600. When the unexpired license term of an applicant is or will be less than one year at a time of licensure, the license fee may not exceed 1/2 the biennial license fee. The superintendent may permit affiliated companies to be under a single license and subject to a single examination as long as all of the affiliated company names are listed on the license. The su-~~

perintendent may adopt rules to determine what constitutes an affiliated company. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. If a licensee desires to carry on business in more than one place, the licensee shall procure a branch office license for each additional place where the business is to be conducted. The fee for each biennial branch office license is \$300. Notwithstanding other remedies available under this chapter, applications received after the due date are subject to an additional fee of \$100. The administrator may require licensing through the nationwide mortgage licensing system and registry as defined in Title 9-A, section 13-102, subsection 8. The administrator is authorized to participate in the nationwide mortgage licensing system and registry.

In all cases, whether licensing is through the nationwide mortgage licensing system and registry or otherwise, the administrator may establish, by rule, requirements for licensing, including but not limited to:

- A. Background checks for:

 - (1) Criminal history through fingerprint or other databases;
 - (2) Civil or administrative records;
 - (3) Credit history; or
 - (4) Any other information determined necessary by the nationwide mortgage licensing system and registry;
- B. The payment of fees to apply for or renew licenses, except that the fee for an initial application may not exceed \$800 and for a renewal may not exceed \$500. If licensing is through the nationwide mortgage licensing system and registry, an applicant must also pay a nationwide mortgage licensing system and registry processing fee in an amount to be determined by the administrators of the nationwide mortgage licensing system and registry. Renewal applications received after the due date are subject to an additional fee of \$100;
- C. The setting or resetting as necessary of renewal or reporting dates; and
- D. Other requirements for application for, amendment of or revocation of a license or any other such activities as the administrator considers necessary.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. D-27. 32 MRSA §14053, as amended by PL 1997, c. 29, §1, is further amended to read:

§14053. Registration process requirements

1. Statement. Except as otherwise provided in this section, each employee leasing company required to be

registered under section 14052 shall provide the superintendent with information required by the superintendent on forms that the superintendent specifies. ~~At a minimum, employee leasing companies shall provide the following information:~~ The superintendent may require registration through the nationwide mortgage licensing system and registry as defined in Title 9-A, section 13-102, subsection 8. The superintendent is authorized to participate in the nationwide mortgage licensing system and registry.

The superintendent shall, at a minimum, require employee leasing companies to provide the following information:

- A. The name or names under which the registrant conducts business;
- B. The address of the principal place of business of the employee leasing company and the address of each office it maintains in this State;
- C. The employee leasing company's taxpayer or employer identification number;
- D. A list by jurisdiction of each name under which the employee leasing company has operated in the preceding 5 years, including any alternative names, names of predecessors and, if known, successor business entities;
- E. A list of all persons or entities that own a 5% or greater interest in the employee leasing company at the time of application and a list of persons who formerly owned a 5% or greater interest in the employee leasing company or its predecessors in the preceding 5 years; and
- F. A list of the cancellations or nonrenewals of workers' compensation insurance issued to the employee leasing company or its predecessors in the preceding 5 years. The list must include the policy or certificate numbers, names of insurers or other providers of coverage, dates of cancellation and reasons for cancellation. If coverage has not been canceled or has been renewed, the registration must include a sworn affidavit signed by the chief executive officer of the employee leasing company attesting to that fact.

1-A. Registration process authorized. In all cases, whether registration is through the nationwide mortgage licensing system and registry as defined in Title 9-A, section 13-102, subsection 8 or otherwise, the superintendent may establish, by rule, requirements for registration, including but not limited to:

- A. Background checks for:

 - (1) Criminal history through fingerprint or other databases;
 - (2) Civil or administrative records;
 - (3) Credit history; or

(4) Any other information determined necessary by the nationwide mortgage licensing system and registry;

B. The payment of fees to apply for or renew registrations, except that the fee for an initial application may not exceed \$1,000 and for a renewal may not exceed \$500. If registration is through the nationwide mortgage licensing system and registry, an applicant must also pay a nationwide mortgage licensing system and registry processing fee in an amount to be determined by the administrators of the nationwide mortgage licensing system and registry. Renewal applications received after the due date are subject to an additional fee of \$100;

C. The setting or resetting as necessary of any renewal or reporting dates; and

D. Other requirements for application for, amendment of or revocation of a registration or any other such activities as the superintendent considers necessary.

Fees provided for by this chapter are appropriated for the use of the Bureau of Consumer Credit Protection. Any balance of these funds does not lapse but must be carried forward to be expended for the same purpose in the following year.

~~2. **Renewal.** Prior to January 31st of each year or any other time fixed by the superintendent, each registrant shall renew its registration by notifying the superintendent of any changes in the information previously provided pursuant to this section.~~

3. List. The superintendent shall maintain a list of employee leasing companies registered under this chapter.

4. Forms. The superintendent may prescribe forms necessary to promote the efficient administration of this section.

Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. D-28. 32 MRSA §14054, as amended by PL 2013, c. 257, §2, is repealed.

PART E

Sec. E-1. 32 MRSA §11013, sub-§11 is enacted to read:

11. Collection action prohibited on debt from medical expenses if eligible for free or charity care. If a debt collector has been notified, orally or in writing, by a creditor or the consumer of the consumer's actual or potential qualification for free or charity care under guidelines adopted pursuant to Title 22, section 1716, a debt collector may not collect or attempt to collect a debt for medical expenses against a consumer who has been determined to be qualified for free or charity care

under guidelines adopted pursuant to Title 22, section 1716 or against a consumer who would have been determined to be qualified for free or charity care under guidelines adopted pursuant to Title 22, section 1716 but did not apply for good cause. If the notification is provided to a debt collector, the debt collector shall suspend collection efforts until the creditor has notified the debt collector and the consumer that the consumer is not qualified for free or charity care and, in that case, the debt collector may renew debt collection efforts.

PART F

Sec. F-1. 32 MRSA §11019, sub-§1, as enacted by PL 2017, c. 216, §6, is amended to read:

1. Complaint; required allegations. A debt buyer may not initiate a collection action against a consumer, ~~including an action brought in small claims court pursuant to Title 14, chapter 738~~, unless the debt buyer alleges all of the following information in the complaint:

A. The information described in section 11013, subsection 9, including that the debt buyer possesses the documentation described in section 11013, subsection 9;

B. The basis for any interest and fees described in section 11013, subsection 9;

C. The basis for the request for attorney's fees, if applicable;

D. That the debt buyer is the current owner of the debt; and

E. That the cause of action is filed within the applicable statute of limitations period.

Sec. F-2. 32 MRSA §11020 is enacted to read:

§11020. Collection action to collect credit card and student loan debts; additional requirements for collection action

1. Applicability. This section applies to any collection action against a consumer to collect a credit card or student loan debt initiated by a debt collector.

2. Commencement of collection action. A collection action may not be commenced in small claims court pursuant to Title 14, chapter 738. A collection action is commenced upon the filing or serving of a complaint that provides notice of the complaint in the same manner as other civil complaints and satisfies the requirements of this section.

3. Notice of complaint. In a collection action subject to this section, the debt collector shall attach to the front of the complaint a one-page form notice to the consumer as developed by the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection. The form notice must be written in language that is plain and readily understandable by the

general public and, at a minimum, must contain the following:

A. A statement that failure to answer the complaint may result in entry of judgment in the amount demanded by the debt collector; and

B. A sample answer and an explanation that the consumer may fill out the form and return it to the court as the answer to the complaint. If the consumer returns the form to the court, the consumer does not need to file a more formal answer or responsive pleading.

4. Entry of judgment. A court may not enter judgment unless it specifically finds that all the requirements of this section and all other applicable requirements of this chapter are met, including, but not limited to, whether the plaintiff has produced evidence that is admissible pursuant to the Maine Rules of Evidence on all required elements of its claim.

5. Default judgment. If the defendant has failed to plead or otherwise defend, the plaintiff may apply for entry of default and a default judgment. The judge overseeing the action is responsible for entering a default and a default judgment, not the clerk of the court. Regardless of whether the defendant appears in the action or the judgment is based on a proposed order concerning a settlement, the court may not enter judgment in favor of the plaintiff unless the court determines that all the requirements of this section and all other applicable requirements of this chapter are met, including, but not limited to, whether the plaintiff has produced evidence admissible pursuant to the Maine Rules of Evidence on all required elements of its claim.

6. Exclusion. This section does not apply to any collection action brought by a supervised financial organization as defined in Title 9-A, section 1-301, subsection 38-A.

7. Rules. The Supreme Judicial Court may adopt rules necessary to implement the provisions of this section.

Sec. F-3. 32 MRSA §11021 is enacted to read:
§11021. Collection actions prohibited in small claims court

A debt collector may not commence a collection action against a consumer to collect a debt in small claims court pursuant to Title 14, chapter 738.

PART G

Sec. G-1. 4 MRSA §18-B, sub-§7, as enacted by PL 1995, c. 560, Pt. I, §3, is amended to read:

7. Fees Authority and fees. ~~When~~ A court may refer cases to the Court Alternative Dispute Resolution Service for mediation and, when a court refers parties case types or individual cases to the Court Alternative Dispute Resolution Service for mediation, the court

shall assess the parties a fee to be apportioned equally among the parties, unless the court otherwise directs. The fee must be deposited in the dedicated account created in subsection 8.

A party may file an in forma pauperis application for waiver of fee. If the court finds that the party does not have sufficient funds to pay the fee, it shall order the fee waived.

See title page for effective date.

CHAPTER 246
H.P. 1172 - L.D. 1575

**An Act To Improve Maine's
Election Laws**

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

Sec. 1. 21-A MRSA §112-A, sub-§3, as enacted by PL 2009, c. 253, §11, is amended to read:

3. Other official documents. An official document, including, but not limited to, a document confirming eligibility determinations for public benefits, a utility bill, a bank statement, a government check, a paycheck or other government document that shows the name and address of the voter; ~~or~~

Sec. 2. 21-A MRSA §112-A, sub-§3-A is enacted to read:

3-A. Student photograph identification document. A student photograph identification document that is issued by a state-approved public or private school located in this State or that is issued by a duly authorized institution of higher learning that operates in this State; or

Sec. 3. 21-A MRSA §605-A, sub-§3 is enacted to read:

3. For absentee voters. The Secretary of State shall prepare instructions for absentee voter applicants describing the reasons that a voter may request an absentee ballot after the deadline set forth in section 753-B, subsection 2, paragraph D and provide these instructions to each municipality. Each municipality shall include these instructions on a sign posted at the municipal office and on any website, social media page or other media that the municipality uses to communicate election information.

Sec. 4. 21-A MRSA §626-A, as enacted by PL 2015, c. 447, §17, is amended to read:

§626-A. Voting place report

The municipal clerk shall file a voting place report at least 60 days before each election conducted under this Title, on a form designed by the Secretary of State, with information about each voting place, including, but

not limited to, the location of each voting place, the location of each secured drop box, the times for in-person absentee voting at the clerk’s office under section 753-B, subsection 8, the poll opening time and the number of voting booths that will be used.

Sec. 5. 21-A MRSA §627, sub-§5 is enacted to read:

5. Rulemaking. The Secretary of State may adopt rules governing pollwatchers, additional party workers and others present in the polling place as described in subsection 4. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 6. 21-A MRSA §759, sub-§6, as amended by PL 1995, c. 459, §78, is repealed and the following enacted in its place:

6. Counting and results prohibited before the polls close. The absentee ballots may not be counted, voter intent may not be determined and election results may not be obtained or released until after the polls have closed on election day and all election day ballots have been cast and all absentee ballots have been processed. A municipality that uses a high-speed ballot tabulator and receives results at the completion of the ballot scanning may not view the results until after the polls close on election day.

See title page for effective date.

CHAPTER 247

H.P. 1235 - L.D. 1664

An Act To Integrate African American Studies and the History of Genocide into the Statewide System of Learning Results

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

Sec. 1. 20-A MRSA §4706, as amended by PL 2009, c. 313, §§8 and 9, is further amended to read:

§4706. Instruction in American history, African American studies, Maine studies and Maine Native American history and the history of genocide

Instruction in American history, African American studies, government, citizenship and Maine studies and the history of genocide must be aligned with the parameters for essential instruction and graduation requirements established under section 6209.

1. American history. American history, government and citizenship, including the ~~Constitution of the~~ United States Constitution, the Declaration of Independence, the importance of voting and the privileges

and responsibilities of citizenship, must be taught in and required for graduation from all elementary and secondary schools, both public and private. African American studies must be included in the review of content standards and performance indicators of the system of learning results conducted in accordance with section 6209, subsection 4.

2. Maine studies. Maine history, including the Constitution of Maine, Maine geography and environment and the natural, industrial and economic resources of Maine and Maine's cultural and ethnic heritage, must be taught. A required component of Maine studies is Maine Native American studies, ~~which~~ Maine Native American studies and Maine African American studies must be included in the review of content standards and performance indicators of the learning results conducted in accordance with section 6209, subsection 4. ~~The~~ Maine Native American studies must address the following topics:

- A. Maine tribal governments and political systems and their relationship with local, state, national and international governments;
- B. Maine Native American cultural systems and the experience of Maine tribal people throughout history;
- C. Maine Native American territories; and
- D. Maine Native American economic systems.

3. History of genocide. The history of genocide, including the Holocaust, must be included in the review of content standards and performance indicators of the system of learning results conducted in accordance with section 6209, subsection 4.

Sec. 2. Resource development; advisory group; curriculum audit; report. The Department of Education is responsible for fulfilling the requirements of this section.

1. Development of resources. The department shall identify and make available to schools resources and materials for teaching African American studies, including Maine African American studies, pursuant to this Act.

2. Advisory group. The department shall, within 30 days after the effective date of this Act, convene a volunteer advisory group to collect information and prepare materials for the teaching of African American studies and Maine African American studies. The advisory group must include scholars of African American history and culture; representatives from African American civil rights organizations in the State, African American history and cultural organizations and the Gerald E. Talbot Collection at the University of Southern Maine; the Maine State Archivist; and members of the public with personal experience that would inform the collection of information and preparation of materials under this section. The department shall include at

least one member from the advisory group in any group or committee convened to review the parameters for essential instruction and graduation requirements for social studies pursuant to the Maine Revised Statutes, Title 20-A, section 6209, subsection 4.

3. Guidance; best practices; exemplar modules.

The department shall develop guidance, best practices and exemplar modules to support the integration of African American studies and Maine African American studies into the instruction of American history and Maine history.

4. Curriculum audit.

The department shall develop a process that supports and enables a local school administrative unit to conduct an internal audit of its curriculum to ensure an equitable representation of African American voices and an accurate historical account of African American history and culture.

5. Reporting.

The department shall submit a report on the progress of the implementation of this Act to the joint standing committee of the Legislature having jurisdiction over education matters no later than April 1, 2022.

Sec. 3. Effective date. That section of this Act that amends the Maine Revised Statutes, Title 20-A, section 4706 takes effect July 1, 2023.

See title page for effective date, unless otherwise indicated.

CHAPTER 248

S.P. 557 - L.D. 1705

An Act To Support Maine Students Who Are Dependents of Current or Former Members of the Military

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

Sec. 1. 20-A MRSA §2404, sub-§1-A is enacted to read:

1-A. Virtual public charter school eligibility. In addition to the provision in subsection 1, a dependent of a member of the United States Armed Forces who has received official military orders to relocate to this State is eligible to apply to a virtual public charter school.

Sec. 2. 20-A MRSA §5205, sub-§12 is enacted to read:

12. Military-connected student. Notwithstanding any provision to the contrary in chapter 901, a military-connected student whose parent is transferred or is pending transfer to the State while on active military duty pursuant to an official military order is considered a resident of the school administrative unit in which the address identified by the parent pursuant to

paragraph C is located. For the purposes of this subsection, "military-connected student" has the same meaning as in section 6991.

A. A school administrative unit shall accept applications by electronic means for enrollment under this subsection, including enrollment in a specific school or program within the school administrative unit, and course registration.

B. The parent of a military-connected student shall provide proof of residence in the school administrative unit within 10 days after the arrival date provided on the parent's official military order.

C. A parent may identify any of the following as an address in the State for the purposes of this subsection:

- (1) A temporary lodging facility on a military installation as defined in section 20102;
- (2) A purchased or leased house or apartment; or
- (3) Federal Government or public-private venture military housing.

Sec. 3. 20-A MRSA c. 231 is enacted to read:

CHAPTER 231

PURPLE STAR SCHOOLS

§6991. Definitions

In this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Military-connected student. "Military-connected student" means a student who is a dependent of:

- A. A current or former member of:
 - (1) The United States military serving in the Army, Navy, Air Force, Marine Corps, Space Force or Coast Guard on active duty;
 - (2) The Maine National Guard; or
 - (3) A reserve force of the United States military; or
- B. A member of a military or reserve force described in paragraph A who was killed in the line of duty.

§6992. Purple Star School

The department shall designate a school administrative unit as a Purple Star School if the school administrative unit applies and qualifies for the designation under this chapter.

§6993. Program requirements

To qualify as a Purple Star School, a school administrative unit must:

1. Military liaison. Designate a staff member as a military liaison, whose duties include:

- A. Identifying military-connected students enrolled at the school administrative unit;
- B. Serving as the point of contact between the school administrative unit and military-connected students and their families;
- C. Determining appropriate school administrative unit services available to military-connected students; and
- D. Assisting in coordinating school administrative unit programs relevant to military-connected students;

2. Website. Maintain on the school administrative unit's publicly accessible website an easily accessible web page that includes resources for military-connected students and their families, including information regarding:

- A. Relocation to, enrollment in and transferring records to the school administrative unit;
- B. Academic planning, course sequences and advanced classes available at the school administrative unit; and
- C. Counseling and other support services available for military-connected students enrolled in the school administrative unit;

3. Transition program. Maintain a transition program led by students, when appropriate, that assists military-connected students in transitioning into the school administrative unit;

4. Professional development. Offer professional development for staff members on issues related to military-connected students; and

- 5. Initiatives. Initiate one of the following:
 - A. A resolution showing support for military-connected students and their families;
 - B. Recognition of the month of the military child or military family month with relevant events hosted by the school administrative unit; or
 - C. A partnership with a local military installation, as defined in section 20102, that provides opportunities for active duty military members to volunteer at the school administrative unit, speak at an assembly or host a field trip.

§6994. Partnerships between school administrative units

A school administrative unit may partner with another school administrative unit to fulfill any of the requirements of this chapter.

§6995. Rules

The department shall adopt rules as necessary to administer this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 4. 20-A MRSA §10010-A is enacted to read:

§10010-A. Spouse or child of active duty member of United States Armed Forces

A spouse or dependent child of an active duty member of the United States Armed Forces who is assigned to duty out of the State immediately following assignment to duty in the State is eligible for in-state tuition rates and fees at the University of Maine System, the Maine Community College System or the Maine Maritime Academy as long as the spouse or dependent child is continuously enrolled in the postsecondary institution.

See title page for effective date.

CHAPTER 249

H.P. 236 - L.D. 332

An Act To Reevaluate the Frenchboro Area Dragging Exclusion Zone

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

Sec. 1. 12 MRSA §6954-A, sub-§1, as repealed and replaced by PL 2003, c. 452, Pt. F, §37 and affected by Pt. X, §2, is amended by amending the first blocked paragraph to read:

For purposes of this section, except as otherwise defined by rules adopted under subsection 1-A, "the Frenchboro area" means the following area: starting at the easternmost point on Red Point, Swan's Island; thence in an easterly direction to the southernmost point of the western Sister's Island; thence in a southeasterly direction to the southernmost point of Crow Island; thence in a southerly direction to the northernmost point of Harbor Island, Frenchboro, Long Island; thence southerly to the state ferry terminal located on the eastern side of Lunt's Harbor, Frenchboro, Long Island, and then starting at the westernmost point of Gooseberry Point on Frenchboro, Long Island; westerly to the northeast point of John's Island; thence northwest to the easternmost point of the largest of the Baker Islands; thence northwesterly to the northeastern point of Harbor Island, Swan's Island; thence northerly to Quarry Wharf, Minturn, Swan's Island.

Sec. 2. 12 MRSA §6954-A, sub-§1-A, as enacted by PL 1991, c. 784, §10, is amended to read:

1-A. Scalloping permitted by rule. The commissioner may adopt and amend rules that amend the definition of the Frenchboro area if the commissioner determines, after evaluation, that the area should be modified to better achieve the purposes of this section. The commissioner may also adopt and amend rules permitting the taking of scallops in the Frenchboro area, as defined in subsection 1, except that the rules may not permit the use of drags more than 30 inches wide and may not permit the use of drag ropes more than 3/8 inch in diameter. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. Evaluation of the Frenchboro area; report. Within 90 days of the effective date of this Act, the Commissioner of Marine Resources shall evaluate the size and boundaries of the Frenchboro area, where, pursuant to the Maine Revised Statutes, Title 12, section 6954-A, dragging and scalloping are prohibited, to determine whether the area should be modified. The commissioner shall report the results of the evaluation to the Joint Standing Committee on Marine Resources by February 1, 2022.

See title page for effective date.

CHAPTER 250

H.P. 243 - L.D. 345

**An Act Updating Certain
Probate Filing and
Certification Fees To Reflect
Current Costs**

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

Sec. 1. 18-C MRSA §1-602, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

§1-602. Filing and certification fees

The person making the request shall pay the register the following fees for filing or certifying documents.

1. Certification. For making and certifying to the register of deeds copies of devises of real estate, abstracts of petitions for appointment of a personal representative or for an elective share and any other document for which certification is required, the fee is ~~\$15~~ \$20 plus the fee for recording as provided by Title 33, section 751, except as otherwise expressly provided by law. The fee must be paid by the personal representative, petitioner or other person filing the document to be certified when the copy of the devise, abstract, petition for elective share or other document for which certification is required is requested. The register of probate shall deliver the certified document to the register of

deeds together with the fee for recording as provided by Title 33, section 751.

2. Filing. For receiving and entering each petition or application for all estates, testate and intestate, including foreign estates, and the filing of a notice by a domiciliary foreign personal representative, except for the filing of a successor personal representative, when the value of the estate is:

- A. \$10,000 and under, the fee is ~~\$20~~ \$40;
- B. \$10,001 to \$20,000, the fee is ~~\$40~~ \$60;
- C. \$20,001 to \$30,000, the fee is ~~\$60~~ \$75;
- D. \$30,001 to \$40,000, the fee is ~~\$75~~ \$95;
- E. \$40,001 to \$50,000, the fee is ~~\$95~~ \$125;
- F. \$50,001 to \$75,000, the fee is ~~\$125~~ \$190;
- G. \$75,001 to \$100,000, the fee is ~~\$190~~ \$250;
- H. \$100,001 to \$150,000, the fee is ~~\$250~~ \$325;
- I. \$150,001 to \$200,000, the fee is ~~\$325~~ \$375;
- J. \$200,001 to \$250,000, the fee is ~~\$375~~ \$450;
- K. \$250,001 to \$300,000, the fee is ~~\$450~~ \$500;
- L. \$300,001 to \$400,000, the fee is ~~\$500~~ \$575;
- M. \$400,001 to \$500,000, the fee is ~~\$575~~ \$625;
- N. \$500,001 to \$750,000, the fee is ~~\$625~~ \$700;
- O. \$750,001 to \$1,000,000, the fee is ~~\$700~~ \$750;
- P. \$1,000,001 to \$1,500,000, the fee is ~~\$750~~ \$875;
- Q. \$1,500,001 to \$2,000,000, the fee is ~~\$875~~ \$950; or
- R. More than \$2,000,000, the fee is ~~\$950~~ \$1,200, and continuing in steps of ~~\$400~~ \$250 for every increase in value of \$500,000 or part thereof above \$2,500,000.

For filing a will for no probate, ~~there the fee is no charge~~ \$15.

For filing a will to be probated and without an appointment, the fee is ~~\$15~~ \$20.

3. Copies of court records. For making copies from the records of the court, the fee is \$1 for each page.

4. Certificate of appointment. For each certificate, under seal of the court, of the appointment and qualification of a personal representative, guardian, conservator or trustee, the fee is ~~\$5~~ \$10, and for each double certificate, the fee is ~~\$10~~ \$20.

5. Petition for appointment as guardian. For filing a petition for appointment as guardian, the fee is ~~\$50~~ \$90.

6. Application for involuntary hospitalization. For filing an application for involuntary hospitalization, the fee is \$10.

7. Petition for guardian and conservator. For filing a joined petition for guardian and conservator, the fee is ~~\$75~~ \$115.

8. Petition for appointment of conservator. For filing a petition for appointment of conservator, the fee is ~~\$50~~ \$90.

9. Petition for elective share. For filing a petition for elective share, the fee is \$120.

10. Subsequent informal appointments. For all other subsequent informal appointments, the fee is ~~\$25~~ \$50.

11. Other formal proceeding. For filing any other formal proceeding, the fee is ~~\$25~~ \$50.

12. Registration of guardianship order from another state or acceptance of transfer. For registering a guardianship order from another state or acceptance of transfer, the fee is ~~\$25~~ \$50.

Sec. 2. 18-C MRSA §1-701, sub-§4, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

4. Filing fee. The fee for filing a name change petition is ~~\$40~~ \$75.

See title page for effective date.

**CHAPTER 251
S.P. 295 - L.D. 881**

**An Act To Make Technical
Changes to the Maine Medical
Use of Marijuana Act**

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

Whereas, this legislation makes important technical changes to the marijuana for medical use laws and ensures consistency with the definitions in the adult use laws and these changes must be implemented as soon as possible; 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:

Sec. 1. 22 MRSA §2422, sub-§4-K, as amended by PL 2019, c. 528, §15, is further amended to read:

4-K. Marijuana plant. "Marijuana plant" means a plant of the genus Cannabis, including, but not limited to, Cannabis sativa, Cannabis indica and Cannabis ruderalis ~~or their hybrids and the seeds of those plants.~~ "Marijuana plant" does not include hemp as defined in Title 7, section 2231, subsection 1-A, paragraph D.

Sec. 2. 22 MRSA §2422, sub-§4-N, as enacted by PL 2019, c. 331, §2 and c. 528, §16, is repealed and the following enacted in its place:

4-N. Immature marijuana plant. "Immature marijuana plant" means a marijuana plant that is not a mature marijuana plant or seedling. "Immature marijuana plant" does not include hemp as defined in Title 7, section 2231, subsection 1-A, paragraph D.

Sec. 3. 22 MRSA §2422, sub-§14-B, as enacted by PL 2017, c. 452, §3, is amended to read:

14-B. Seedling. "Seedling" means a ~~nonflowering~~ marijuana plant or rooted cutting that ~~measures 24 inches or less from the base of the main plant stalk to the most distant point of the plant's leaf stems or branches.~~ is:

- A. Not flowering;
- B. Less than 24 inches in height; and
- C. Less than 24 inches in width.

Sec. 4. 22 MRSA §2425-A, sub-§10, ¶B, as enacted by PL 2017, c. 452, §12, is repealed and the following enacted in its place:

B. There is an annual registration fee for a caregiver who cultivates marijuana plants on behalf of a qualifying patient pursuant to section 2423-A, subsection 2, paragraph B.

(1) For a caregiver registering based upon plant count, the fee may not be less than \$50 or more than \$240 for each group of up to 6 mature marijuana plants cultivated by the caregiver. The caregiver shall notify the department of the number of marijuana plants the caregiver cultivates.

(2) For a caregiver registering based upon plant canopy, the fee may not be less than \$50 or more than \$1,500 for a total plant canopy of 500 square feet or less.

Sec. 5. 28-B MRSA §102, sub-§51, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

51. Seedling. "Seedling" means a marijuana plant or rooted cutting that is:

- A. Not flowering;
- B. Less than 6 24 inches in height; and

C. Less than 6 24 inches in width.

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

Effective June 17, 2021.

**CHAPTER 252
H.P. 24 - L.D. 58**

**An Act To Improve
Information Sharing by
Criminal Justice Agencies with
Government Agencies
Responsible for Investigating
Child or Adult Abuse**

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

Sec. 1. 16 MRSA §806, sub-§1, as amended by PL 2013, c. 507, §6, is further amended to read:

1. A government agency responsible for ~~investigating child or adult abuse, neglect or exploitation or regulating facilities and programs providing care to children or adults.~~ A government agency or subunit of a government agency in this State or another state that pursuant to statute is responsible for ~~investigating abuse, neglect or exploitation of children or incapacitated or dependent adults or for~~ licensing or regulating the programs or facilities that provide care to children or incapacitated or dependent adults if the intelligence and investigative record information concerns the investigation of suspected abuse, neglect or exploitation;

Sec. 2. 16 MRSA §806, sub-§1-A is enacted to read:

1-A. A government agency or subunit of a government agency responsible for investigating child or adult abuse. A government agency or subunit of a government agency in this State or another state that pursuant to statute is responsible for investigating abuse, neglect or exploitation of children or incapacitated or dependent adults if:

A. The intelligence and investigative record information is being provided in response to a request by that agency or subunit of an agency for records regarding a particular person or persons; and

B. The intelligence and investigative record information relates to alleged or proven conduct that is criminal under Title 17-A, chapters 9, 11, 12, 13, 21, 23, 33, 35, 41, 43 or 45 by a person in paragraph A.

The intelligence and investigative record information obtained pursuant to this subsection may be used only for the purpose for which it was obtained and, as necessary, for administrative or ombudsman office oversight

of the agency or subunit of an agency obtaining the information;

See title page for effective date.

**CHAPTER 253
H.P. 97 - L.D. 141**

**An Act To Make Technical
Changes to the Tax Laws**

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

PART A

Sec. A-1. 36 MRSA §191, sub-§2, ¶MMM is enacted to read:

MMM. The disclosure of information to the Finance Authority of Maine necessary for the administration of the seed capital investment tax credit in section 5216-B.

Sec. A-2. 36 MRSA §2536, first ¶, as enacted by PL 2017, c. 474, Pt. H, §1, is amended to read:

For tax years beginning on or after January 1, 2018, a person is allowed a credit against the tax otherwise due under this chapter in an amount equal to the federal employer credit for paid family and medical leave allowed to that person under the Code, Section 45S as a result of wages paid to employees based in the State during the taxable year. For purposes of this section, "employees based in the State" means employees that perform more than 50% of employee-related activities for the employer at a location in the State.

Sec. A-3. 36 MRSA §5164, sub-§2, as enacted by P&SL 1969, c. 154, Pt. F, §1, is amended to read:

2. Shares of fiduciary adjustment. The respective shares of an estate or trust and its beneficiaries, including, solely for the purpose of this allocation, non-resident beneficiaries, in the fiduciary adjustment ~~shall~~ must be in proportion to their respective shares of federal distributable net income of the estate or trust. If the estate or trust has no federal distributable net income for the taxable year, the share of each beneficiary in the fiduciary adjustment ~~shall~~ must be in proportion to ~~his~~ the beneficiary's share of the estate or trust income for ~~such~~ that year, under local law or the terms of the instrument, ~~which~~ that is required to be distributed currently and any other amounts of such income distributed in ~~such~~ that year. Any balance of the fiduciary adjustment ~~shall~~ must be allocated to ~~to~~ the estate or trust.

Sec. A-4. 36 MRSA §5204, as amended by PL 2011, c. 548, §29, is repealed.

Sec. A-5. 36 MRSA §5204-A, as amended by PL 2011, c. 380, Pt. N, §16 and affected by §19, is repealed.

Sec. A-6. 36 MRSA §5219-UU, first ¶, as enacted by PL 2017, c. 474, Pt. H, §2, is amended to read:

For tax years beginning on or after January 1, 2018, a person is allowed a credit against the tax otherwise due under this Part in an amount equal to the federal employer credit for paid family and medical leave allowed to that person under the Code, Section 45S as a result of wages paid to employees based in the State during the taxable year. For purposes of this section, "employees based in the State" means employees that perform more than 50% of employee-related activities for the employer at a location in the State.

Sec. A-7. 36 MRSA §5220, sub-§4, ¶B, as amended by PL 2005, c. 618, §15 and affected by §22, is further amended to read:

B. ~~Gross~~ Both distributable net income derived from or connected with sources in this State as determined in accordance with section 5142 as if the estate or trust were a nonresident individual and gross income of \$10,000 or more, regardless of the amount of Maine taxable income; or

Sec. A-8. 36 MRSA §5221, as amended by PL 1985, c. 783, §§39 and 40, is further amended to read:

§5221. Joint returns by ~~husband and wife~~ spouses

1. General. ~~A husband and wife~~ Spouses may make a joint return with respect to the tax imposed by this Part even though one of the spouses has neither gross income nor deductions except that:

A. ~~No~~ A joint return ~~shall~~ may not be made under this ~~part~~ Part if the spouses are not permitted to file a joint federal income tax return;

B. If the federal income tax liability of either spouse is determined on a separate federal return, their income tax liabilities under this Part ~~shall~~ must be determined on separate returns;

C. Except as provided in subsection 2, if the federal income tax liabilities of ~~husband and wife~~ the spouses are determined on a joint federal return, they shall file a joint return under this Part and their tax liabilities ~~shall be~~ are joint and several; ~~and~~

D. If neither spouse is required to file a federal income tax return and either or both are required to file an income tax return under this Part, they may elect to file separate or joint returns and pursuant to such election their liabilities ~~shall be~~ are separate or joint and several.

2. Nonresidents. If both ~~husband and wife~~ spouses are nonresidents and one has no Maine-source income, the spouse having Maine-source income shall file a separate Maine nonresident income tax return, as a single individual, in which event ~~his~~ the spouse's tax liability ~~shall be~~ is separate; but they may elect to determine their joint taxable income as nonresidents, in which case their liabilities ~~shall be~~ are joint and several.

If ~~either husband or wife~~ one spouse is a resident and the other is a nonresident, they shall file separate Maine income tax returns as single individuals, in which event their tax liabilities ~~shall be~~ are separate; but they may elect to determine their joint taxable income as if both were residents and, in that case, their liabilities ~~shall be~~ are joint and several.

Sec. A-9. 36 MRSA §5228, sub-§6, as repealed and replaced by PL 1985, c. 691, §§35 and 48, is amended to read:

6. Joint estimated tax payment. If they are eligible to do so for federal tax purposes, ~~a husband and wife~~ spouses may jointly estimate tax as if they were one taxpayer, in which case the liability with respect to the estimated tax ~~shall be~~ is joint and several. If joint estimate payment is made, but ~~husband and wife~~ the spouses elect to determine their taxes under this chapter separately, the estimated tax for the year may be treated as the estimated tax of either ~~husband or wife~~ spouse, or may be divided between them, as they may elect.

Sec. A-10. Application; retroactivity. Those sections of this Part that amend the Maine Revised Statutes, Title 36, sections 2536, first paragraph and 5219-UU, first paragraph apply retroactively to tax years beginning on or after January 1, 2018.

PART B

Sec. B-1. 36 MRSA §1760, sub-§33, as corrected by RR 2019, c. 1, Pt. A, §61, is amended to read:

33. Diabetic supplies. All equipment and supplies, whether medical or otherwise, used by the purchaser in the diagnosis or treatment of human diabetes.

Sec. B-2. 36 MRSA §1760, sub-§104, as enacted by PL 2019, c. 550, §1 and reallocated by RR 2019, c. 2, Pt. A, §35, is amended to read:

104. Nonprofit youth camps. Sales occurring on or after June 16, 2020 to a nonprofit youth camps camp as defined in Title 22, section 2491, subsection 16 that ~~are~~ is licensed by the Department of Health and Human Services and ~~receive~~ receives an exemption from property tax under section 652, subsection 1.

Sec. B-3. 36 MRSA §1760, sub-§105, as enacted by PL 2019, c. 551, §1 and reallocated by RR 2019, c. 2, Pt. A, §36, is amended to read:

105. Pet food assistance organization. Sales occurring on or after June 16, 2020 to an incorporated nonprofit organization organized for the purpose of providing food or other supplies intended for pets at no charge to owners of those pets.

Sec. B-4. 36 MRSA §1760, sub-§106, as enacted by PL 2019, c. 552, §1 and reallocated by RR 2019, c. 2, Pt. A, §37, is repealed and the following enacted in its place:

106. Locally organized member of nonprofit worldwide charitable organization. Sales occurring on or after June 16, 2020 to a community-based independent incorporated nonprofit member organization of a nonprofit worldwide charitable organization if the primary purpose of the community-based independent incorporated nonprofit member organization is to provide financial support using private funding to another unaffiliated nonprofit charitable organization at the community level.

Sec. B-5. 36 MRSA §2891, sub-§1-A, as enacted by PL 2007, c. 545, §5, is amended to read:

1-A. Municipally funded hospital. "Municipally funded hospital" means ~~Mayo Regional Hospital in Dover Foxcroft or Cary Medical Center in Caribou.~~

Sec. B-6. PL 2019, c. 550, §3 is repealed.

Sec. B-7. PL 2019, c. 551, §3 is repealed.

Sec. B-8. PL 2019, c. 552, §3 is repealed.

Sec. B-9. Retroactivity. Those sections of this Part that amend the Maine Revised Statutes, Title 36, section 1760, subsections 104 and 105 and that repeal and replace Title 36, section 1760, subsection 106 apply retroactively to sales occurring on or after June 16, 2020. Those sections of this Part that repeal Public Law 2019, chapter 550, section 3; Public Law 2019, chapter 551, section 3; and Public Law 2019, chapter 552, section 3 apply retroactively to October 1, 2019.

PART C

Sec. C-1. 36 MRSA §310, sub-§5 is enacted to read:

5. Confidentiality. Copies of the qualifying examination and individual examination results are confidential and are not a public record as defined in Title I, section 402, subsection 3.

Sec. C-2. 36 MRSA §694, sub-§2, ¶C, as amended by PL 2007, c. 627, §26, is further amended to read:

C. In the case of a municipality that has one or more tax increment financing districts authorized pursuant to Title 30-A, chapter 206, subchapter 1 and effective under Title 30-A, section 5226, subsection 3 prior to April 1, 2008 or authorized pursuant to Title 30-A, former chapter 207 and effective under Title 30-A, former section 5253, subsection 1, paragraph F, prior to April 1, 2008, the applicable percentage with respect to TIF exempt business equipment is 50% plus a percentage amount equal to the percentage amount, if any, by which the municipal tax increment percentage for the tax increment financing district in which the TIF exempt business equipment is located exceeds 50%. This paragraph applies only when it will result in a greater percentage of reimbursement for the TIF exempt business equipment than would be

provided under the greater of paragraph A or B and the reimbursement has been used to fund a development program pursuant to Title 30-A, section 5224.

Sec. C-3. 36 MRSA §2726, sub-§1, as amended by PL 1989, c. 508, §15, is further amended to read:

1. Returns. The State Tax Assessor shall prescribe and make available the required tax return. All owners of more than 500 acres of forested land, whether or not that land is commercial forest land, shall complete and file tax returns with the State Tax Assessor no later than February 1st. Taxpayer identification numbers included on the return required by this subsection are confidential and are not a public record for purposes of Title 1, chapter 13.

PART D

Sec. D-1. 36 MRSA §173, sub-§1, as enacted by PL 1985, c. 691, §4, is amended to read:

1. Request and issuance of warrant. If the taxpayer does not make payment as demanded pursuant to section 171, the State Tax Assessor may file in the office of the clerk of the Superior Court of any county a certificate addressed to the clerk of that court specifying the amount of tax, interest and penalty ~~which~~ that was demanded, the name and address of the taxpayer as it appears on the records of the State Tax Assessor, the facts whereby the amount has become due, and the notice given and requesting that a warrant be issued against the taxpayer in the amount of the tax, penalty and interest set forth in the certificate and with costs. If the State Tax Assessor reasonably believes that the taxpayer may abscond within the 10-day period provided by section 171, ~~he~~ the assessor may, without giving notice to or making demand upon the taxpayer, request immediate issuance of a warrant. Immediately upon the filing of the certificate, the clerk of the Superior Court shall issue a warrant in favor of the State against the taxpayer in the amount of tax, interest and penalty set forth in the certificate and with costs.

Sec. D-2. 36 MRSA §173, sub-§2, as enacted by PL 1985, c. 691, §4, is amended to read:

2. Effect of warrant. The warrant ~~shall have~~ has the force and effect of an execution issued upon a judgment in a civil action for taxes and may be served in the county where the taxpayer may be found by the sheriff of that county or ~~his~~ the sheriff's deputies or by any agent of the State Tax Assessor authorized under section 112, subsection 6 to collect any tax imposed by this Title. In the execution of the warrant and collection of taxes pursuant to this Title, including supplementary disclosure proceedings for that purpose under Title 14, chapter 502, an agent of the State Tax Assessor ~~shall have~~ has the powers of a sheriff and ~~shall be~~ is entitled to collect from the debtor the same fees and charges permitted to a sheriff. Any such fees and charges collected

by that agent ~~shall~~ must be remitted promptly to the State.

Sec. D-3. 36 MRSA §199-E, as enacted by IB 2015, c. 1, §28, is repealed.

See title page for effective date.

**CHAPTER 254
S.P. 151 - L.D. 368**

**An Act To Amend the Laws
Governing Proof of Financial
Responsibility with Respect to
Motor Vehicles**

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

Sec. 1. 29-A MRSA §1605, sub-§3, ¶C, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

C. For a corporation that is a transmission and distribution utility as defined in Title 35-A, section 102, subsection 20-B, by satisfying the Secretary of State that the corporation has financial ability to comply with the requirements of this subchapter.

Sec. 2. 29-A MRSA §1605, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

4. Money or securities deposited as proof. A person may give proof of financial responsibility by delivering to the Secretary of State a receipt of the Treasurer of State showing a deposit of money or securities approved by the Treasurer of State with a value or amount equal to that required in a policy.

Securities must be of a type that may legally be purchased by savings banks or for trust funds.

Money or securities deposited are subject to execution to satisfy a judgment, but are not otherwise subject to attachment or execution. The deposited money or securities may also be released upon the direction of the Secretary of State when the holding period to satisfy the statute of limitations has been satisfied.

The depositor shall also provide evidence that there are no unsatisfied judgments against the depositor registered in the office of the clerk of any Superior Court in this State.

Upon receipt and approval by the Secretary of State of the Treasurer of State's receipt and the evidence that there are no unsatisfied judgments against the depositor, the Secretary of State shall issue to the depositor a certificate of compliance with the laws governing financial responsibility effective for a specific period of time not to exceed one year. This certificate may be produced to establish proof of financial responsibility at the request

of a law enforcement officer or to satisfy registration requirements under section 402.

The depositor shall submit to the Secretary of State a new statement from the Treasurer of State and new evidence that there are no unsatisfied judgments against the depositor registered in the office of the clerk of any Superior Court in this State one month prior to the expiration of the period covered by the most recently issued certificate of compliance. Upon inspection and approval of the new receipt and evidence, the Secretary of State shall issue a new certificate of compliance for a new period of time not to exceed one year.

The depositor shall, as necessary, make additional deposits to maintain the deposit in a value or amount equal to that required in a policy. If the value of the money or securities deposited at any time falls below the value or amount equal to that required in a policy and remains below that value or amount for a period of 30 days, the Secretary of State shall revoke the certificate of compliance.

Actions taken by the Treasurer of State or the Secretary of State pursuant to this subsection do not constitute doing the business of insurance.

Sec. 3. 29-A MRSA §1605, sub-§5, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

5. May substitute other proof. The Secretary of State shall return or cancel proof on acceptance of other adequate proof of financial responsibility, except that when proof of financial responsibility is established by the deposit of money or securities, the Treasurer of State shall hold the money or securities for a period of not less than 6 years following the cancellation of the deposit as proof of financial responsibility or for such other period of time required to satisfy the statute of limitations in effect at the time of cancellation for filing damage claims for causes of action arising from a motor vehicle accident.

Sec. 4. 29-A MRSA §1605, sub-§9 is enacted to read:

9. Rules. The Treasurer of State may adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A to implement the provisions of this section.

See title page for effective date.

**CHAPTER 255
H.P. 368 - L.D. 505**

**An Act To Expand the
Disciplinary Authority of the
Board of Trustees of the Maine
Criminal Justice Academy**

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

Sec. 1. 25 MRSA §2803-A, sub-§15-A is enacted to read:

15-A. Standards of conduct. To adopt rules establishing standards of conduct for an applicant for a certificate and a certificate holder the violation of which subject that person to disciplinary action pursuant to section 2806-A, subsection 5, paragraph M:

Sec. 2. 25 MRSA §2806-A, sub-§5, ¶K, as amended by PL 2019, c. 438, §5, is further amended by amending subparagraph (4) to read:

(4) Less than 60 days had elapsed since the officer initially became involved in the investigation or purported investigation; ~~and~~

Sec. 3. 25 MRSA §2806-A, sub-§5, ¶L, as enacted by PL 2019, c. 438, §6, is amended to read:

L. Engaging in sexual contact, as defined in Title 17-A, section 251, subsection 1, paragraph D, with another person, not the person's spouse, if at the time of the sexual contact the applicant or certificate holder is acting in performance of official duties and the other person is under arrest, in custody or being interrogated or temporarily detained, including during a traffic stop or questioning pursuant to an investigation of a crime, except that it is not grounds for discipline that a certificate holder properly performs a search of a person for legitimate law enforcement purposes consistent with training standards approved by the board; ~~and~~

Sec. 4. 25 MRSA §2806-A, sub-§5, ¶M is enacted to read:

M. Engaging in conduct that is a violation of the standards of conduct established by the board by rule pursuant to section 2803-A, subsection 15-A.

Sec. 5. 25 MRSA §2806-A, sub-§10, as enacted by PL 2013, c. 147, §39, is amended to read:

10. Confidentiality; access to documents; public records. All complaints, charges or accusations of misconduct, replies to those complaints, charges or accusations and any other information or materials that may result in suspension or revocation of a certificate that are considered by the board or the complaint review committee established pursuant to section 2805-C are confidential. If a person subject to this chapter requests

an adjudicatory hearing under the Maine Administrative Procedure Act, that hearing must be open to the public. The hearing officer who presides over the hearing shall issue a written decision that states the conduct or other facts on the basis of which action is being taken and the reason for that action. Once issued, the hearing officer's written decision is a public record under the Freedom of Access Act, regardless of whether it is appealed. Any action taken by the board pursuant to this section as a result of a complaint, charge or accusation must be supported by a statement of findings and must be issued as a written decision of the board. The written decision of the board and findings are public records under the Freedom of Access Act.

See title page for effective date.

**CHAPTER 256
H.P. 418 - L.D. 573**

**An Act Concerning Records of
the Employment of Law
Enforcement Officers and
Corrections Officers**

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

Sec. 1. 25 MRSA §2805-B, sub-§4 is enacted to read:

4. Application for employment with a law enforcement agency, correctional facility or county or regional jail. This subsection applies when a law enforcement officer or corrections officer who is employed by a law enforcement agency, correctional facility or county or regional jail, or who was employed by a law enforcement agency, correctional facility or county or regional jail within 90 days prior to making an application for employment, applies for employment as a law enforcement officer or corrections officer with a different law enforcement agency, correctional facility or county or regional jail.

A. As used in this subsection, unless the context otherwise indicates, the following terms have the following meanings.

(1) "Applicant" means the law enforcement officer or corrections officer who is applying for employment at a hiring agency.

(2) "Employing agency" means the law enforcement agency, correctional facility or county or regional jail that employs the applicant at the time that a request is made pursuant to paragraph B or that employed the applicant within 90 days prior to the applicant making an employment application to the hiring agency.

(3) "Employment records" means personnel, employment and any other records pertaining to an applicant's employment and job performance with the employing agency but does not include any internal investigative records of the employing agency relating to the applicant.

(4) "Hiring agency" means the law enforcement agency, correctional facility or county or regional jail to which the applicant is applying for employment.

B. The applicant shall sign a request that an employing agency release all employment records to a hiring agency. For the purposes of the employment application, the request form must include a waiver of any rights that the applicant has to the privacy of the employment records. The request form must be signed by the applicant and the signature must be witnessed. The board shall adopt rules establishing a standard request and waiver form. Rules adopted pursuant to this paragraph are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

C. An employing agency that receives a request pursuant to paragraph B shall promptly release all employment records to the hiring agency.

D. An employing agency that responds to a request pursuant to paragraph B and releases information pursuant to paragraph C is immune from civil or criminal liability for releasing the requested information to a hiring agency.

E. A hiring agency that receives information pursuant to paragraph C from an employing agency shall treat that information in the same manner as it treats employment records of the employees of the hiring agency. A hiring agency is immune from civil or criminal liability for receiving the requested information.

Sec. 2. 25 MRSA §2805-B, sub-§5 is enacted to read:

5. Release of the results of a polygraph examination. When a polygraph examination has been performed on a law enforcement officer or corrections officer and the results indicate probable cause to believe that the officer is or has been involved in criminal activity, the law enforcement agency, correctional facility or county or regional jail that conducted the examination or for whom the examination was performed shall release the results of the examination to the head of the law enforcement agency, correctional facility or county or regional jail that employs the law enforcement officer or corrections officer.

See title page for effective date.

**CHAPTER 257
H.P. 488 - L.D. 661**

**An Act To Ensure Equity in
Petitions for Rulemaking under
the Maine Administrative
Procedure Act**

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

Sec. 1. 5 MRSA §8055, sub-§4 is enacted to read:

4. Petition submitted by persons incarcerated in Department of Corrections facility. Notwithstanding subsections 2 and 3, the Department of Corrections shall initiate appropriate rule-making proceedings within 60 days after receipt of a petition to adopt or modify a rule submitted by 150 or more persons incarcerated in a department correctional facility under Title 34-A or by 25% or more of the total number of males or females incarcerated in a department correctional facility under Title 34-A, whichever is fewer. The department is not required to initiate appropriate rule-making proceedings pursuant to this subsection if a petition to adopt or modify the same rule was received within the previous 12 months. The department may take reasonable steps to ensure that each signature on a petition submitted pursuant to this subsection is the signature of the person it purports to be and that the person was incarcerated in a department correctional facility under Title 34-A at the time of signing.

Sec. 2. 5 MRSA §8055, sub-§5 is enacted to read:

5. Petition submitted by persons incarcerated in county or municipal detention facility. Notwithstanding subsections 2 and 3, the Department of Corrections shall initiate appropriate rule-making proceedings with respect to standards adopted pursuant to Title 34-A, section 1208 or 1208-B within 60 days after receipt of a petition to adopt or modify a rule submitted by 150 or more persons incarcerated in a county or municipal detention facility or by 25% or more of the total number of males or females incarcerated in a county or municipal detention facility, whichever is fewer. The department is not required to initiate appropriate rule-making proceedings pursuant to this subsection if a petition to adopt or modify the same rule was received within the previous 12 months. The department may take reasonable steps to ensure that each signature on a petition submitted pursuant to this subsection is the signature of the person it purports to be and that the person was incarcerated in the facility at the time of signing.

See title page for effective date.

**CHAPTER 258
H.P. 568 - L.D. 763**

**An Act To Allow State Vehicles
Assigned to Certain Maine
Emergency Management
Agency Employees To Be Used
for Commuting**

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

Sec. 1. 5 MRSA §7-B, first ¶, as amended by PL 2019, c. 578, §2, is further amended to read:

A state-owned or state-leased vehicle may not be used by any employee to commute between home and work, except for those vehicles authorized and assigned to employees of the Baxter State Park Authority and of the Department of Defense, Veterans and Emergency Management, Military Bureau as designated by the Commissioner of Defense, Veterans and Emergency Management, to the director or deputy director or duty officer of the Maine Emergency Management Agency within the Department of Defense, Veterans and Emergency Management and to law enforcement officials within the following organizational units: Bureau of State Police; Maine Drug Enforcement Agency; Office of the State Fire Marshal; the division within the Department of Public Safety designated by the Commissioner of Public Safety to enforce the law relating to the manufacture, importation, storage, transportation and sale of all liquor and to administer those laws relating to licensing and collection of taxes on malt liquor and wine; Bureau of Motor Vehicles; Bureau of Marine Patrol; the forest protection unit within the Bureau of Forestry; Bureau of Warden Service; Bureau of Parks and Lands; and the Office of Chief Medical Examiner, the investigation division and the Medicaid fraud control unit within the Office of the Attorney General.

See title page for effective date.

**CHAPTER 259
H.P. 574 - L.D. 769**

**An Act To Increase the
Availability of Mental Health
Services for a Defendant Who
Has Been Found Incompetent
To Stand Trial**

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

Sec. 1. 34-A MRSA §3069-C is enacted to read:

§3069-C. Placement of defendants found incompetent to stand trial

1. Acceptance of placement. The commissioner may accept the placement of an adult defendant, referred to in this section as "the defendant," in a mental health unit of a correctional facility whom a court, after hearing, finds by clear and convincing evidence is incompetent to stand trial and whom the court commits to the custody of the Commissioner of Health and Human Services under Title 15, section 101-D, subsection 5 if, in addition to the findings required under Title 15, section 101-D, subsection 5, the court finds that:

A. The defendant is at risk of causing serious harm by engaging in interpersonal violence that is not primarily driven by symptoms of a major mental illness or other disability;

B. There is not sufficient security at a state mental health institute to address the likelihood of serious harm; and

C. There is no other less restrictive alternative to placement in a mental health unit of a correctional facility.

2. Treatment; transfer. The department shall provide services and treatment consistent with the requirements of Title 15, section 101-D, subsection 5 to a defendant accepted for treatment in a mental health unit of a correctional facility under subsection 1. The department may not transfer to another unit of a correctional facility a defendant accepted for treatment in a mental health unit of a correctional facility under subsection 1.

3. Termination of placement. Termination of placement is governed by this subsection.

A. The commissioner may terminate the placement of a defendant accepted pursuant to this section if the commissioner determines that the likelihood of serious harm posed by the defendant has decreased or the security at a state mental health institute has increased or for any other reason.

B. At any time after 90 days of placement in a mental health unit of a correctional facility, except not within 60 days of resolution of a prior petition under this paragraph, the defendant may petition the court for return to placement in a less restrictive setting on the grounds that the criteria for placement under subsection 1 no longer exist. If a petition is filed under this paragraph, the court shall hold a hearing and issue a decision maintaining or terminating the placement.

4. Disclosure of information. With respect to a defendant who has previously been hospitalized under Title 34-B, chapter 3, subchapter 4, the commissioner may make it a prerequisite to accepting placement of the defendant under this section that necessary information be disclosed to the department pursuant to Title 34-B, section 1207, subsection 1, paragraph B.

5. Application of other laws. All other applicable provisions of law governing defendants found incompetent to stand trial apply to defendants accepted for placement under this section.

6. Sunset. This section is repealed on July 1, 2024.

Sec. 2. Review; report. By January 1, 2024, the Department of Health and Human Services and the Department of Corrections, referred to in this section as "the departments," shall jointly submit a report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters regarding the number, circumstances and outcomes of the placement of defendants found incompetent to stand trial and placed in the mental health unit of a correctional facility pursuant to the Maine Revised Statutes, Title 34-A, section 3069-C. The report must include the number of persons transferred to a mental health unit, the average length of stay, the numbers of persons transferred to other facilities, which must be separated by types of facilities, the impact on the mental health and criminal justice systems and any other data determined by the departments to be relevant. After receiving the report of the departments, the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters may submit legislation to address issues raised by the report and to repeal the sunset provision in Title 34-A, section 3069-C, subsection 5.

See title page for effective date.

CHAPTER 260
S.P. 109 - L.D. 801

An Act Regarding Sentencing Options for a Person Convicted of a Crime Committed While Serving a Term of Imprisonment

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

Sec. 1. 17-A MRSA §755, sub-§1-E, as amended by PL 2019, c. 113, Pt. C, §62, is further amended by amending the first blocked paragraph to read:

A sentence imposed for a violation of this section is subject to the requirements of section ~~1609~~ 1609-A.

Sec. 2. 17-A MRSA §1609, as enacted by PL 2019, c. 113, Pt. A, §2, is repealed.

Sec. 3. 17-A MRSA §1609-A is enacted to read:

§1609-A. Discretionary sentence

Notwithstanding section 1608, when an individual subject to an undischarged term of imprisonment is convicted of a crime committed while in execution of any term of imprisonment, is convicted of a crime committed during a stay of execution of any term of imprisonment, is convicted of a crime committed after failure to report after a stay of execution of any term of imprisonment or is convicted of failure to report as ordered after a stay of execution of any term of imprisonment, the court may order that the sentence is not concurrent with any undischarged term of imprisonment. If the court orders that the sentence is not concurrent, the court may order that any undischarged term of imprisonment be tolled and service of the nonconcurrent sentence commence immediately, and the court shall so order if any undischarged term of imprisonment is a split sentence. No portion of the nonconcurrent sentence may be suspended. Any nonconcurrent sentence that the convicted individual receives as a result of an order entered pursuant to this section must be nonconcurrent with all other sentences.

See title page for effective date.

CHAPTER 261
S.P. 305 - L.D. 953

An Act To Improve Affordable Housing Options and Services To Address Homelessness

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

Sec. 1. 30-A MRSA §5222, sub-§1-C is enacted to read:

1-C. Affordable housing. "Affordable housing" has the same meaning as in section 5246, subsection 1.

Sec. 2. 30-A MRSA §5225, sub-§1, ¶A, as amended by PL 2011, c. 101, §12, is further amended by amending subparagraph (7) to read:

(7) Organizational costs relating to the establishment of the district, including, but not limited to, the costs of conducting environmental impact and other studies and the costs of informing the public about the creation of development districts and the implementation of project plans; ~~and~~

Sec. 3. 30-A MRSA §5225, sub-§1, ¶A, as amended by PL 2011, c. 101, §12, is further amended by amending subparagraph (8) to read:

(8) In the case of transit-oriented development districts, ongoing costs of adding to an existing transit system or creating a new transit service and limited strictly to transit operator salaries, transit vehicle fuel and transit vehicle parts replacements; and

Sec. 4. 30-A MRS §5225, sub-§1, ¶A, as amended by PL 2011, c. 101, §12, is further amended by enacting subparagraph (9) to read:

(9) Costs associated with the development and operation of housing, including, but not limited to, authorized project costs for improvements as described in section 5249 even if such improvements are not made within an affordable housing development district as defined in section 5246, subsection 2;

Sec. 5. 30-A MRS §5225, sub-§1, ¶B, as amended by PL 2019, c. 148, §2, is further amended to read:

B. Costs of improvements that are made outside the tax increment financing district but are directly related to or are made necessary by the establishment or operation of the district, including, but not limited to:

(1) Costs related to the construction, alteration or expansion of any facilities not located within the district that are required due to improvements or activities within the district, including, but not limited to, sewage treatment plants, water treatment plants or other environmental protection devices; storm or sanitary sewer lines; water lines; electrical lines; improvements to public safety facilities; and amenities on streets;

(2) Costs of public safety improvements related to the establishment of the district; ~~and~~

(3) Costs of funding to mitigate any adverse impact of the district upon the municipality or plantation and its constituents. This funding may be used for public facilities and improvements if:

(a) The public facilities or improvements are located in a downtown tax increment financing district; and

(b) The entire tax increment from the downtown tax increment financing district is committed to the development program of the tax increment financing district; and

(4) Authorized project costs for improvements as described in section 5249 in support of municipal economic development activities regardless of whether such costs are within an affordable housing development district as defined in section 5246, subsection 2;

Sec. 6. 30-A MRS §5225, sub-§1, ¶C, as amended by PL 2019, c. 604, §3 and c. 625, §3, is repealed and the following enacted in its place:

C. Costs related to economic development, environmental improvements, fisheries and wildlife or

marine resources projects, recreational trails, broadband service development, expansion or improvement, including connecting to broadband service outside the tax increment financing district, employment training or the promotion of workforce development and retention within the municipality or plantation, including, but not limited to:

(1) Costs of funding economic development programs or events developed by the municipality or plantation or funding the marketing of the municipality or plantation as a business or arts location;

(2) Costs of funding environmental improvement projects developed by the municipality or plantation for commercial or arts district use or related to such activities;

(3) Funding to establish permanent economic development revolving loan funds, investment funds and grants;

(4) Costs of services and equipment to provide skills development and training, including scholarships to in-state educational institutions or to online learning entities when in-state options are not available, for jobs created or retained in the municipality or plantation. These costs must be designated as training funds in the development program;

(5) Costs associated with quality child care facilities and adult care facilities, including finance costs and construction, staffing, training, certification and accreditation costs related to child care and adult care;

(6) Costs associated with new or existing recreational trails determined by the department to have significant potential to promote economic development, including, but not limited to, costs for multiple projects and project phases that may include planning, design, construction, maintenance, grooming and improvements with respect to new or existing recreational trails, which may include bridges that are part of the trail corridor, used all or in part for all-terrain vehicles, snowmobiles, hiking, bicycling, cross-country skiing or other related multiple uses;

(7) Costs associated with a new or expanded transit service, limited to:

(a) Transit service capital costs, including but not limited to: transit vehicles such as buses, ferries, vans, rail conveyances and related equipment; bus shelters and other transit-related structures; and benches, signs and other transit-related infrastructure; and

(b) In the case of transit-oriented development districts, ongoing costs of adding to an existing transit system or creating a new transit service and limited strictly to transit operator salaries, transit vehicle fuel and transit vehicle parts replacements;

(8) Costs associated with the development of fisheries and wildlife or marine resources projects;

(9) Costs related to the construction or operation of municipal or plantation public safety facilities, the need for which is related to general economic development within the municipality or plantation, not to exceed 15% of the captured assessed value of the development district;

(10) Costs associated with broadband and fiber optics expansion projects, including preparation, planning, engineering and other related costs in addition to the construction costs of those projects. If an area within a municipality or plantation is unserved with respect to broadband service, as defined by the ConnectMaine Authority as provided in Title 35-A, section 9204-A, subsection 1, broadband and fiber optics expansion projects may serve residential or other nonbusiness or non-commercial areas in addition to business or commercial areas within the municipality or plantation; and

(11) Costs associated with the operation and financial support of:

(a) Affordable housing in the municipality or plantation to serve ongoing economic development efforts, including the further development of the downtown tax increment financing districts; and

(b) Housing programs and services to assist those who are experiencing homelessness in the municipality or plantation as defined in the municipality's or plantation's development program.

Sec. 7. 30-A MRSA §5225, sub-§1, ¶D, as amended by PL 2011, c. 101, §15, is further amended to read:

D. Costs of constructing or improving facilities or buildings leased by State Government or a municipal or plantation government that are located in approved downtown tax increment financing districts; and

Sec. 8. 30-A MRSA §5225, sub-§1, ¶E is enacted to read:

E. Costs associated with the development and operation of affordable housing or housing services for persons who are experiencing homelessness as defined in the municipality's or plantation's development program.

See title page for effective date.

CHAPTER 262

H.P. 770 - L.D. 1042

An Act To Protect State Workers from Exposure to Harmful Substances

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

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

§1742-G. Bureau of General Services; inventory of asbestos, lead, black mold and other substances that may be harmful to human health in state-owned and state-leased buildings

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

A. "Bureau" means the Bureau of General Services within the department.

B. "Department" means the Department of Administrative and Financial Services.

C. "State-owned building" means a building owned by the State in which persons employed by a state agency perform job duties, including, but not limited to, maintenance and repair work.

2. Initial inventory. The bureau shall inventory all state-owned buildings to identify the presence of asbestos, lead, black mold and other substances that may be harmful to human health. The department shall require property owners of buildings leased to the State to conduct a similar inventory and provide the results of the inventory to the bureau prior to executing a new lease or renewing or extending an existing lease and, with respect to a lease that on the effective date of this subsection has a remaining term of more than 2 years, within 12 months of the effective date of this subsection. The bureau shall enter the results of the inventories into the database established and maintained by the bureau pursuant to subsection 3.

3. Database. The bureau shall establish and maintain an electronic database including, for each state-owned building or state-leased building:

A. The results of the inventories completed by the bureau and by the property owners of state-leased buildings pursuant to subsection 2;

B. Detailed plans for the remediation, abatement or containment of asbestos, lead, black mold and other substances that may be harmful to human health found in state-owned buildings and state-leased buildings; and

C. Data on the completion of planned remediation, abatement or containment under paragraph B.

4. Access to database. The database established and maintained pursuant to subsection 3 must be readily accessible electronically to:

A. Collective bargaining agents of employees who work in state-owned buildings or state-leased buildings;

B. State employees whose usual work sites are state-owned buildings or state-leased buildings that contain asbestos, lead, black mold or other substances that may be harmful to human health;

C. Individuals who perform maintenance, repair and custodial services in state-owned buildings or state-leased buildings;

D. Firefighters responsible for providing services to state-owned buildings or state-leased buildings;

E. The Department of Labor;

F. The Department of Health and Human Services, Maine Center for Disease Control and Prevention; and

G. Members of the joint standing committee of the Legislature having jurisdiction over state and local government matters.

5. Building maintenance or repair. Prior to any maintenance or repair of a state-owned building by a person employed by a state agency, the bureau shall review the building's records in the database established and maintained pursuant to subsection 3 or inventory the state-owned building if the state-owned building has not already been inventoried pursuant to subsection 2 and add the results of the inventory into the database established and maintained pursuant to subsection 3. If asbestos, lead, black mold or other substances that may be harmful to human health are found in the state-owned building to be maintained or repaired by a person employed by a state agency, the bureau shall inform the person performing the maintenance or repair work and provide appropriate protective gear.

6. Monitoring, abatement and remediation. To promote a safe and healthy environment in state-owned buildings, the bureau's division of safety and environmental services shall:

A. Provide statewide monitoring of state-owned buildings to continuously identify the presence of

health hazards in state-owned buildings, including, but not limited to, asbestos, lead, black mold and other substances that may be harmful to human health;

B. Conduct routine building inventories and testing as appropriate to discover and assess the presence of health hazards in state-owned buildings, including, but not limited to, asbestos, lead, black mold and other substances that may be harmful to human health;

C. Identify any abatement, remediation, containment and maintenance necessary to address and prevent potential health hazards in state-owned buildings, including, but not limited to, asbestos, lead, black mold and other substances that may be harmful to human health; and

D. Work with state departments and state agencies to develop safety protocols and train state employees on safety protocols.

7. Biennial report. The department shall submit a report to the joint standing committee of the Legislature having jurisdiction over state and local government matters that describes the conditions of state-owned buildings and state-leased buildings and areas of concern by February 1st of every even-numbered year.

8. Rules. The department may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules pursuant to chapter 375, subchapter 2-A.

Sec. 2. Safety education; black mold standards; safety committees. The Department of Administrative and Financial Services and the Department of Labor shall work together with collective bargaining organizations representing state employees to promote health and safety education of state employees, to identify appropriate standards for black mold prevention and remediation in state-owned buildings and state-leased buildings similar to the standards recommended by the United States Environmental Protection Agency and to develop a framework for regionally based safety committees.

See title page for effective date.

CHAPTER 263

H.P. 772 - L.D. 1044

**An Act To Protect the Rights of
Certain Incarcerated
Individuals**

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

Sec. 1. 34-A MRSA §1208-B, sub-§2, as enacted by PL 2015, c. 335, §22, is amended to read:

2. Rulemaking. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A. ~~Rules adopted pursuant to this section must take effect January 1, 2016.~~

Sec. 2. 34-A MRSA §1208-B, sub-§3 is enacted to read:

3. Gender affirmation. The standards, policies and procedures established pursuant to this section for the county jails and regional jail must require the jails to respect and acknowledge an incarcerated person's consistently held gender identity irrespective of anatomy or physique. Housing placements and search practices must be consistent with the person's consistently held gender identity except when such placement or search would present significant management or security problems to the jail or threaten the health and safety of the person. A person must have access to commissary items, clothing, personal property, programming and educational materials that are consistent with the person's consistently held gender identity. County and regional jail staff shall address a person in a manner that is consistent with the person's consistently held gender identity.

Sec. 3. 34-A MRSA §3031, sub-§8, as amended by PL 2019, c. 139, §2, is further amended to read:

8. Visitation. A reasonable opportunity to visit with relatives and friends, in accordance with departmental policies and institutional procedures, ~~provided~~ except that the department may restrict or prohibit visits when the restriction or prohibition is necessary for the security of the institution; ~~and~~

Sec. 4. 34-A MRSA §3031, sub-§9, as enacted by PL 2019, c. 139, §3, is amended to read:

9. Menstrual products. Comprehensive access to menstrual products, including, but not limited to, sanitary pads and tampons, provided and available at all times and without inconvenience or charge to a person who menstruates who resides in a correctional or detention facility; and

Sec. 5. 34-A MRSA §3031, sub-§10 is enacted to read:

10. Gender affirmation. Have the person's consistently held gender identity respected and acknowledged, irrespective of anatomy or physique. Housing placements and search practices must be consistent with the person's consistently held gender identity except when such placement or search would present significant management or security problems to the correctional or detention facility or threaten the health and safety of the person. A person must have access to commissary items, clothing, personal property, programming and educational materials that are consistent with the person's consistently held gender identity. Correctional or detention facility staff shall address a person in

a manner that is consistent with the person's consistently held gender identity.

See title page for effective date.

CHAPTER 264

S.P. 361 - L.D. 1100

An Act To Support the Continued Access to Solar Energy and Battery Storage by Maine Homes and Businesses

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

Sec. 1. 35-A MRSA §3474, sub-§3 is enacted to read:

3. Interconnection rules. The commission shall adopt rules related to the interconnection of renewable capacity resources, as defined in section 3210-C, subsection 1, paragraph E, using solar power to investor-owned transmission and distribution utilities, as defined in section 3201, subsection 11-A, in a manner that supports the goals in this section and ensures:

A. The State's interconnection rules reflect nationally recognized best practices;

B. Customers affected by deficiencies in the rules are able to access timely resolution processes that do not place an undue burden on the customer; and

C. Investments in investor-owned transmission and distribution utility distribution upgrades related to load are coordinated with utility infrastructure upgrades required for the interconnection of renewable capacity resources using solar power.

Sec. 2. Solar energy resources interconnection evaluation. The Public Utilities Commission shall contract with an expert to evaluate near-term reforms to the State's standards, practices and procedures related to the interconnection of renewable capacity resources as defined in the Maine Revised Statutes, Title 35-A, section 3210-C, subsection 1, paragraph E using solar power to investor-owned transmission and distribution utilities to:

1. Ensure that the timelines and requirements for interconnection do not unduly limit the ability of residential and nonresidential customers to install on-site solar energy generation and battery storage systems to offset a customer's electrical consumption and that interconnection costs for these customers are limited to interconnection facility upgrades and do not include the cost of distribution upgrades;

2. Improve the transparency of interconnection screens and upgrades for customer-sited generation; and

3. Ensure that dispute resolution processes for residential and nonresidential interconnection customers are fair and efficient and do not place a disproportionate burden of technical expertise and cost on these customers.

Within 6 months of the effective date of this Act, the commission shall conduct a proceeding and issue an order relating to the near-term reforms identified in the evaluation conducted under this section. Within one year of the effective date of this Act, the commission shall determine and adopt cost allocation methods for interconnection studies and upgrades that ensure on-site solar energy generators do not bear prohibitive costs for their projects to be studied by investor-owned transmission and distribution utilities and to be interconnected to the State's distribution system.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Public Utilities - Administrative Division 0184

Initiative: Provides an allocation for contracted services for a solar resources interconnection evaluation.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$254,693	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$254,693	\$0

See title page for effective date.

**CHAPTER 265
S.P. 378 - L.D. 1115**

**An Act To Improve Access to
HIV Prevention Medications**

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

Sec. 1. 22 MRSA §3174-M, sub-§1-A, ¶B, as enacted by PL 2005, c. 386, Pt. X, §1, is amended to read:

B. Be structured to maintain at least the same therapeutic categories and pharmacological classes of drugs provided on the MaineCare preferred drug list in effect on July 1, 2005; ~~and~~

Sec. 2. 22 MRSA §3174-M, sub-§1-A, ¶C, as enacted by PL 2005, c. 386, Pt. X, §1, is amended by amending subparagraph (3) to read:

(3) Conform to national standards for the prescribing of atypical antipsychotic drugs; ~~and~~

Sec. 3. 22 MRSA §3174-M, sub-§1-A, ¶D is enacted to read:

D. With respect to HIV prevention drugs as defined in Title 24-A, section 4317-D, subsection 1, paragraph B:

- (1) Ensure that preexposure prophylaxis drugs are available; and
- (2) Ensure that post-exposure prophylaxis drugs are available in accordance with national standards for the prescribing of post-exposure prophylaxis drugs.

Sec. 4. 24-A MRSA §4317-D is enacted to read:

§4317-D. Coverage of HIV prevention drugs

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

A. "CDC guidelines" means guidelines related to the nonoccupational exposure to potential HIV infection, or any subsequent guidelines, published by the federal Department of Health and Human Services, Centers for Disease Control and Prevention.

B. "HIV prevention drug" means a preexposure prophylaxis drug, post-exposure prophylaxis drug or other drug approved for the prevention of HIV infection by the federal Food and Drug Administration.

C. "Post-exposure prophylaxis drug" means a drug or drug combination that meets the clinical eligibility recommendations provided in CDC guidelines following potential exposure to HIV infection.

D. "Preexposure prophylaxis drug" means a drug or drug combination that meets the clinical eligibility recommendations provided in CDC guidelines to prevent HIV infection.

2. Coverage required. A carrier offering a health plan in this State shall provide coverage for an HIV prevention drug that has been prescribed by a provider. Coverage under this section is subject to the following.

A. If the federal Food and Drug Administration has approved one or more HIV prevention drugs that use the same method of administration, a carrier is not required to cover all approved drugs as long as the carrier covers at least one approved drug for each method of administration with no out-of-pocket cost.

B. A carrier is not required to cover any preexposure prophylaxis drug or post-exposure prophylaxis drug dispensed or administered by an out-of-network pharmacy provider unless the enrollee's health plan provides an out-of-network pharmacy benefit.

C. A carrier may not prohibit, or permit a pharmacy benefits manager to prohibit, a pharmacy

provider from dispensing or administering any HIV prevention drugs.

3. Limits on prior authorization and step therapy requirements. Notwithstanding any requirements in section 4304 or 4320-N to the contrary, a carrier may not subject any HIV prevention drug to any prior authorization or step therapy requirement except as provided in this subsection. If the federal Food and Drug Administration has approved one or more methods of administering HIV prevention drugs, a carrier is not required to cover all of the approved drugs without prior authorization or step therapy requirements as long as the carrier covers at least one approved drug for each method of administration without prior authorization or step therapy requirements. If prior authorization or step therapy requirements are met for a particular enrollee with regard to a particular HIV prevention drug, the carrier is required to cover that drug with no out-of-pocket cost to the enrollee.

4. Coverage for laboratory testing related to HIV prevention drugs. A carrier offering a health plan in this State shall provide coverage with no out-of-pocket cost for laboratory testing recommended by a provider related to the ongoing monitoring of an enrollee who is taking an HIV prevention drug covered by this section.

Sec. 5. 32 MRSA §13702-A, sub-§28, as amended by PL 2017, c. 185, §1, is further amended to read:

28. Practice of pharmacy. "Practice of pharmacy" means the interpretation and evaluation of prescription drug orders; the compounding, dispensing and labeling of drugs and devices, except labeling by a manufacturer, packer or distributor of nonprescription drugs and commercially packaged legend drugs and devices; the participation in drug selection and drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records for these drugs and devices; the administration of vaccines licensed by the United States Food and Drug Administration that are recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices, or successor organization, for administration to adults; the performance of collaborative drug therapy management; the responsibility for advising, when necessary or regulated, of therapeutic values, content, hazards and use of drugs and devices; the ordering and dispensing of over-the-counter nicotine replacement products approved by the United States Food and Drug Administration; the prescribing, dispensing and administering of an HIV prevention drug, as defined in section 13786-E, subsection 1, paragraph B, pursuant to a standing order or collaborative practice agreement or to protocols developed by the board; and the offering or performing of those acts, services, operations or transactions necessary in the

conduct, operation, management and control of a pharmacy.

Sec. 6. 32 MRSA §13786-E is enacted to read:
§13786-E. Prescribing, dispensing and administering HIV prevention drugs

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

A. "CDC guidelines" means guidelines related to nonoccupational exposure to potential HIV infection, or any subsequent guidelines, published by the federal Department of Health and Human Services, Centers for Disease Control and Prevention.

B. "HIV prevention drug" means a preexposure prophylaxis drug, post-exposure prophylaxis drug or other drug approved for the prevention of HIV infection by the federal Food and Drug Administration.

C. "Post-exposure prophylaxis drug" means a drug or drug combination that meets the clinical eligibility recommendations provided in CDC guidelines following potential exposure to HIV infection.

D. "Preexposure prophylaxis drug" means a drug or drug combination that meets the clinical eligibility recommendations provided in CDC guidelines to prevent HIV infection.

2. Authorization. Notwithstanding any provision of law to the contrary and as authorized by the board in accordance with rules adopted under subsection 3, a pharmacist may prescribe, dispense and administer HIV prevention drugs pursuant to a standing order or collaborative practice agreement or to protocols developed by the board for when there is no prescription drug order, standing order or collaborative practice agreement in accordance with the requirements in this subsection and may also order laboratory testing for HIV infection as necessary.

A. Before furnishing an HIV prevention drug to a patient, a pharmacist shall complete a training program approved by the board on the use of protocols developed by the board for prescribing, dispensing and administering an HIV prevention drug, on the requirements for any laboratory testing for HIV infection and on guidelines for prescription adherence and best practices to counsel patients prescribed an HIV prevention drug.

B. A pharmacist shall dispense or administer a preexposure prophylaxis drug in at least a 30-day supply, and up to a 60-day supply, as long as all of the following conditions are met:

(1) The patient tests negative for HIV infection, as documented by a negative HIV test result obtained within the previous 7 days. If the patient does not provide evidence of a negative

HIV test result in accordance with this subparagraph, the pharmacist shall order an HIV test. If the test results are not transmitted directly to the pharmacist, the pharmacist shall verify the test results to the pharmacist's satisfaction. If the patient tests positive for HIV infection, the pharmacist or person administering the test shall direct the patient to a primary care provider and provide a list of primary care providers and clinics within a reasonable travel distance of the patient's residence;

(2) The patient does not report any signs or symptoms of acute HIV infection on a self-reporting checklist of acute HIV infection signs and symptoms;

(3) The patient does not report taking any contraindicated medications;

(4) The pharmacist provides counseling to the patient, consistent with CDC guidelines, on the ongoing use of a preexposure prophylaxis drug. The pharmacist shall notify the patient that the patient must be seen by a primary care provider to receive subsequent prescriptions for a preexposure prophylaxis drug and that a pharmacist may not dispense or administer more than a 60-day supply of a preexposure prophylaxis drug to a single patient once every 2 years without a prescription;

(5) The pharmacist documents, to the extent possible, the services provided by the pharmacist in the patient's record in the patient profile record system maintained by the pharmacy. The pharmacist shall maintain records of preexposure prophylaxis drugs dispensed or administered to each patient;

(6) The pharmacist does not dispense or administer more than a 60-day supply of a preexposure prophylaxis drug to a single patient once every 2 years, unless otherwise directed by a practitioner; and

(7) The pharmacist notifies the patient's primary care provider that the pharmacist completed the requirements specified in this paragraph. If the patient does not have a primary care provider, or refuses consent to notify the patient's primary care provider, the pharmacist shall provide the patient a list of physicians, clinics or other health care providers to contact regarding follow-up care.

C. A pharmacist shall dispense or administer a complete course of a post-exposure prophylaxis drug as long as all of the following conditions are met:

(1) The pharmacist screens the patient and determines that the exposure occurred within the

previous 72 hours and the patient otherwise meets the clinical criteria for a post-exposure prophylaxis drug under CDC guidelines;

(2) The pharmacist provides HIV testing to the patient or determines that the patient is willing to undergo HIV testing consistent with CDC guidelines. If the patient refuses to undergo HIV testing but is otherwise eligible for a post-exposure prophylaxis drug under this subsection, the pharmacist may dispense or administer a post-exposure prophylaxis drug;

(3) The pharmacist provides counseling to the patient, consistent with CDC guidelines, on the use of a post-exposure prophylaxis drug. The pharmacist shall also inform the patient of the availability of a preexposure prophylaxis drug for persons who are at substantial risk of acquiring HIV; and

(4) The pharmacist notifies the patient's primary care provider of the dispensing or administering of the post-exposure prophylaxis drug. If the patient does not have a primary care provider, or refuses consent to notify the patient's primary care provider, the pharmacist shall provide the patient a list of physicians, clinics or other health care providers to contact regarding follow-up care.

3. Rules; protocols. The board by rule shall establish standards for authorizing pharmacists to prescribe, dispense and administer HIV prevention drugs in accordance with subsection 2, including adequate training requirements and protocols for when there is no prescription drug order, standing order or collaborative practice agreement. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 7. Exemption from review. Notwithstanding the Maine Revised Statutes, Title 24-A, section 2752, this Act is enacted without review and evaluation by the Department of Professional and Financial Regulation, Bureau of Insurance.

Sec. 8. Application. The requirements of this Act apply to all individual and group health plans, as defined in the Maine Revised Statutes, Title 24-A, section 4301-A, subsection 7, executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2022. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

Sec. 9. Appropriations and allocations. The following appropriations and allocations are made.

**PROFESSIONAL AND FINANCIAL
REGULATION, DEPARTMENT OF**

**Administrative Services - Professional and
Financial Regulation 0094**

Initiative: Allocates funds for technology-related costs associated with establishing one half-time Regulatory Health Compliance position to manage the anticipated increase in workload associated with the regulation of pharmacists' authority to dispense HIV prevention drugs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$2,729	\$3,347
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,729	\$3,347

Licensing and Enforcement 0352

Initiative: Allocates funds for one half-time Regulatory Health Compliance position to manage the anticipated increase in workload associated with the regulation of pharmacists' authority to dispense HIV prevention drugs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$35,328	\$49,424
All Other	\$5,782	\$2,904
OTHER SPECIAL REVENUE FUNDS TOTAL	\$41,110	\$52,328

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS	\$43,839	\$55,675
DEPARTMENT TOTAL - ALL FUNDS	\$43,839	\$55,675

See title page for effective date.

**CHAPTER 266
H.P. 848 - L.D. 1170**

**An Act Regarding
Unauthorized Possession of a
Firearm in a Correctional
Facility or Jail**

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

Sec. 1. 17-A MRSA §1059 is enacted to read:

§1059. Unauthorized possession of a firearm in a correctional facility or jail

1. A person is guilty of unauthorized possession of a firearm in a correctional facility or jail if that person

in fact possesses a firearm in a correctional facility or jail or on the premises of the correctional facility or jail.

2. This section does not apply to:

A. A law enforcement officer, a corrections officer or a corrections supervisor engaged in the performance of the law enforcement officer's, corrections officer's or corrections supervisor's public duty;

B. An employee of a courier or security service in the course and scope of employment for the courier or security service, as approved by the chief administrative officer of the correctional facility or the jail administrator; or

C. A person who has stored a firearm out of sight in a locked motor vehicle that is on the premises of a correctional facility or jail.

3. It is not a defense to a prosecution under this section that the person holds a valid permit to carry a concealed handgun issued under Title 25, chapter 252.

4. Unauthorized possession of a firearm in a correctional facility or jail is a Class D crime.

5. For the purposes of this section, "chief administrative officer" and "correctional facility" have the same meanings as in Title 34-A, section 1001, subsections 1 and 6, respectively, and "jail" means a county or regional jail.

See title page for effective date.

**CHAPTER 267
H.P. 849 - L.D. 1171**

**An Act To Curtail No-knock
Warrants**

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

Sec. 1. 15 MRSA §57 is enacted to read:

§57. Restriction on no-knock warrants; requirements for no-knock warrants

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

A. "Law enforcement officer" or "officer" has the same meaning as in Title 25, section 2801-A, subsection 5.

B. "No-knock warrant" means a warrant that authorizes execution of the warrant without the law enforcement officer first announcing the authority for the execution of the warrant and the purpose for which the warrant was issued. Any warrant is a no-knock warrant if it is executed without waiting at least 20 seconds after the announcement of authority and purpose before making entry.

2. Restriction on no-knock warrants. Notwithstanding any provision of law to the contrary, a state, county or local law enforcement officer may not execute a no-knock warrant except as provided in subsection 3 or 4.

3. Exceptions. The restrictions in subsection 2 do not apply if the warrant clearly states that providing notice prior to execution of the warrant would create an imminent risk of death or bodily harm to a law enforcement officer, an individual in the location named in the warrant or an individual in the surrounding areas outside of the location named in the warrant. Imminent risk of death or bodily harm under this subsection must be verified by the issuing authority by reviewing the information contained within the affidavit.

4. Exigent circumstances. Subsections 2 and 3 do not preclude entry by a law enforcement officer in accordance with a recognized exception to the warrant requirement, including, but not limited to, exigent circumstances.

5. Requirements. The following requirements apply to a law enforcement officer executing a no-knock warrant that is authorized under the exception provisions in subsection 3.

A. An officer on the entry team shall wear an official uniform that clearly identifies the officer as a law enforcement officer and, if the officer's law enforcement agency provides body-worn cameras to law enforcement officers, a body-worn camera worn in accordance with the policies of the officer's law enforcement agency. An officer shall follow the policy of the officer's law enforcement agency regarding the usage of body-worn cameras. This subsection does not require a law enforcement agency that provides body-worn cameras to mandate recording the execution of a no-knock warrant.

B. In cases in which an imminent risk of death or bodily harm exists, only officers trained in the use of stun grenade, stun, distraction or other similar devices may use such a device during the execution of the warrant.

See title page for effective date.

**CHAPTER 268
H.P. 889 - L.D. 1214**

**An Act To Require Vehicle
Safety within the Funeral
Industry**

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

Sec. 1. 32 MRSA §1501, as amended by PL 2017, c. 210, Pt. C, §1, is further amended by adding a new 6th paragraph to read:

The board shall adopt rules governing the safety of drivers of vehicles owned, leased or otherwise used by a practitioner of funeral service or a funeral establishment for the transport of human remains. Rules adopted under this paragraph are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. Rulemaking. In developing rules under the Maine Revised Statutes, Title 32, section 1501 governing the safety of drivers of vehicles owned, leased or otherwise used by a practitioner of funeral service or a funeral establishment for the transport of human remains, the State Board of Funeral Service, referred to in this section as "the board," shall collaborate with stakeholders, including a practitioner of funeral service licensed under Title 32, section 1501, a member of the public who is not also a member of the board, a representative of the Department of Transportation with expertise in cargo transportation, a representative of the State Police, a representative of the insurance industry and other parties as necessary.

No later than December 1, 2021, the board shall submit a report to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business on the progress of the stakeholders' work in developing the rules. The board shall submit a provisionally adopted rule to the Legislature for review no later than January 1, 2023.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

**PROFESSIONAL AND FINANCIAL
REGULATION, DEPARTMENT OF
Licensing and Enforcement 0352**

Initiative: Allocates one-time funds for the costs associated with contracting for professional services to provide project management and facilitation while collaborating with stakeholders to develop rules governing the safety of drivers of vehicles used by a practitioner of funeral service or funeral establishment for the transport of human remains.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$20,500	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,500	\$0

See title page for effective date.

**CHAPTER 269
S.P. 397 - L.D. 1224**

An Act To Authorize Remote Participation in Maine State Cultural Affairs Council Meetings

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

Sec. 1. 27 MRSA §553, as amended by PL 1999, c. 573, §§2 and 3, is further amended by amending the section headnote to read:

§553. Membership; meetings

Sec. 2. 27 MRSA §553, sub-§3 is enacted to read:

3. Meetings. The Maine State Cultural Affairs Council may conduct a public proceeding using telephonic, video, electronic or other means of remote participation when 2 or more members are physically present at the location of the public proceeding identified in the notice required under Title 1, section 4 and the total number of members participating in the meeting, both physically present and participating remotely, constitute a quorum.

See title page for effective date.

**CHAPTER 270
H.P. 929 - L.D. 1269**

An Act To Preserve Fair Housing in Maine

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

Sec. 1. 30-A MRSA §4741, sub-§18, as amended by PL 2015, c. 494, Pt. B, §3, is further amended to read:

18. State designee for homeless programs. The Maine State Housing Authority is designated the coordinating agency for the State for programs dealing with homeless persons and may apply for, receive, distribute and administer federal, state and other funds on behalf of the State for homeless programs including, without limitation, the Emergency Community Services Homeless Grant Program and the programs authorized pursuant to the federal Stewart B. McKinney Homeless Assistance Act, Public Law 100-77, (1987), as amended; ~~and~~

Sec. 2. 30-A MRSA §4741, sub-§19, as enacted by PL 2015, c. 494, Pt. B, §4, is amended to read:

19. State designee for National Housing Trust Fund. The Maine State Housing Authority is designated as the entity to receive and allocate funds from the

National Housing Trust Fund established by the federal Housing and Economic Recovery Act of 2008; and

Sec. 3. 30-A MRSA §4741, sub-§20 is enacted to read:

20. Affirmatively further fair housing. The Maine State Housing Authority shall, to the extent consistent with federal law, ensure that any Maine State Housing Authority funding or any state or local funding is used in a manner that will affirmatively further fair housing in this State. For the purposes of this subsection, "affirmatively further fair housing" means to engage actively in efforts to address barriers to and create opportunities for full and equal access to housing without discrimination on the basis of race, color, sex, sexual orientation or gender identity, physical or mental disability, religion, ancestry, national origin, familial status or receipt of public assistance.

Sec. 4. Report to the Legislature. The Maine State Housing Authority shall develop a plan to ensure public funds are used to affirmatively further fair housing in this State in accordance with the Maine Revised Statutes, Title 30-A, section 4741, subsection 20 and report the development of that plan to the Joint Standing Committee on Labor and Housing by January 15, 2022. The report must include data reported by municipal housing authorities to the United States Department of Housing and Urban Development on affirmatively furthering fair housing and other reports required to be filed by municipal housing authorities. The Maine State Housing Authority shall recommend in its report a method by which municipal housing authorities may annually submit any reports and data submitted to the United States Department of Housing and Urban Development to the joint standing committee of the Legislature having jurisdiction over housing matters. The Joint Standing Committee on Labor and Housing may report out legislation based on the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

**CHAPTER 271
S.P. 413 - L.D. 1293**

An Act To Improve Access to Certain Injectable Medications Approved by the Federal Food and Drug Administration

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

Sec. 1. 32 MRSA §13702-A, sub-§2-A, as enacted by PL 2013, c. 308, §1, is amended to read:

2-A. Collaborative drug therapy management. "Collaborative drug therapy management" means the initiating, administering, monitoring, modifying and

discontinuing of a patient's drug therapy by a pharmacist as authorized by a practitioner in accordance with a collaborative practice agreement. "Collaborative drug therapy management" includes collecting and reviewing patient histories; obtaining and checking vital signs, including pulse, temperature, blood pressure and respiration; and, under the supervision of, or in direct consultation with, a practitioner, ordering and evaluating the results of laboratory tests directly related to drug therapy when performed in accordance with approved protocols applicable to the practice setting and when the evaluation does not include a diagnostic component.

Sec. 2. 32 MRSA §13702-A, sub-§28, as amended by PL 2017, c. 185, §1, is further amended to read:

28. Practice of pharmacy. "Practice of pharmacy" means the interpretation and evaluation of prescription drug orders; the compounding, dispensing and labeling of drugs and devices, except labeling by a manufacturer, packer or distributor of nonprescription drugs and commercially packaged legend drugs and devices; the participation in drug selection and drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records for these drugs and devices; the administration of vaccines licensed by the United States Food and Drug Administration that are recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices, or successor organization, for administration to adults; the administration to adults by intramuscular and subcutaneous injection of drugs approved by the United States Food and Drug Administration; the performance of collaborative drug therapy management; the responsibility for advising, when necessary or regulated, of therapeutic values, content, hazards and use of drugs and devices; the ordering and dispensing of over-the-counter nicotine replacement products approved by the United States Food and Drug Administration; and the offering or performing of those acts, services, operations or transactions necessary in the conduct, operation, management and control of a pharmacy.

Sec. 3. 32 MRSA §13831, sub-§5 is enacted to read:

5. Administration of injectable drugs. A pharmacist who meets the qualifications and requirements of section 13832 and rules adopted by the board may administer to adults by intramuscular and subcutaneous injection drugs approved by the United States Food and Drug Administration under the following conditions:

A. Upon the order of a practitioner to dispense and administer the drug, as long as the practitioner is notified after administration is complete in accordance with section 13833, subsection 3; or

B. While engaged in collaborative drug therapy management pursuant to a collaborative practice

agreement in accordance with the requirements of subchapter 14.

Sec. 4. 32 MRSA §13835, sub-§1, as amended by PL 2011, c. 577, §8, is further amended to read:

1. Criteria. Criteria for the operation of a vaccine administration clinic inside, outside or off the premises of a retail pharmacy, rural health clinic or free clinic licensed under section 13751. The rules must require one-time board approval of the plan of operation for any vaccine administration clinics to be operated by a pharmacist or pharmacy and may not require board approval of each individual clinic; Criteria for the administration of drugs by intramuscular or subcutaneous injection inside, outside or off the premises of a retail pharmacy, rural health clinic or free clinic licensed under section 13751 and must require one-time board approval of the plan for the administration of drugs by intramuscular or subcutaneous injection by a pharmacist or pharmacy and may not require board approval for each administration;

Sec. 5. 32 MRSA §13841, sub-§2, ¶D, as enacted by PL 2013, c. 308, §4, is amended to read:

D. Initiate, administer, monitor, modify and discontinue drug therapy for a particular patient pursuant to the collaborative practice agreement with a practitioner who is treating the patient, as long as the action is reported to the practitioner in a timely manner as determined by rules adopted pursuant to section 13846.

Sec. 6. 32 MRSA §13843, sub-§6, ¶A, as enacted by PL 2013, c. 308, §4, is amended to read:

A. A provision that states that activity in the initial 3 months of a collaborative practice agreement is limited to monitoring drug therapy. After the initial 3 months, the practitioner and pharmacist shall meet to review the collaborative practice agreement and determine the scope of the agreement, which may after the initial 3 months include a pharmacist's initiating, administering, monitoring, modifying and discontinuing a patient's drug therapy and reporting these actions to the practitioner in a timely manner in accordance with rules adopted pursuant to section 13846;

Sec. 7. Appropriations and allocations. The following appropriations and allocations are made.

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Administrative Services - Professional and Financial Regulation 0094

Initiative: Allocates funds for technology-related costs associated with establishing one half-time Comprehensive Health Planner I position to manage anticipated increases in applicants for certification to administer adult injections of certain drugs approved for the treatment of

mental illness and substance use disorder as well as the investigation of complaints.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$2,729	\$3,347
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,729</u>	<u>\$3,347</u>

Licensing and Enforcement 0352

Initiative: Allocates funds for one half-time Comprehensive Health Planner I position and related All Other costs to manage anticipated increases in applicants for certification to administer adult injections of certain drugs approved for the treatment of mental illness and substance use disorder as well as the investigation of complaints.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$32,875	\$45,923
All Other	\$5,712	\$2,803
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$38,587</u>	<u>\$48,726</u>

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS	\$41,316	\$52,073
DEPARTMENT TOTAL - ALL FUNDS	<u>\$41,316</u>	<u>\$52,073</u>

See title page for effective date.

**CHAPTER 272
S.P. 423 - L.D. 1317**

**An Act To Regulate Insurance
Carrier Practice or Facility-
wide Prepayment Review**

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

Sec. 1. 24-A MRSA §4303, sub-§24 is enacted to read:

24. Practice or facility-wide prepayment review of providers. A practice or facility-wide prepayment review of the documentation or records of a provider conducted by a carrier for the purposes of identifying fraud, waste or abuse, determining whether the documentation is appropriate or adequate to support a claim for covered health care services or determining whether health care services are or were medically necessary

health care as a condition of payment must be conducted in accordance with the following requirements.

A. When a carrier subjects a provider or facility to a practice or facility-wide prepayment review, the carrier shall provide a process to allow claims and documentation to be submitted to the carrier electronically for purposes of proving timely filing and tracking the carrier's compliance with time limits in other applicable laws.

B. Claims subject to a practice or facility-wide prepayment review must be paid or disputed within 30 days as required by section 2436. Any claim that is not disputed pursuant to section 2436 or paid within 30 days by the carrier is overdue and subject to interest in accordance with section 2436.

C. Any records of an enrollee reviewed as part of a practice or facility-wide prepayment review must be reviewed by the same reviewer to the extent possible. The reviewer who performs the practice or facility-wide prepayment review is the primary contact person for the provider related to an audit, review, denial or nonpayment of a claim. Any practice or facility-wide prepayment review that involves clinical or professional judgement must be conducted by or in consultation with a clinical peer.

D. A carrier may not apply additional or different documentation standards beyond the standards set by the professional association of the provider subject to practice or facility-wide prepayment review if those standards are publicly available or made available to the carrier. This paragraph does not prohibit carriers from establishing or applying medical policies or clinical guidelines to determine whether a service is a covered benefit and medically necessary health care. This paragraph does not apply to claims submitted by a hospital or other health care facility.

E. A carrier may not deny payment of a claim for covered health care services by a provider solely on the basis of a minor documentation error or omission, including, but not limited to, misspelling, use of an abbreviation or a correctable error, unless the carrier affords the provider or enrollee the opportunity to resubmit the claim to correct the identified error.

F. If a carrier requires additional information as part of a practice or facility-wide prepayment review of a claim for covered health care services by a provider, the carrier shall inform the provider with reasonable specificity of the information needed by the carrier to adjudicate the claim.

G. Additional information required by a carrier is considered timely filed by the provider if submitted within 30 days from the date the provider received notice from the carrier of the errors, omissions or additional information needed.

H. A carrier shall provide information on how a provider may appeal the denial of a claim, including the mailing or e-mail address or fax number where an appeal should be sent, on its publicly accessible website or in a provider manual.

I. A carrier shall provide an opportunity to appeal the results of an audit leading to the provider being put on a practice or facility-wide prepayment review.

J. A carrier may not audit a provider or require that a provider's claims be subject to practice or facility-wide prepayment review as retribution for raising contract disputes.

For the purposes of this subsection, "practice or facility-wide prepayment review" means a manual review or audit process of all, or substantially all, of a provider's claims by a carrier or the carrier's agent.

Sec. 2. Application. This Act applies to any claim that has been subjected to practice or facility-wide prepayment review as described in the Maine Revised Statutes, Title 24-A, section 4303, subsection 24 that has not yet been resolved as of the effective date of this Act and to any claim submitted by a provider on or after the effective date of this Act.

See title page for effective date.

CHAPTER 273

S.P. 450 - L.D. 1363

An Act To Amend the Laws Governing Elections

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

Sec. 1. 21-A MRSA §1, sub-§27-C, as amended by PL 2019, c. 320, §1 and c. 539, §§1 and 2 and affected by §6, is repealed and the following enacted in its place:

27-C. Elections determined by ranked-choice voting. "Elections determined by ranked-choice voting" means any of the following elections in which 3 or more candidates have qualified to be listed on the ballot for a particular office or at least 2 such candidates plus one or more declared write-in candidates have qualified for that particular office:

A. Primary elections for the offices of United States Senator, United States Representative to Congress, Governor, State Senator and State Representative;

B. General and special elections for the offices of United States Senator and United States Representative to Congress;

D. General elections for presidential electors; and

E. Primary elections for the office of President of the United States.

Sec. 2. 21-A MRSA §153-A, sub-§3, as amended by PL 2005, c. 568, §6, is further amended to read:

3. Signing petitions. Once an alternative registration signature statement is on file with the registrar, the voter may authorize any other Maine-registered voter to sign candidate petitions, direct initiative of legislation petitions, people's veto petitions and any Maine Clean Election Act forms requiring a voter's signature in the presence and at the direction of the voter, except that the individual assisting the voter may not be a candidate, the circulator of the petition or form, the voter's employer or an agent of that employer or an officer or agent of the voter's union. In addition to using the voter's signature stamp or signing for the voter, the individual assisting the voter must print and sign the individual's own name and residence address on the petition or form and attest that the individual is signing on the voter's behalf. This method of signing satisfies the requirements in this Title that voters personally sign candidate petitions. This method of signing also satisfies the requirements of the Constitution of Maine, Article IV, Part Third, Section 20 that petitions for the direct initiative of legislation and people's veto petitions contain the original signatures of the petitioners.

Sec. 3. 21-A MRSA §232, sub-§1, as enacted by PL 2019, c. 409, §6 and affected by §9, is amended to read:

1. Application for driver's license or nondriver identification card; creation of pending voter registration record. If an individual applies for, renews or updates a driver's license or nondriver identification card from the bureau, unless the individual opts out under section 234, the bureau shall ~~scan~~ record the documentation provided by the individual that provides proof of voter eligibility and create a pending voter registration record for that individual, which must be stored electronically in the bureau's database. The pending voter registration record and the record of the accompanying ~~scanned~~ documentation must be in a searchable, auditable format.

Sec. 4. 21-A MRSA §232, sub-§5 is enacted to read:

5. Implementation. Notwithstanding any provision of law to the contrary, the bureau may conduct the activities in subsections 1 to 3 beginning January 1, 2022 but is not required to comply with the requirements of subsections 1 to 3 until June 1, 2022.

Sec. 5. 21-A MRSA §335, sub-§5, as amended by PL 2019, c. 445, §1, is further amended to read:

5. Number of signatures required. Petitions must be signed by the following numbers of voters:

- A. For a candidate for Governor, at least 2,000 and not more than ~~3,000~~ 2,500 voters;
- B. For a candidate for United States Senator, at least 2,000 and not more than ~~3,000~~ 2,500 voters;
- B-3. For a candidate for the office of President of the United States, at least 2,000 and not more than ~~3,000~~ 2,500 voters;
- C. For a candidate for Representative to Congress, at least 1,000 and not more than ~~1,500~~ 1,250 voters;
- D. For a candidate for county office other than county commissioner, at least 150 and not more than 200 voters;
- E. For a candidate for county commissioner, at least 50 and not more than 75 voters;
- F. For a candidate for State Senator, at least 100 and not more than 150 voters; and
- G. For a candidate for State Representative, at least 25 and not more than 40 voters.

Sec. 6. 21-A MRSA §354, sub-§5, as amended by PL 1991, c. 362, §§2 and 3, is further amended to read:

5. Number of signatures required. Nomination petitions must be signed by the following numbers of voters:

- A. For a slate of candidates for the office of presidential elector, at least 4,000 and not more than ~~6,000~~ 5,000 voters;
- B. For a candidate for Governor, at least 4,000 and not more than ~~6,000~~ 5,000 voters;
- C. For a candidate for United States Senator, at least 4,000 and not more than ~~6,000~~ 5,000 voters;
- D. For a candidate for United States Representative, at least 2,000 and not more than ~~3,000~~ 2,500 voters;
- E. For a candidate for county office other than county commissioner or county charter commission member, at least 300 and not more than 400 voters;
- E-1. For a candidate for county commissioner, at least 100 and not more than 150 voters;
- F. For a candidate for State Senator, at least 200 and not more than 300 voters;
- G. For a candidate for State Representative, at least 50 and not more than 80 voters; and
- H. For a candidate for county charter commission member, at least 50 and not more than 80 voters.

Sec. 7. 21-A MRSA §441, as enacted by PL 2019, c. 445, §4, is amended to read:

§441. Determination and date of primary; voter eligibility

1. Determination of primary. No later than ~~November~~ October 1st of the year prior to a presidential election year, the state committee of each party shall certify whether there is a contest among candidates for nomination as the presidential candidate. Upon receiving the certification from one or more parties, the Secretary of State shall announce the parties that will have a presidential primary election, which must be held on the first Tuesday after the first Monday in March of the presidential election year.

2. Eligible voter. No later than ~~December~~ October 1st of the year prior to a presidential election year, the state committee of each party shall notify the Secretary of State of the enrollment qualifications, subject to the restrictions in section 144, for voters eligible to vote in that party's presidential primary election. If no notice is received by that date, only voters enrolled in a political party may vote in that party's presidential primary election.

Sec. 8. 21-A MRSA §442, as enacted by PL 2019, c. 445, §4, is amended to read:

§442. Petitions

On or before ~~November~~ October 1st of the year prior to a presidential election year, the Secretary of State shall prepare and make available petitions for circulation by a person desiring to be a candidate in the state presidential primary election of any party. Petitions must be delivered to the registrar, or clerk at the request or upon the absence of the registrar, for certification by 5 p.m. on November 20th of the year prior to a presidential election year. This petition Petitions must be completed and filed with the Secretary of State no later than ~~5:00~~ 5 p.m. on ~~December 21st~~ 1st of the year prior to a presidential election year in the manner provided in sections 335 and 336.

Sec. 9. 21-A MRSA §503-A, sub-§1, as enacted by PL 2019, c. 64, §2, is amended to read:

1. Qualifications; compensation. Election clerks must be at least 18 years of age, must be registered to vote and must be residents of the municipality or the county in which they serve, except that residents of a municipality or county who are ~~17~~ 16 years of age and who are conditionally registered to vote pursuant to section 155 also qualify to serve as election clerks. Election clerks are entitled to reasonable compensation as determined by the municipal officers.

Sec. 10. 21-A MRSA §601, sub-§3, as amended by PL 2007, c. 455, §19, is further amended to read:

3. Order of offices. The order of offices on the ballot is as follows: President, United States Senator, Governor, Representative to Congress, State Senator and Representative to the Legislature, and the county

offices in the following order: judge of probate, register of probate, county treasurer, register of deeds, sheriff, district attorney and county commissioner, except that the order may be modified to allow ranked-choice contests to be printed on the opposite side of the ballot, separate from contests other than ranked-choice contests.

Sec. 11. 21-A MRSA §723-A, sub-§5-B, as enacted by PL 2019, c. 539, §3 and affected by §6, is amended to read:

5-B. Presidential primary elections; selection of delegates. Notwithstanding any provision of this section to the contrary, for presidential primary elections, batch elimination may not be used for any candidates with more than 100 votes, tabulation must continue until only 2 continuing candidates remain, separate tabulations must be conducted statewide and for each congressional district and selection and allocation of delegates to a party's national presidential nominating convention must be in accordance with any reasonable procedures established at the state party convention.

Sec. 12. 21-A MRSA §752-B is enacted to read:

§752-B. Secured drop boxes for the return of absentee ballots

1. Definitions. For the purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Absentee voting period" means the time period beginning on the first date that absentee ballots are issued by the municipality and ending at 8 p.m. on election day.

B. "Secured drop box" means a device containing a slot or chute through which an absentee voter may deposit an absentee ballot into a secure, locked collection box in accordance with the requirements of this section.

2. Secured drop boxes authorized. A municipality may obtain and install a secured drop box that meets the requirements of this section. The secured drop box may be used by voters who are authorized to return absentee ballots in a secured drop box pursuant to section 754-A, subsection 1, paragraph D.

3. Location and number of secured drop boxes. The secured drop box must be located outside the municipal office building or the building where in-person absentee voting takes place before an election. If the secured drop box is positioned within or against an outside wall of the municipal office building, it must be bolted or otherwise securely fastened to the wall or to the deck or landing to prevent its removal by an unauthorized person. Otherwise, the secured drop box must be securely affixed to a post that is sunk into the ground, affixed to a post that is set into a concrete pad or bolted or otherwise securely affixed to a platform or other

structure in a manner that prevents removal of the drop box by an unauthorized person.

A municipality may seek approval from the Secretary of State to obtain and install an additional secured drop box or boxes at other locations within the municipality by certifying to the Secretary of State at least 90 days before the election that the additional secured drop box or boxes meet all of the requirements of this section, other than the requirement that the secured drop box be located outside of the municipal office building or the building where in-person absentee voting takes place before an election.

4. Secured drop box design; accessibility. The slot or chute of a secured drop box must be designed to prevent an individual from reaching into the slot or chute and accessing the contents of the secure collection box and to protect the contents of the secure collection box from the elements. The secured drop box must include a mechanism to close and lock the slot or chute in a manner that prevents the deposit of additional absentee ballots at 8 p.m. on election day as provided in subsection 8. A secured drop box must comply with guidelines issued by the Secretary of State to ensure accessibility to individuals with disabilities.

5. Monitoring of secured drop box. During the absentee voting period, each secured drop box must be monitored periodically by law enforcement personnel, municipal staff or a surveillance camera.

6. Labeling of secured drop box. A secured drop box must be labeled, or a sign must be posted on or near the secured drop box, to indicate that it is an official secured drop box for the return of absentee ballots. Unless the secured drop box is affixed to the outside wall of the municipal office building, the label or sign must include the name of the municipality. A municipality may include on the label or sign instructions for voters regarding absentee voting requirements and warnings against use of the secured drop box by voters of other municipalities.

7. Use and access during absentee voting period. The secured drop box must be used only for the return of absentee ballots and not for the deposit of other municipal office filings during the absentee voting period. During the absentee voting period, only the municipal clerk or designees under subsection 8 may possess the key to the secured drop box or have access to the contents of the secured collection box. If items other than returned absentee ballots are deposited in the secured drop box during the absentee voting period, the municipal clerk or designees shall deliver those items to the appropriate municipal official.

8. Periodic retrieval of ballots. During the absentee voting period, the municipal clerk or a team of 2 people designated by the clerk shall periodically remove absentee ballots from each secured drop box and deliver the absentee ballots to the clerk's office to

be stored in a secure manner. At a minimum, absentee ballots must be removed from each secured drop box by the clerk or team of 2 designees:

A. At least once on each day that the clerk's office is open during the absentee voting period;

B. At all additional times necessary to ensure that additional absentee ballots deposited in the secured drop box fit within the secured collection box and are not accessible to unauthorized persons; and

C. At 8 p.m. on election day.

The identity of the persons who remove the absentee ballots from each secured drop box and the date and time that the absentee ballots are removed must be recorded on a form designed by the Secretary of State and initialed or signed by the clerk or team of 2 designees who removed the absentee ballots.

9. Locking of secured drop boxes when polls close. The municipal clerk or team of 2 designees under subsection 8 shall lock the secured drop box at 8 p.m. on election day to prevent the deposit of additional absentee ballots in the secured drop box.

Sec. 13. 21-A MRSA §753-A, sub-§3, ¶A, as enacted by PL 2003, c. 447, §28, is amended by amending subparagraph (1) to read:

(1) The voter's name and date of birth;

Sec. 14. 21-A MRSA §753-A, sub-§6, as amended by PL 2009, c. 563, §1, is further amended to read:

6. Application by electronic means. A municipal clerk shall accept absentee ballot applications by the electronic means authorized by the Secretary of State. The Secretary of State shall design or approve the form of the absentee ballot application to be submitted by electronic means.

A voter may make an application for the voter's own ballot by electronic means using the form designed or approved by the Secretary of State. The voter may not designate an immediate family member or a 3rd person to deliver the ballot on the voter's behalf. An electronic application must be accepted by the clerk if it contains the voter's name, the voter's date of birth, the voter's residence address or other address sufficient to identify the voter and, if applicable, a different address to which the applicant requests the ballot be sent or delivered. The clerk shall verify that it is the voter who is requesting the ballot by confirming the voter's residence address and ~~birth~~ date of birth with the information in the voter's record. The clerk shall print the electronically submitted application and write "electronic request" on the application.

Sec. 15. 21-A MRSA §753-A, sub-§7 is enacted to read:

7. Telephone and e-mail contact information. In addition to any required information, a voter applying for an absentee ballot under this section must be asked to provide that voter's telephone number and e-mail address, if available. Notwithstanding Title 1, chapter 13, subchapter 1, the voter's telephone number and e-mail address are confidential and may be used only by municipal election officials to contact the voter.

Sec. 16. 21-A MRSA §753-B, sub-§1, as amended by PL 2011, c. 399, §22, is further amended to read:

1. Application or written request received. Upon receipt of an application or written request for an absentee ballot that is accepted pursuant to section 753-A, and after the official ballots become available, the clerk shall immediately issue an absentee ballot and return envelope by mail or in person to the applicant or to the immediate family member or to a 3rd person designated in a written application or request made by the voter, except as provided in subsection 2. The clerk shall type or write in ink the name and the residence address of the voter in the designated section of the return envelope.

Sec. 17. 21-A MRSA §753-B, sub-§2, ¶C, as enacted by PL 2011, c. 399, §23, is amended to read:

C. To a 3rd person who already has been issued 5 absentee ballots for voters in the municipality, until the 3rd person has returned one of those ballots; ~~or~~

Sec. 18. 21-A MRSA §753-B, sub-§2, ¶D, as amended by PL 2011, c. 534, §18, is further amended by amending subparagraph (4) to read:

(4) An incapacity or illness that has resulted in the voter's being unable to leave home or a treatment facility; ~~or~~

Sec. 19. 21-A MRSA §753-B, sub-§2, ¶E is enacted to read:

E. To any candidate, except for the candidate's own ballot.

Sec. 20. 21-A MRSA §753-B, sub-§6, ¶A, as amended by PL 2013, c. 457, §3, is further amended to read:

A. The list of absentee voters must include each voter's name, residence address, voting district and party affiliation; the date and manner by which the ballot was requested, issued and received; and a notation of whether the application and the ballot were accepted or rejected. If the clerk determines that there is a defect on the return envelope of an absentee ballot under section 756, subsection 2 and that defect is cured pursuant to section 756-A, the clerk shall note whether the ballot was accepted or accepted but challenged and shall list the date that the defect was cured as the date that the ballot was received. The clerk must also indicate on the list

when the absentee voter is a uniformed service voter, overseas voter or township voter. By the time that all absentee ballots have been processed on election day, the clerk must update the central voter registration system or annotate the printed list of absentee voters to reflect all ballots that were received by the close of the polls on election day, including a notation of whether the ballots were accepted, accepted but challenged or rejected and the reasons for such rejections. This list, reflecting all absentee ballots received by the close of the polls, must be made available for public inspection. Any absentee voter certified as a participant in the Address Confidentiality Program pursuant to Title 5, section 90-B must be listed by the voter code assigned to that individual under the program instead of by the voter's name and reflect the Address Confidentiality Program address assigned to the voter. The list of absentee voters must be sorted so that the program participants appear at the end of the list and must be printed on a separate page of the list. The portion of the list of absentee voters relating to Address Confidentiality Program participants must be kept under seal and excluded from public inspection.

Sec. 21. 21-A MRSA §753-B, sub-§8, as amended by PL 2011, c. 399, §24, is further amended to read:

8. Absentee voting in presence of clerk. A person who wishes to vote by absentee ballot may, without completing an application, vote by absentee ballot in the presence of the clerk, except as provided in subsection 2. Before issuing a ballot, the clerk shall verify that it is the voter who is requesting the ballot by confirming the voter's residence address and year of birth with the information in the voter's record. The method of voting is otherwise as prescribed in this article. After the person has voted, the clerk shall sign the affidavit on the return envelope as a witness, indicate on the envelope that the voter voted in the presence of a clerk and ensure that the affidavit on the return envelope is properly completed by the voter. For the 45 days preceding an election, during the hours when the clerk's office is open and may be conducting absentee voting, the display or distribution of any advertising material intended to influence a voter's decision regarding a candidate or question on the ballot for that election is prohibited within the clerk's office and on public property within 250 feet of the entrance to the building in which the clerk's office is located.

This subsection does not apply to the display or distribution of any campaign advertising material on private property that is within 250 feet of the entrance to the building in which the clerk's office is located. For purposes of this section, "private property" includes privately owned property subject to a public right-of-way that is an easement right-of-way.

This subsection does not apply to campaign advertising material on automobiles traveling to and from the municipal office or parked on municipal property while the occupants are visiting the municipal office to conduct municipal business. It does not prohibit a person who is at the municipal office for the purpose of conducting municipal business or for absentee voting from wearing a campaign button when the longest dimension of the button does not exceed 3 inches.

Sec. 22. 21-A MRSA §756, sub-§2, as amended by PL 2009, c. 538, §9, is further amended to read:

2. Clerk to examine signatures and affidavit.

The clerk shall compare the signature of the voter on the application, ~~where~~ when required, with that on the corresponding return envelope. The clerk shall also examine the affidavit and witness certification, if any, on the return envelope. ~~If the signatures appear to have been made by the same person and if the affidavit is properly completed, the clerk shall write "OK" and the clerk's initials on the return envelope. Otherwise, the clerk shall note any discrepancy on the return envelope.~~

A. If the signatures appear to have been made by the same person and if the affidavit and witness certification are properly completed, when required, the clerk shall write "OK" and the clerk's initials on the return envelope. If the affidavit and witness certification are properly completed, when required, and the signatures do not appear to have been made by the same person, but this discrepancy is apparently the result of the voter's having properly obtained assistance under either section 753-A, subsection 5, or section 754-A, subsection 3, or both, then the clerk shall note the discrepancy on the return envelope, but shall also write "OK" and the clerk's initials on the return envelope.

B. If the voter provided a telephone number or e-mail address with the voter's absentee ballot application and if the clerk determines that there is a discrepancy in the signature on the return envelope that is not described in paragraph A, that the return envelope is missing a signature or that the affidavit or witness certification on the return envelope is not properly completed, the clerk shall notify the voter pursuant to section 756-A of the process by which the voter may cure the defect with the return envelope.

(1) If the defect is corrected under the procedures in section 756-A prior to the deadline for returning absentee ballots under section 755, the clerk shall initial the return envelope, indicate whether the ballot is accepted or accepted but challenged as provided in section 756-A and, if the ballot is challenged, indicate the basis for the challenge.

(2) If the defect is not corrected under the procedures in section 756-A prior to the deadline for returning absentee ballots under section 755, the clerk shall initial the return envelope and indicate that the ballot is accepted but challenged or rejected as provided in section 756-A and the basis for rejecting or challenging the ballot.

C. If the voter did not provide a telephone number or e-mail address with the voter's absentee ballot application and if the clerk determines that there is a discrepancy in the signature on the return envelope that is not described in paragraph A, the clerk shall initial the return envelope and indicate that the ballot is accepted but challenged under section 673, subsection 1 and indicate the basis for the challenge. The clerk is not required to conduct a hearing described in section 673, subsection 7 when a clerk accepts but challenges an absentee ballot under this paragraph. If the voter did not provide a telephone number or e-mail address with the voter's absentee ballot application and if the clerk determines that the return envelope is missing a signature or that the affidavit or witness certification on the return envelope is not properly completed, the clerk shall initial the return envelope and indicate that the ballot is rejected and the basis for rejecting the ballot.

Sec. 23. 21-A MRS §756-A is enacted to read:

§756-A. Procedures for curing absentee ballot return envelope defects

1. Notice to voters. If the clerk determines that there is a defect on the absentee ballot return envelope described in section 756, subsection 2, paragraph B and the absentee voter provided a telephone number or e-mail address with the voter's absentee ballot application, the clerk shall notify the voter of the defect and explain that the ballot may be rejected or challenged unless the defect is cured as provided in this section. The clerk must notify the voter within one business day of receiving the absentee ballot, unless the absentee ballot is received on election day or less than 24 hours before election day, in which case the clerk shall make a good faith effort to notify the voter as quickly as possible. Notification must be made by telephone if the absentee voter provided a telephone number on the voter's absentee ballot application. If the clerk attempts to notify the voter by telephone but does not speak directly with the voter, the clerk shall leave a voice mail message if available and shall notify the voter by e-mail, using the e-mail address provided on the absentee ballot application, if any. If the voter did not provide a telephone number on the absentee ballot application, the clerk shall notify the voter by e-mail, using the e-mail address provided on the absentee ballot application, if any.

2. Mismatched voter signatures. If the voter's signature on the return envelope does not appear to have been made by the same person who signed the absentee voter application and this discrepancy does not appear to be the result of the voter's having properly obtained assistance under either section 753-A, subsection 5 or section 754-A, subsection 3, or both, the following procedures apply.

A. The voter may cure the defect in person or by telephone by self-identifying by name, date of birth and residence address and confirming that the voter requested an absentee ballot, the voter or the voter's aide under section 754-A, subsection 3 placed the absentee ballot in the return envelope and the voter personally signed the return envelope. If the voter confirms this information in person or by telephone before the deadline for returning absentee ballots under section 755, the clerk shall accept the ballot without challenge and make a notation on the return envelope that the voter confirmed by telephone that the voter personally signed the return envelope.

B. If the voter does not cure the defect under the procedure in paragraph A before the deadline for returning absentee ballots under section 755, the clerk shall accept the ballot but challenge it pursuant to section 673, subsection 1.

3. Missing voter signature. If the voter's signature does not appear on the return envelope, the following procedures apply.

A. The voter may cure the defect in person at the clerk's office by self-identifying by name, date of birth and residence address and either signing the original return envelope or removing the absentee ballot from the original return envelope, inspecting the absentee ballot, sealing the absentee ballot in a new return envelope and signing the new return envelope. If the voter cures the defect as provided in this paragraph before the deadline for returning absentee ballots under section 755, the clerk shall accept the absentee ballot without challenge.

B. The voter may cure the defect by telephone by self-identifying by name, date of birth and residence address and confirming that the voter requested an absentee ballot and the voter or the voter's aide under section 754-A, subsection 3 placed the absentee ballot in the return envelope. If the voter confirms this information, by telephone, before the deadline for returning absentee ballots under section 755, the clerk shall accept the ballot but challenge it pursuant to section 673, subsection 1.

C. If the voter does not cure the defect under the procedures in paragraph A or B before the deadline for returning absentee ballots under section 755,

the clerk shall reject the ballot in accordance with section 759, subsection 3.

4. Aide or witness certification incomplete. If an aide-executed affidavit or aide or witness certification on a return envelope that is required under section 754-A, subsection 1, paragraph C, subsection 2, paragraph C or subsection 3, paragraph E is unsigned, incomplete or improperly completed, the following procedures apply.

A. The voter may contact the voter's aide or witness and request that the aide or witness cure the defect by appearing in person at the clerk's office and properly completing the affidavit or witness certification. If the aide or witness corrects the affidavit or witness certification as provided in this paragraph before the deadline for returning absentee ballots under section 755, the clerk shall accept the absentee ballot without challenge.

B. The voter may cure the defect by telephone by self-identifying by name, date of birth and residence address, confirming that the voter requested an absentee ballot and explaining whether a 3rd person other than the voter's immediate family member delivered or returned the absentee ballot or whether the voter received the assistance of an aide as described in section 754-A, subsection 3 in reading, marking or placing the ballot in the return envelope. If the voter provides the information required by this paragraph, by telephone, before the deadline for returning absentee ballots under section 755, the clerk shall accept the ballot but challenge it pursuant to section 673, subsection 1.

C. If the voter does not cure the defect under the procedures in paragraph A or B before the deadline for returning absentee ballots under section 755, the clerk shall reject the ballot in accordance with section 759, subsection 3.

5. Duplicate ballot. Notwithstanding section 753-B, subsection 4, a voter who receives notification of a defect on the voter's absentee ballot return envelope under subsection 1 may, instead of curing the defect pursuant to subsections 2 to 4, request that the clerk issue a 2nd absentee ballot to the voter. If a request for a 2nd absentee ballot is made under this subsection, the following procedures apply.

A. The clerk shall reject the first absentee ballot in accordance with section 759, subsection 3.

B. The clerk shall write "second ballot issued" on the 2nd absentee ballot return envelope and include with the 2nd absentee ballot written instructions for signing and completing the affidavit and witness certification on the return envelope and a written notice identifying the problem with the voter's first absentee ballot return envelope.

C. The voter may request that the clerk issue the 2nd absentee ballot to the voter in person at the clerk's office; by mail to the address listed on the original absentee ballot application or on a new written absentee ballot application submitted by the voter; or to an immediate family member or a 3rd person listed on the original absentee ballot application or on a new written absentee ballot application submitted by the voter. If the voter does not indicate a preferred method for issuing the 2nd absentee ballot, the clerk shall issue the 2nd absentee ballot by mail to the address listed on the original absentee ballot application.

6. Challenged ballots; hearing not required. The clerk is not required to conduct the hearing described in section 673, subsection 7 when a clerk accepts but challenges an absentee ballot under this section.

Sec. 24. 21-A MRSA §759, sub-§2, as amended by PL 2007, c. 455, §42, is further amended to read:

2. Accepted if correct. If the warden finds that the affidavit ~~is~~ and the aide and witness certification, if required, are properly completed, that the clerk has verified that the signature on the envelope matches the signature on the application ~~where~~ or that the voter confirmed that the voter personally signed the return envelope pursuant to section 756-A, subsection 2 when applicable, that the person voter is registered and enrolled where when necessary, the warden shall then examine the incoming voting list to determine whether the voter voted in person at the election. The warden shall then announce the name of each absentee voter who has not voted at the election and remove each ballot from its envelope without destroying the envelope or unfolding the ballot. After having an election clerk from a political party different from that of the warden mark the letters "AV" beside the name of each absentee voter on the incoming voting lists and place a check mark or horizontal line in red ink on the list beside the voter's name, the warden shall accept the ballot.

Sec. 25. 21-A MRSA §759, sub-§3, ¶A, as amended by PL 1999, c. 645, §9, is repealed.

Sec. 26. 21-A MRSA §759, sub-§3, ¶A-1 is enacted to read:

A-1. The clerk's notes on the envelope indicate that the ballot was rejected;

Sec. 27. 21-A MRSA §759, sub-§3, ¶B, as enacted by PL 1985, c. 161, §6, is repealed.

Sec. 28. 21-A MRSA §765 is enacted to read:

§765. Absentee ballot tracking

The Secretary of State shall establish and maintain an online service that allows a voter who requests an absentee ballot to track the status of the absentee ballot process.

Sec. 29. 21-A MRSA §803, as amended by PL 1989, c. 166, §6, is further amended to read:

§803. Duties of Governor

As soon as possible after the presidential electors are chosen, the Governor shall send a certificate of the determination of the electors to the Archivist of the United States under the state seal. The certificate ~~shall~~ must state the names of the electors and the number of votes ~~which each received~~ each candidate for President received statewide and for each congressional district in the final round of tabulation under section 723-A. The Governor shall deliver 6 certificates under the state seal to the electors on or before the first Monday after the 2nd Wednesday of December, following their election.

Sec. 30. Effective date. That section of this Act that enacts the Maine Revised Statutes, Title 21-A, section 232, subsection 5 takes effect January 1, 2022.

See title page for effective date, unless otherwise indicated.

CHAPTER 274

S.P. 467 - L.D. 1417

**An Act Regarding Campaign
Finance Reform**

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

Sec. 1. 21-A MRSA §1004-A, sub-§2, as enacted by PL 2003, c. 628, Pt. A, §1, is amended to read:

2. Contribution in excess of limitations. A person that accepts or makes a contribution that exceeds the limitations set out in ~~section 1015, subsections 1 and 2~~ this chapter may be assessed a penalty of no more than the amount by which the contribution exceeded the limitation.

Sec. 2. 21-A MRSA §1012, sub-§4-B is enacted to read:

4-B. Leadership political action committee. "Leadership political action committee" has the same meaning as in section 1052, subsection 4-C.

Sec. 3. 21-A MRSA §1012, sub-§6 is enacted to read:

6. Separate segregated fund committee. "Separate segregated fund committee" has the same meaning as in section 1052, subsection 6.

Sec. 4. 21-A MRSA §1015, sub-§1, as amended by PL 2019, c. 51, §1 and affected by §3, is further amended to read:

1. Individuals Contributions by individuals. An individual may not make contributions to a candidate in support of the candidacy of one person aggregating

more than \$1,500 in any election for a gubernatorial candidate, more than \$350 for a legislative candidate, more than \$500 for a candidate for municipal office and beginning January 1, 2012 more than \$750 in any election for any other candidate. This limitation does not apply to contributions in support of a candidate by that candidate or that candidate's spouse or domestic partner. Beginning December 1, 2010, contribution limits in accordance with this subsection are adjusted every 2 years based on the Consumer Price Index as reported by the United States Department of Labor, Bureau of Labor Statistics and rounded to the nearest amount divisible by \$25. The commission shall post the current contribution limit and the amount of the next adjustment and the date that it will become effective on its publicly accessible website and include this information with any publication to be used as a guide for candidates.

Sec. 5. 21-A MRSA §1015, sub-§2, as amended by PL 2019, c. 51, §2 and affected by §3, is repealed and the following enacted in its place:

2. Contributions by party committees and political action committees. Except as provided in paragraph A, a party committee under section 1013-A, subsection 3, a political action committee and any other committee may not make contributions to a candidate.

A. A party committee under section 1013-A, subsection 3, a leadership political action committee, a separate segregated fund committee, a caucus political action committee and any other political action committee may make contributions to a candidate in support of the candidacy of one person aggregating no more than the amount that an individual may contribute to that candidate under subsection 1, except that the committee may not make any monetary contributions to a candidate using funds that derive, in whole or in part, from a business entity. Nothing in this paragraph prohibits a separate segregated fund committee that receives nonmonetary contributions from a business entity under section 1056-D, subsection 2, paragraph A from making monetary contributions to a candidate within the limits described in this paragraph.

Sec. 6. 21-A MRSA §1015, sub-§2-A is enacted to read:

2-A. Contributions by business entities. A business entity may not make contributions to a candidate.

Sec. 7. 21-A MRSA §1015, sub-§10 is enacted to read:

10. Business entity defined. For purposes of this section, "business entity" includes a firm, partnership, corporation, incorporated association, labor organization or other organization, whether organized as a for-profit or a nonprofit entity.

Sec. 8. 21-A MRSA §1015-A, as amended by PL 2013, c. 334, §§5 and 6, is repealed.

Sec. 9. 21-A MRSA §1052, sub-§4-C is enacted to read:

4-C. Leadership political action committee. "Leadership political action committee" means a political action committee, other than a caucus political action committee under section 1053-C, that was directly or indirectly established by a current member of the Legislature or that is directly or indirectly maintained or controlled by a current member of the Legislature.

Sec. 10. 21-A MRSA §1052, sub-§6 is enacted to read:

6. Separate segregated fund committee. "Separate segregated fund committee" means a political action committee described in subsection 5, paragraph A, subparagraph (1).

Sec. 11. 21-A MRSA §1056-C is enacted to read:

§1056-C. Limits on contributions to leadership political action committees

1. Contributions by individuals. An individual may not make contributions to a leadership political action committee aggregating more in a calendar year than the amount that the individual may contribute to a legislative candidate in any election under section 1015, subsection 1.

2. Contributions by party committees and political action committees. Except as provided in paragraph A, a party committee under section 1013-A, subsection 3, a political action committee and any other committee may not make contributions to a leadership political action committee.

A. A party committee under section 1013-A, subsection 3, a leadership political action committee, a separate segregated fund committee, a caucus political action committee and any other political action committee may make contributions to a leadership political action committee aggregating no more in a calendar year than the amount that the committee may contribute to a legislative candidate in any election under section 1015, subsection 2, paragraph A, except that the committee may not make any monetary contributions to a leadership political action committee using funds that derive, in whole or in part, from a business entity. Nothing in this paragraph prohibits a separate segregated fund committee that receives nonmonetary contributions from a business entity under section 1056-D, subsection 2, paragraph A from making monetary contributions to a candidate within the limits described in this paragraph.

3. Contributions by business entities prohibited. A business entity may not make contributions to a leadership political action committee.

4. Business entity defined. For purposes of this section, "business entity" includes a firm, partnership, corporation, incorporated association, labor organization or other organization, whether organized as a for-profit or a nonprofit entity.

Sec. 12. 21-A MRSA §1056-D is enacted to read:

§1056-D. Limits on contributions to separate segregated fund committees

1. Contributions by individuals. An individual may not make contributions to a separate segregated fund committee aggregating more than \$5,000 in a calendar year.

2. Contributions by business entities. Except as provided in paragraph A, a business entity may not make contributions to a separate segregated fund committee. For purposes of this subsection, "business entity" includes a firm, partnership, corporation, incorporated association, labor organization or other organization, whether organized as a for-profit or a nonprofit entity.

A. The corporation, membership organization, cooperative or labor or other organization that established the separate segregated fund committee, referred to in this paragraph as "the parent entity," may provide the separate segregated fund committee with the use of offices, telephones, computers and similar equipment when that use does not result in additional cost to the parent entity.

Sec. 13. Effective date. This Act takes effect January 1, 2023.

Effective January 1, 2023.

CHAPTER 275

H.P. 1126 - L.D. 1522

An Act To Update and Eliminate References in Statute to Selectmen and Overseers of the Poor

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

Sec. 1. 1 MRSA §72, sub-§12, as repealed and replaced by PL 1977, c. 479, §1, is amended to read:

12. Municipal officers. "Municipal officers" means the mayor and aldermen or councillors of a city, the ~~selectmen~~ members of the select board or councillors of a town and the assessors of a plantation.

Sec. 2. 5 MRSA §1742-B, first ¶, as amended by PL 2005, c. 489, §1, is further amended to read:

The Department of Administrative and Financial Services, Bureau of General Services, referred to as "the

bureau" in this section, shall provide written notification to the municipal manager or, in the absence of a manager, the ~~first selectman chair of the municipal officers~~ of a state construction project or public improvement within the boundaries of that municipality as soon as practicable after beginning the schematic design process. If a municipality intends to review and issue building permits on state construction projects and public improvements, the municipality must file a notice of intent with the bureau no later than 45 days following receipt of notification by the bureau of the state construction project or public improvement. Once the required notice is filed, the projects and improvements to state-owned or leased buildings must comply with municipal ordinances governing the construction and alteration of buildings, ~~provided that as long as~~ the municipal building code standards are as stringent as, or more stringent than, the code for state buildings. Prior to requesting bids, the bureau shall obtain or it shall require the project designer to obtain municipal approval of the project plans and specifications. Contractors and subcontractors shall obtain all necessary municipal building permits and the project must be subject to municipal inspections.

Sec. 3. 17 MRSA §2795, 2nd ¶ is amended to read:

When application is made for such license, said officers shall assign a time and place for its consideration, and give at least 14 days' public notice thereof, in such manner as they think proper, at the expense of the applicant. Any person aggrieved by the decision of the ~~selectmen~~ select boards of towns in granting or refusing such license may appeal therefrom within 30 days to the Superior Court held in said county, which court may appoint a committee of 3 disinterested persons, as is provided in relation to appeals from location of highways. Said committee ~~shall~~ must be sworn and ~~shall~~ give 14 days' notice of the time and place of their hearing to the parties interested, view the premises, hear the parties, and affirm, reverse or annul the decision of said ~~selectmen~~ select board, and their decision ~~shall be~~ is final. Pending such appeal from granting such license, the Superior Court may enjoin the erection of such building and engine.

Sec. 4. 17 MRSA §3205, 5th ¶ is amended to read:

The municipal officers of cities shall take action upon the acceptance hereof upon receipt of a petition therefor signed by at least 100 registered voters in said city and shall hold such public hearings thereon as they may ~~deem~~ consider necessary. The ~~selectmen~~ select board or other municipal officers of towns shall insert an article in the warrant for the next annual town meeting for the acceptance of the provisions of this section after receipt of a petition therefor signed by at least 25 registered voters of such town.

Sec. 5. 18-C MRSA §5-704, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

§5-704. Nomination of public guardian or conservator

1. Nomination of public guardian. Any person who is eligible to petition for appointment of a guardian under section 5-302, subsection 1, including the commissioner of any state department, the head of any state institution, the ~~overseers of the poor~~ board of overseers and the welfare director or health officer of any municipality, may nominate the public guardian.

2. Nomination of public conservator. Any person who is eligible to petition for appointment of a conservator under section 5-402, subsection 1, including the commissioner of any state department, the head of any state institution, the ~~overseer of the poor~~ board of overseers and the welfare director or health officer of any municipality, may nominate the public conservator.

3. Article applies to proceedings for determining appointment. Except as supplemented by section 5-705, the proceedings for determining the appointment of a public guardian or conservator are governed by the provisions of this Article for the appointment of guardians and conservators generally.

Sec. 6. 21-A MRSA §1, sub-§26, as enacted by PL 1985, c. 161, §6, is amended to read:

26. Municipal officers. "Municipal officers" means the mayor and aldermen or councillors of a city, the ~~selectmen~~ members of the select board or councillors of a town and the assessors of a plantation.

Sec. 7. 23 MRSA §2103, first ¶, as amended by PL 2015, c. 494, Pt. A, §27, is further amended to read:

When a highway survey has not been properly recorded or preserved or the termination and boundaries cannot be ascertained, the ~~select board of selectmen~~ or municipal officers of any municipality may use and control for highway purposes 1 1/2 rods on each side of the center of the traveled portion of such way.

Sec. 8. 23 MRSA §2701, as amended by PL 1985, c. 80, is further amended to read:

§2701. Powers and duties

The road commissioner, under the direction of a majority of the ~~selectmen~~ members of the select board, ~~shall have~~ has charge of the repairs of all highways and bridges within the towns and ~~shall have~~ has authority to employ the necessary personnel and equipment and purchase material for the repair of highways and bridges. The road commissioner shall give bond to the satisfaction of the ~~selectmen~~ select board and ~~be~~ is responsible to ~~them~~ the select board for the expenditure of money and discharge of ~~his~~ the road commissioner's duties generally. In the absence of a statute, charter provision

or ordinance to the contrary, any decision involving the duties and responsibilities of the road commissioner ~~shall must~~ be made by a majority of the ~~selectmen mem-~~ bers of the select board, whose decision ~~shall be is~~ final. The road commissioner's compensation ~~shall must~~ be such sum as the legislative body votes annually. The road commissioner shall render to the ~~selectmen select~~ board monthly statements of ~~his the road commission-~~ er's expenditures and ~~may not receive no any~~ money from the treasury, except on the order of the ~~selectmen~~ select board.

If a majority of the ~~selectmen determine~~ members of the select board determines that a condition exists in any town way ~~which that~~ creates a hazard and renders the way unsafe for travelers with motor vehicles, the ~~selectmen select~~ board shall give written notice to the road commissioner of this condition and order ~~him the road~~ commissioner to eliminate it or take interim measures to protect the public within 24 hours. If the road commissioner fails to act as directed by the ~~selectmen select~~ board, a majority of the ~~selectmen members of the se-~~ lect board may enter contracts or take any other steps necessary to eliminate the safety hazard.

Sec. 9. 23 MRSA §2702 is amended to read:

§2702. Regular inspections

Road commissioners shall go over the roads in their towns, or cause it to be done, in April, May, June, August, September, October and November in each year, remove the loose obstructions to the public travel and, whenever so directed by the ~~selectmen select~~ board, remove all shrubbery and bushes growing within the limits of highways, not planted or cultivated therein for the purpose of profit or ornamentation, having care for the proper preservation of shade trees, and repair such defects as may occur from time to time, rendering travel dangerous, or they shall give notice of such defects to the municipal officers under a penalty of \$5 for neglect of such duty.

Sec. 10. 23 MRSA §2751 is amended to read:

§2751. Division by municipal officers

When a way is established on a line between towns, their municipal officers shall divide it crosswise and assign to each town its portion thereof by metes and bounds, which, within one year thereafter, being accepted by each town at a legal meeting, ~~shall render ren-~~ ders each town liable in the same manner as if the way were wholly within the town. When a division of it is not so made, the ~~selectmen select~~ board of either town may petition the county commissioners, who shall give notice by causing a copy of such application with their order thereon appointing a time and place of hearing to be served upon the clerk of each town 30 days, or by causing it to be published in some newspaper printed in the county for 3 weeks, previous to the time appointed, and after hearing the parties, they may make such division.

Sec. 11. 26 MRSA §935, 3rd ¶, as enacted by PL 1985, c. 294, §§2 and 3, is amended to read:

The board shall, upon the request of the Governor or the mayor of a city or the ~~selectman~~ select board of a town, investigate and report upon any labor controversy if, in its opinion, it threatens the public welfare.

Sec. 12. 26 MRSA §1043, sub-§28, as amended by PL 2011, c. 678, Pt. C, §8, is further amended to read:

28. Governmental entity. "Governmental entity" means the State of Maine, and its instrumentalities, political subdivisions and school administrative units as represented by their elected or appointed governing bodies and includes, without limitation, city and town councils, select boards of selectmen, boards of county commissioners, municipally owned and operated hospitals and administrative entities formed under Title 30-A, chapter 115. In the case of school administrative units, governing bodies include, without limitation, municipal school committees, school administrative district directors and community school district school committees. In the case of special purpose districts, governing bodies include, without limitation, boards of directors or trustees.

Sec. 13. 28-A MRSA §2, sub-§21, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

21. Municipal officers. "Municipal officers" means the mayor and aldermen or councillors of a city, the ~~selectmen~~ members of the select board or councillors of a town and the assessors of plantations.

Sec. 14. 30-A MRSA §52, sub-§1, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

1. Municipal offices. ~~No A~~ A person holding the office of county commissioner may not at the same time hold either the office of mayor or assessor of a city or ~~the office of selectman~~ be a member of a select board or hold the office of assessor of a town.

Sec. 15. 30-A MRSA §722, sub-§2, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

2. Municipal officials. "Municipal officials" means the mayor, aldermen, councillors or manager of a city and the ~~selectmen~~ members of the select board, councillors or manager of a town located in Androscoggin County.

Sec. 16. 30-A MRSA §822, sub-§2, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

2. Municipal officials. "Municipal officials" may include the mayor, aldermen, councillors or manager of

a city, the ~~selectmen~~ members of the select board, councillors or manager of a town and the assessors of a plantation located in Piscataquis County.

Sec. 17. 30-A MRSA §822, sub-§3, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

3. Municipal officers. "Municipal officers" means the elected mayor, aldermen or councillors of a city, the ~~selectmen~~ members of the select board or councillors of a town and the assessors of a plantation located in Piscataquis County.

Sec. 18. 30-A MRSA §852, sub-§2, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

2. Municipal officers. "Municipal officers" means the mayor, councillors or ~~selectmen~~ members of the select board.

Sec. 19. 30-A MRSA §892, sub-§4, as enacted by PL 1991, c. 204, §2, is amended to read:

4. Municipal officer; definition. The term "municipal officer," as it refers to the Oxford County Budget Advisory Committee in this section, means a ~~selectman~~ member of the select board or council member.

Sec. 20. 30-A MRSA §1605, sub-§8, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

8. Evaluation of need of dependents. The welfare director or the board of overseers of the poor of the municipality in which the prisoner's dependents reside, or the Department of Health and Human Services, shall at the request of the court investigate and report to the court the amount necessary for the support of the prisoner's dependents.

Sec. 21. 30-A MRSA §2001, sub-§10, ¶A, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

A. The ~~selectmen~~ members of the select board or councillors of a town; or

Sec. 22. 30-A MRSA §2521, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

§2521. Call of town meeting

Each town meeting shall ~~must~~ be called by a warrant. The warrant must be signed by a majority of the ~~selectmen~~ members of the select board, except as follows.

1. First town meeting. The first town meeting shall ~~must~~ be called in the manner provided in the act of incorporation.

2. Majority of ~~selectmen~~ members of select board. If, for any reason, a majority of the ~~selectmen~~ members of the select board do not remain in office, a majority of those remaining may call a town meeting.

3. Petition of 3 voters, if no ~~selectmen~~ select board. When a town, once organized, is without ~~selectmen~~ a select board, a notary public may call a meeting on the written petition of any 3 voters.

4. Petition by voters, if ~~selectmen~~ refuse select board refuses. If the ~~selectmen~~ select board unreasonably ~~refuse~~ refuses to call a town meeting, a notary public may call the meeting on the written petition of a number of voters equal to at least 10% of the number of votes cast in the town at the last gubernatorial election, but in no case less than 10.

Sec. 23. 30-A MRSA §2524, sub-§2, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

2. Moderator elected and sworn. The clerk, or in the clerk's absence a ~~selectman~~ member of the select board or constable, shall open the meeting by:

- A. Calling for the election of a moderator by written ballot;
- B. Receiving and counting the votes for moderator; and
- C. Swearing in the moderator.

Sec. 24. 30-A MRSA §2524, sub-§3, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

3. Moderator presides. As soon as the moderator has been elected and sworn, the moderator shall preside over and supervise the voting at the meeting and may appoint a deputy moderator to assist the moderator. If the moderator is absent or is unable to carry out the duties, the clerk, or in the clerk's absence a ~~selectman~~ member of the select board or constable, may call for the election of a deputy moderator to act in the absence of the moderator.

A. All persons shall be silent at the moderator's command. A person may not speak before that person is recognized by the moderator. A person who is not a voter in the town may speak at the meeting only with the consent of 2/3 of the voters present.

(1) If any person, after a command for order by the moderator, continues to act in a disorderly manner, the moderator may direct that person to leave the meeting. If the person refuses to leave, the moderator may have that

person removed by a constable and confined until the meeting is adjourned.

B. When a vote declared by the moderator is immediately questioned by at least 7 voters, the moderator shall make it certain by polling the voters or by a method directed by the municipal legislative body.

C. The moderator shall serve until the meeting is adjourned. The moderator is subject to the same penalties for neglect of official duty as other town officials.

Sec. 25. 30-A MRSA §2525, sub-§1, ¶B, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

B. ~~Selectmen~~ Select board; and

Sec. 26. 30-A MRSA §2526, sub-§3, ¶A, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

A. In order to hold ~~the office of selectman as a member of a select board~~, a person must be a voter in the town in which that person is elected.

Sec. 27. 30-A MRSA §2526, sub-§4, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

4. ~~Selectmen~~ Select boards and overseers. The following provisions apply to ~~selectmen~~ select boards and overseers.

A. A town may determine at a meeting held at least 90 days before the annual meeting whether 3, 5 or 7 will be elected to each board and their terms of office.

(1) Once the determination has been made, it stands until revoked at a meeting held at least 90 days before the annual meeting.

(2) If a town fails to fix the number, 3 ~~shall~~ must be elected. If a town fails to fix the term, it is for one year.

B. When others have not been elected, the ~~selectmen~~ select board shall serve as board of overseers ~~of the poor~~.

C. A ~~selectman~~ member of the select board may also serve as a member of the board of assessors.

D. A town, in electing ~~selectmen~~ members of the select board and overseers, may designate one of them as ~~chairman~~ chair of the board.

(1) If no person is designated as ~~chairman~~ chair, the board shall elect by ballot a ~~chairman~~ chair from its own membership, before assuming the duties of office. When no member

receives a majority vote, the clerk shall determine the ~~chairman~~ chair by lot.

E. If the town fails to fix the compensation of these officials at its annual meeting, they ~~shall be paid~~ are entitled to \$10 each per day for every day actually and necessarily employed in the service of the town.

Sec. 28. 30-A MRSA §2526, sub-§5, ¶A, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended by amending subparagraph (3) to read:

(3) When a town has chosen a single assessor under this paragraph, the ~~selectmen~~ select board shall appoint the assessor for a term not exceeding 5 years.

Sec. 29. 30-A MRSA §2526, sub-§5, ¶C, as amended by PL 2003, c. 234, §1, is further amended to read:

C. When a town has not elected a full board of assessors, the ~~selectmen~~ members of the select board shall serve as assessors as provided in Title 36, section 703. A ~~selectman~~ member of the select board who is an assessor pursuant to this paragraph and Title 36, section 703 or any person who serves as both a ~~selectman~~ member of the select board and a tax assessor may resign the position of assessor without resigning ~~the office of selectman as a member of the select board~~. The position of assessor must then be filled by appointment pursuant to section 2602, subsection 2. A person elected to the State Legislature who resigns the position of assessor pursuant to this paragraph may continue to serve concurrently as ~~selectman~~ a member of the select board and member of the State Legislature. If a person who is serving in the State Legislature or in another office incompatible with the position of assessor resigns the position of assessor pursuant to this paragraph before that person has performed any duties as tax assessor, that person may not be deemed to have vacated the previously held position of State Legislator or other office that is incompatible with the office of assessor.

Sec. 30. 30-A MRSA §2526, sub-§6, ¶B, as amended by PL 1991, c. 235, is further amended to read:

B. The board of assessment review consists of 3 members and 2 alternates appointed by the ~~selectmen~~ select board. The municipality, when adopting such a board, may fix the compensation of the members. Initially, one member must be appointed for one year, one member for 2 years and one member for 3 years, and one of the alternates must be appointed for one year and one alternate for 2 years. Thereafter, the term of each new member or alternate is 3 years.

Sec. 31. 30-A MRSA §2526, sub-§7, ¶B, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

B. A road commissioner appointed by the ~~selectmen~~ select board may be removed from office for cause by the ~~selectmen~~ select board.

Sec. 32. 30-A MRSA §2526, sub-§7, ¶C, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

C. The select board of selectmen may act as a board of road commissioners.

Sec. 33. 30-A MRSA §2528, sub-§2, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

2. Designation, number and terms of officials.

At the time of acceptance, the town shall determine, by a separate article in the warrant, which other officials are to be elected according to this section, and may determine the number and terms of ~~selectmen~~ members of the select board, assessors and overseers according to section 2526.

A. After the determination under this subsection, a town may not change the designation, number or terms of town officials, except at a meeting held at least 90 days before the annual meeting.

Sec. 34. 30-A MRSA §2602, sub-§2, as amended by PL 1991, c. 270, §3, is further amended to read:

2. Vacancy in office other than ~~selectman~~ member of select board or school committee. When there is a vacancy in a town office other than ~~that of selectman~~ a vacancy on the select board or school committee, the ~~selectmen~~ select board may appoint a qualified person to fill the vacancy.

Sec. 35. 30-A MRSA §2602, sub-§3, as amended by PL 1991, c. 270, §3, is further amended to read:

3. Vacancy in office of ~~selectman~~ member of select board. When there is a vacancy ~~in the office of selectman on the select board~~, the ~~selectmen~~ select board may call a town meeting to elect a qualified person to fill the vacancy.

Sec. 36. 30-A MRSA §2631, sub-§2, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

2. Government. The government of each town under this subchapter ~~shall~~ must consist of a town meeting, an elected select board of selectmen, an elected school committee, an appointed town manager and any

other officials and employees that may be appointed under this subchapter, general law or ordinance. Other town officials may be elected by ballot, including, but not limited to, moderator, assessors, board of overseers of the poor, clerk and treasurer. The election of officials at the last annual town meeting ~~shall~~ must require that those town offices continue to be filled by election until the town designates otherwise.

Sec. 37. 30-A MRSA §2632, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

§2632. Qualifications of town manager

1. Selection by board; professional qualification. The ~~selectmen~~ select board shall choose the town manager solely on the basis of executive and administrative qualifications with special reference to actual experience in, or knowledge of, the duties of office under this subchapter.

2. Residency. The town manager need not be a resident of the town or State when appointed, but, while in office, may reside outside the town or State only with the approval of the select board of selectmen.

3. Prohibited offices. A town manager may not serve as moderator, ~~selectman~~ or be a member of the select board, assessor or member of the school committee.

Sec. 38. 30-A MRSA §2633, sub-§2, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

2. Compensation. The ~~selectmen~~ select board shall determine the compensation of the town manager.

Sec. 39. 30-A MRSA §2633, sub-§3, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

3. Removal, suspension. The ~~selectmen~~ select board may remove or suspend the town manager for cause in accordance with the following procedures.

A. The ~~selectmen~~ select board shall file a written preliminary resolution with the town clerk stating the specific reasons for the proposed removal. A copy of that resolution ~~shall~~ must be delivered to the manager within 10 days of filing.

B. Within 20 days of receiving the resolution, the manager may reply in writing and request a public hearing.

C. Upon request for a public hearing, the ~~selectmen~~ select board shall hold one at least 10 days but not more than 30 days after the request is filed.

D. After the public hearing or at the expiration of the time permitted the manager to request the public hearing, if no such request is made, the ~~selectmen~~ select board may adopt or reject the resolution of removal.

E. The ~~selectmen~~ select board may suspend the manager from duty in the preliminary resolution, but the manager's salary may not be affected until the final resolution of removal has been adopted.

Sec. 40. 30-A MRSA §2634, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

§2634. Absence or disability of town manager

The town manager may designate a qualified administrative official of the town to perform the manager's duties during a temporary absence or disability, subject to confirmation by the ~~selectmen~~ select board. If the town manager does not make this designation, the ~~selectmen~~ select board may appoint a town official to perform the manager's duties during the absence or disability and until the manager returns or the disability ceases.

Sec. 41. 30-A MRSA §2635, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

§2635. Board of ~~selectmen~~ Select board to act as a body; administrative service to be performed through town manager; committees

It is the intention of this subchapter that the select board of ~~selectmen~~ as a body shall exercise all administrative and executive powers of the town except as provided in this subchapter. The select board of ~~selectmen~~ shall deal with the administrative services solely through the town manager and ~~shall~~ may not give orders to any subordinates of the manager, either publicly or privately. This section does not prevent the select board of ~~selectmen~~ from appointing committees or commissions of its own members or of citizens to conduct investigations into the conduct of any official or department, or any matter relating to the welfare of the town.

Sec. 42. 30-A MRSA §2636, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

§2636. Powers and duties of town manager

The town manager:

1. Executive and administrative officer. Is the chief executive and administrative official of the town;

2. Administer offices. Is responsible to the ~~selectmen~~ select board for the administration of all departments and offices over which the ~~selectmen have~~ select board has control;

3. Execute laws and ordinances. Shall execute all laws and ordinances of the town;

4. Department head. Shall serve in any office as the head of any department under the control of the ~~selectmen~~ select board when directed by the ~~selectmen~~ select board;

5. Appoint department heads. Shall appoint, subject to confirmation by the ~~selectmen~~ select board, supervise and control the heads of departments under the control of the ~~selectmen~~ select board when the department is not headed by the town manager under subsection 4;

6. Appoint town officials. Unless otherwise provided by town ordinance, shall appoint, supervise and control all town officials whom the municipal officers are required by law to appoint, except members of boards, commissions, committees and single assessors; and appoint, supervise and control all other officials, subordinates and assistants, except that the town manager may delegate this authority to a department head and report all appointments to the select board of ~~selectmen~~;

7. Purchasing agent. Shall act as purchasing agent for all departments, except the school department, ~~provided~~ except that the town or the ~~selectmen~~ select board may require that all purchases greater than a designated amount must be submitted to sealed bid;

8. Attend meetings of ~~selectmen~~ select board. Shall attend all meetings of the select board of ~~selectmen~~, and the town manager may attend meetings when the manager's removal is being considered;

9. Make recommendations. Shall make recommendations to the select board of ~~selectmen~~ for the more efficient operation of the town;

10. Attend town meetings. Shall attend all town meetings and hearings;

11. Inform of financial condition. Shall keep the select board of ~~selectmen~~ and the residents of the town informed as to the town's financial condition;

12. Collect data. Shall collect data necessary to prepare the budget;

13. Assist residents. Shall assist, insofar as possible, residents and taxpayers in discovering their lawful remedies in cases involving complaints of unfair vendor, administrative and governmental practices; and

14. Remove appointments. Has exclusive authority to remove for cause, after notice and hearing, all persons whom the manager is authorized to appoint and report all removals to the select board of ~~selectmen~~.

Sec. 43. 30-A MRSA §2637, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

§2637. Transitional provisions

The ~~selectmen~~ select board, by resolve, may provide for the orderly transition of the town government. These resolves may not infringe upon the rights of any official or employee of the town and may not be inconsistent with this subchapter.

Sec. 44. 30-A MRSA §2638, sub-§2, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

2. Selection of manager. The ~~selectmen~~ select boards of the contracting towns shall act as a joint board for the purposes of selecting and removing for cause the manager, ~~provided~~ except that each town has a single vote.

Sec. 45. 30-A MRSA §2638, sub-§3, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

3. Compensation. The agreement must contain a formula establishing the percentage of the manager's compensation to be contributed by each town. The ~~selectmen~~ select boards shall determine the manager's total compensation acting as a joint board, each town having a single vote.

Sec. 46. 30-A MRSA §4356, sub-§3, as enacted by PL 1989, c. 104, Pt. A, §45 and Pt. C, §10, is amended to read:

3. Extension by ~~selectmen~~ select board. In municipalities where the municipal legislative body is the town meeting, the ~~selectmen~~ select board may extend the moratorium in compliance with subsection 2 after notice and hearing.

Sec. 47. 30-A MRSA §4702, sub-§1, ¶B, as amended by PL 2017, c. 234, §3 and affected by §42, is further amended to read:

B. The area of operation of the housing authority of a municipality does not include any area that lies within the municipal boundaries of any municipality for which a municipal housing authority has been organized, without the consent by resolution of the legislative body or the ~~selectmen~~ select board of the other municipality.

Sec. 48. 30-A MRSA §4702, sub-§15, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

15. ~~Selectmen~~ Select board. "~~Selectmen~~ Select board" means the members of the select board of ~~selectmen~~ select board of the town or, if the town has no ~~selectmen~~ select board, the officers charged with the duties customarily imposed on the select board of ~~selectmen~~ select board of a town.

Sec. 49. 30-A MRSA §4721, sub-§2, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

2. Procedure. The municipal legislative body shall consider the need for an authority on its own motion or upon the filing of a petition with the mayor of the city or the ~~selectmen~~ select board of the town. This petition must be signed by 25 voters of the city or town and assert that there is a need for an authority to function in the municipality and request that the municipal legislative body declare that need.

Sec. 50. 30-A MRSA §4721, sub-§4, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

4. Appointment of commissioners. Upon the adoption of a resolution by the municipal legislative body, the mayor of the city or the ~~selectmen~~ select board of the town shall appoint the commissioners of the authority under section 4723, subsection 1.

Sec. 51. 30-A MRSA §4725, as amended by PL 2011, c. 560, §2, is further amended to read:

§4725. Removal of commissioners

A commissioner may be removed from office for inefficiency, neglect of duty or misconduct in office after hearing by the legislative body of a city, the ~~selectmen~~ select board of a town, or, in the case of the Maine State Housing Authority, the Governor. The commissioner must be given a copy of the charges at least 10 days before the hearing and must be given an opportunity to be heard in person or to be represented by counsel. If a commissioner is removed, a record of the proceedings, together with the charges and the findings on the charges, must be filed in the office of the clerk or, in the case of the Maine State Housing Authority, in the office of the Secretary of State. This section does not apply to the director of the Maine State Housing Authority, who may be removed by the commissioners pursuant to section 4723, subsection 2, paragraph C.

Sec. 52. 30-A MRSA §7007, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

§7007. Duties of officials

Assessors of plantations ~~shall be~~ are considered the ~~selectmen~~ members of the select board of the plantation for the purpose of performing the duties performed by

the ~~selectmen~~ select boards of towns. Treasurers, collectors and constables of plantations must give the same bond as similar officials of towns are required to give, to be approved in the same manner. The valuation of property for the assessment of taxes in plantations, as well as the assessment, collection and disposal of taxes, ~~shall~~ must be the same as in towns.

Sec. 53. 32 MRSA §83, sub-§17-B, ¶A, as enacted by PL 2015, c. 6, §1, is amended to read:

A. The ~~selectmen~~ members of the select board or councillors of a town; or

Sec. 54. 36 MRSA §501, sub-§4 is amended to read:

4. Municipal officers. "Municipal officers" ~~shall mean~~ means the mayor, councillors and aldermen of cities, the ~~selectmen~~ members of the select board of towns and the assessors of plantations.

Sec. 55. 36 MRSA §703, as amended by PL 1991, c. 270, §4, is further amended to read:

§703. Selectmen Select board to act as assessors

If any municipality does not choose assessors and is not a part of a primary assessing area, the ~~selectmen~~ members of the select board are the assessors, and each of them must be sworn as an assessor. A ~~selectman~~ member of the select board who is an assessor pursuant to this paragraph may resign the position of assessor without resigning the office of ~~selectman~~ as a member of the select board. The position of assessor must then be filled by appointment pursuant to Title 30-A, section 2602, subsection 2.

See title page for effective date.

CHAPTER 276

S.P. 514 - L.D. 1621

An Act To Reform Payments to Legislators by Political Action Committees and Ballot Question Committees

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

Sec. 1. 21-A MRSA §1054-B, as amended by PL 2019, c. 21, §1 and c. 563, §9, is repealed and the following enacted in its place:

§1054-B. Payments to Legislators by political action committees and ballot question committees

1. Payments to Legislators. If a Legislator is a principal officer or treasurer of a political action committee or a ballot question committee or is one of the individuals primarily responsible for raising contributions or making decisions for a political action commit-

tee or a ballot question committee, the committee is subject to the following restrictions regarding payments to that Legislator.

A. Except as provided in paragraphs B and C, the committee may not compensate the Legislator for services provided to the committee.

B. The committee may pay for or reimburse the Legislator for travel expenses incurred in the proper performance of the Legislator's legislative duties and in volunteering for the committee. If the Legislator uses the Legislator's vehicle when conducting the activities described in this paragraph, the committee may pay the Legislator mileage reimbursement at a rate established by the commission by rule but may not pay for or reimburse the Legislator for the direct costs of repairing or maintaining the Legislator's vehicle.

C. The committee may pay for or reimburse the Legislator for other expenses incurred in the proper performance of the Legislator's legislative duties and for purchases made by the Legislator on behalf of the committee.

D. Notwithstanding any other provision of this section, the committee may not pay for or reimburse the Legislator for any expenses that have been or will be paid for or reimbursed by the Legislature or any other source of payment or reimbursement.

E. The committee may not make any payments for or reimburse the Legislator for any expenses that are determined by the commission to be for the purpose of personal financial enrichment of the Legislator.

2. Payments to immediate family members and businesses. If a Legislator is a principal officer or treasurer of a political action committee or a ballot question committee or is one of the individuals primarily responsible for raising contributions or making decisions for a political action committee or a ballot question committee, the committee is subject to the following restrictions regarding payments to an immediate family member of the Legislator or a business owned or operated by the Legislator or an immediate family member of the Legislator.

A. The committee may not compensate an immediate family member of the Legislator for services provided to the committee.

B. The committee may not make payments to or distribute, loan, advance, deposit or give money or anything of value to or compensate a business owned or operated by the Legislator or an immediate family member of the Legislator.

C. The committee may not make any payments for or reimburse the immediate family member of a Legislator for any expenses that are determined by

the commission to be for the purpose of personal financial enrichment of the immediate family member of the Legislator.

3. Commingling of funds. If a Legislator is a principal officer or treasurer of a political action committee or a ballot question committee or is one of the individuals primarily responsible for raising contributions or making decisions for a political action committee or a ballot question committee, the committee's funds may not be commingled with the personal funds of the Legislator or the funds of a business owned or operated by the Legislator or any other person.

4. Penalties. A political action committee or ballot question committee that violates subsection 1, 2 or 3 commits a civil violation for which a fine of not more than \$500 or the amount of the impermissible payment or reimbursement, whichever is greater, may be imposed by the commission according to the procedures set forth in section 1004-A. A Legislator who accepts a payment or reimbursement from a committee that is prohibited by subsection 1 or who violates subsection 3 commits a civil violation for which a fine of not more than \$500 or the amount of the impermissible payment or reimbursement, whichever is greater, may be imposed by the commission according to the procedures set forth in section 1004-A.

5. Rules. The commission may adopt rules as necessary to implement this section, including rules establishing mileage reimbursement rates, record-keeping requirements and reporting requirements and rules related to reimbursable travel expenses. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 277
S.P. 529 - L.D. 1644**

**An Act To Improve the
Disability Retirement Program
of the Maine Public Employees
Retirement System**

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

Sec. 1. 3 MRSA §701, sub-§11-A, as enacted by PL 2017, c. 88, §1, is repealed.

Sec. 2. 3 MRSA §734, as amended by PL 2017, c. 88, §2, is repealed.

Sec. 3. 4 MRSA §1201, sub-§6-A, ¶B, as enacted by PL 1989, c. 133, §17, is amended to read:

B. Regardless of age or marital status, any other progeny certified by the medical board an independent health care provider or the medical review

service provider to be permanently mentally incompetent or permanently physically incapacitated and determined by the executive director to be unable to engage in any substantially gainful employment.

Sec. 4. 4 MRSA §1201, sub-§10-A is enacted to read:

10-A. Health care provider. "Health care provider" means an appropriately licensed, certified or registered provider of mental or physical health care, in either the public or private sector.

Sec. 5. 4 MRSA §1201, sub-§12-A, as enacted by PL 2017, c. 88, §4, is repealed.

Sec. 6. 4 MRSA §1201, sub-§12-B is enacted to read:

12-B. Medical review service provider. "Medical review service provider" means an entity with whom the executive director has contracted for the review of medical records and the provision of recommendations, opinions and certifications under this chapter by health care providers employed by the entity.

Sec. 7. 4 MRSA §1234, as amended by PL 2017, c. 88, §5, is further amended to read:

§1234. Medical board review of disability

A medical board of the other programs of the Maine Public Employees Retirement System established in section 17106, subsection 1 is the medical board of the Judicial Retirement Program. The medical board shall arrange for and pass upon all medical examinations required under this chapter with respect to disability retirements and shall report in writing to the Supreme Judicial Court its conclusions and recommendations upon all the matters referred to it. The board of trustees may designate other medical health care providers to provide medical consultation on judicial disability cases.

Sec. 8. 4 MRSA §1353, sub-§1, as amended by PL 2017, c. 88, §6, is further amended to read:

1. Conditions. Any member who becomes disabled while in service may receive a disability retirement allowance by order of at least 5 Justices of the Supreme Judicial Court or upon written application to the executive director, ~~review and report of the application by the medical board~~ and approval of that application by at least 5 of the Justices of the Supreme Judicial Court if that member is mentally or physically incapacitated to the extent that it is impossible for that member to perform the duties as a judge and the incapacity is expected to be permanent, as shown by medical examination or tests. A qualified medical health care provider mutually agreed upon by the executive director and member shall conduct the examinations or tests at an agreed upon place, and the costs must be paid by the Maine Public Employees Retirement System.

Sec. 9. 4 MRSA §1353, sub-§4, ¶C, as amended by PL 2017, c. 88, §7, is further amended to read:

C. The executive director may require the beneficiary to undergo annual medical examinations or tests for the purpose of determining whether the beneficiary is incapacitated. These examinations or tests must be conducted by a qualified medical health care provider, mutually agreed upon by the executive director and beneficiary, at a place also mutually agreed upon, and the costs of the examination or tests must be paid by the Maine Public Employees Retirement System. If the beneficiary refuses to submit to an examination or tests, the beneficiary's disability allowance ceases until the beneficiary agrees to the examination or tests. If the beneficiary's refusal continues for one year, all rights to any further benefits under this section terminate.

Sec. 10. 5 MRSA §11007, sub-§3, as enacted by PL 1977, c. 551, §3, is amended to read:

3. Judgment. The court ~~shall~~ may not substitute its judgment for that of the agency on questions of fact, except that, with respect to a timely appeal by an individual of a denial of a disability determination by a hearing officer pursuant to sections 17106-A and 17106-B, the court shall review the matter de novo.

Sec. 11. 5 MRSA §17001, sub-§12, ¶B, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

B. Regardless of age or marital status, any other progeny certified by ~~the medical board~~ an independent health care provider or the medical review service provider to be permanently mentally incompetent or permanently physically incapacitated and determined by the executive director to be unable to engage in any substantially gainful employment.

Sec. 12. 5 MRSA §17001, sub-§18-B is enacted to read:

18-B. Health care provider. "Health care provider" means an appropriately licensed, certified or registered provider of mental or physical health care, in either the public or private sector.

Sec. 13. 5 MRSA §17001, sub-§19-A, as enacted by PL 2017, c. 88, §8, is repealed.

Sec. 14. 5 MRSA §17001, sub-§19-B is enacted to read:

19-B. Medical review service provider. "Medical review service provider" means an entity with whom the executive director has contracted for the review of medical records and the provision of recommendations, opinions and certifications under this Part by health care providers employed by the entity.

Sec. 15. 5 MRSA §17106, as amended by PL 2017, c. 88, §§14 to 16, is repealed.

Sec. 16. 5 MRSA §17106-A, first ¶, as enacted by PL 2009, c. 322, §7, is amended to read:

~~A hearing officer employed, contracted or otherwise provided by the board~~ The board shall contract with qualified attorneys to act as hearing officers to implement the provisions of this chapter is. Hearing officers are subject to the provisions of this section. Hearing officers are not employees of the board but independent contractors who serve as neutral and independent decision makers.

Sec. 17. 5 MRSA §17106-A, sub-§6, as amended by PL 2017, c. 88, §18, is further amended to read:

6. Engagement and termination. The board shall engage contract with only qualified hearing officers, ~~who must be monitored by the board.~~ A contract with a hearing officer may be terminated for misconduct. Retaliatory action of any kind, including reprimand or termination, may not be taken against a hearing officer on the basis of that hearing officer's having issued decisions contrary to the decision of the executive director. In the event of termination, the retirement system shall set forth in writing the basis for the termination, the propriety of which may then be considered by the joint standing committee of the Legislature having jurisdiction over public employee retirement matters pursuant to subsection 5.

Sec. 18. 5 MRSA §17106-B is enacted to read:

§17106-B. Disability retirement; medical review

1. Disability retirement forms; assessment. The executive director shall develop and make easily accessible to health care providers in this State a disability form that allows a health care provider to provide an assessment of a member's ability to work after taking into account the member's mental or physical disability under the standards of this Part. References in this section to "disability form" refer to the form developed by the executive director. A member seeking disability retirement shall cooperate with the executive director in obtaining the member's medical records and may obtain an assessment from the health care provider of the member's ability to work after taking into account the member's mental or physical disability, and, if the health care provider finds that the member is disabled under the standards of this Part, the health care provider, at the request of the member, may file with the executive director a disability form signed by the health care provider. The health care provider shall also provide a copy of the form to the member. The executive director may find that a member has a mental or physical disability and is eligible for disability retirement based on the information provided in the form and medical rec-

ords. The executive director may seek, receive and consider recommendations and opinions from the medical review service provider in making this determination.

2. Medical review. If the executive director is unable to determine whether a member is eligible for disability retirement based on the information provided under subsection 1, the executive director shall direct the member to have an independent medical examination by an independent health care provider. The member may waive the independent medical examination, in which case the executive director may determine that the member is not eligible for disability retirement. The member may appeal this determination under subsection 3.

A. The retirement system shall pay all fees of the independent health care provider. The independent health care provider may not be a state employee and may not have any association with the retirement system other than providing independent medical examinations or medical consultations and receiving payment for these services and, unless the member consents in writing, may not have previously examined or treated the member with respect to the member's mental or physical disability.

B. The member may have a representative present at the independent medical examination, who may be a union representative, an attorney, a health care provider or any individual of the member's choice. The retirement system shall reimburse the member's representative as follows:

(1) If the representative is a health care provider, the retirement system shall pay that health care provider a standard per diem rate established by the board and a reasonable mileage reimbursement; and

(2) Any other representative of the member may be paid a reasonable mileage reimbursement only.

3. Disability determination; appeal. After an independent medical review under subsection 2, the executive director or the executive director's designee shall make a determination of eligibility for disability retirement based upon the totality of the evidence and in accordance with subsection 4. The executive director or the executive director's designee may obtain recommendations or opinions from the medical review service provider to assist in this determination. A determination by the executive director or the executive director's designee that the member is not disabled may be appealed by the member to a hearing officer, who shall hear the appeal in accordance with section 17106-A. The board shall by rule provide for procedures for the member to participate in selection of the hearing officer

who will hear the member's appeal. Rules adopted pursuant to this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.

4. Medical evidence. When reviewing medical evidence in making determinations of disability, the board, executive director and hearing officers shall primarily consider medical opinions in the record and whether the opinions are supported by sound medical evidence and are consistent with other medical evidence in the record.

5. Attorney's fees. If a member has retained services of an attorney to represent the member before a hearing officer or in a court proceeding on appeal of a board decision, the fee arrangement has been approved by the hearing officer or the court and the attorney obtains a favorable result for the member, the attorney's fees must be paid by the retirement system, up to a maximum of \$12,000. The fee arrangement may be a contingency fee, in which case the payment by the retirement system must be applied toward the satisfaction of the contingency fee.

Sec. 19. 5 MRSA §17902, sub-§1, ¶A, as amended by PL 2017, c. 88, §22, is further amended to read:

A. The executive director shall obtain medical consultation on each applicant for disability retirement benefits in accordance with related rules established by the board, which must include provisions indicating when a case must be reviewed by a medical board and when alternative means of medical consultation are acceptable. Rules adopted pursuant to this paragraph are routine technical rules as defined in chapter 375, subchapter 2-A. ~~Whether provided by the medical board or by an alternative means, medical~~ Medical consultation obtained by the executive director must be objective and be provided by a medical provider or medical providers qualified to review the case by specialty or experience and to whom the applicant is not known.

Sec. 20. 5 MRSA §17911, first ¶, as enacted by PL 2003, c. 387, §4, is amended to read:

Upon agreement of the executive director and the person, rehabilitation services may be provided to any person who is the recipient of a disability retirement benefit under this article as a means to the person being able to return to substantially gainful activity. As a condition of entering into an agreement to provide rehabilitation services, the executive director must determine that rehabilitation is feasible, that rehabilitation is consistent with the purposes of this article, that the recipient is suitable for rehabilitation services and that rehabilitation services are likely to lead to substantially gainful activity. ~~When appropriate, determination of suitability must include consultation with the medical board to determine any medical indications that the recipient~~

~~should not engage in a rehabilitation program or to identify a recipient too severely disabled to benefit from rehabilitation services in accordance with the purposes of this article.~~ Services must be provided by private and public rehabilitation counselors, government agencies and others approved by the executive director as qualified to provide rehabilitation services. The executive director shall consider a rehabilitation counselor's rate of successfully placing rehabilitated employees in jobs relative to the placement rates of other counselors in the State as fundamental in deciding whether to approve the counselor as qualified. This section does not affect the ongoing requirement that a person remain disabled in order to continue to receive disability benefits.

Sec. 21. 5 MRSA §17921, sub-§1, ¶B, as enacted by PL 1989, c. 409, §§8 and 12, is amended to read:

B. That it is impossible to perform the duties of the member is unable to perform the essential functions of the member's employment position with reasonable accommodation;

Sec. 22. 5 MRSA §17925, sub-§1, ¶A, as amended by PL 2017, c. 88, §25, is repealed.

Sec. 23. 5 MRSA §17926, as amended by PL 2017, c. 88, §26, is further amended to read:

§17926. Examinations or tests

Any examinations or tests ~~recommended by the medical board in accordance with~~ conducted under section 17106 ~~17106-B~~ or required by the executive director under section 17921, subsection 1, paragraph D; section 17924; section 17929, subsection 2, paragraph B; or section 17933, subsection 3, paragraph A, are governed as follows.

1. Agreed upon ~~medical health care~~ provider. The examinations or tests must be conducted by a ~~qualified medical health care~~ health care provider mutually agreed upon by the executive director and the member claiming to be disabled.

2. Agreed upon place. The examinations or tests ~~shall~~ must be conducted at the health care provider's office or facility or at a place mutually agreed upon by the executive director and the member claiming to be disabled.

3. Costs. The costs incurred under subsections 1 and 2 ~~shall~~ must be paid by the retirement system.

Sec. 24. 5 MRSA §17927, first ¶, as amended by PL 2003, c. 387, §5, is further amended to read:

Upon agreement of the executive director and the person, rehabilitation services may be provided to any person who is the recipient of a disability retirement benefit under this article as a means to the person being able to return to substantially gainful activity. As a condition of entering into an agreement to provide rehabilitation services, the executive director must determine

that rehabilitation is feasible, that rehabilitation is consistent with the purposes of this article, that the recipient is suitable for rehabilitation services and that rehabilitation services are likely to lead to substantially gainful activity. ~~When appropriate, determination of suitability must include consultation with the medical board to determine any medical indications that the recipient should not engage in a rehabilitation program or to identify a recipient too severely disabled to benefit from rehabilitation services in accordance with the purposes of this article.~~ Services must be provided by private and public rehabilitation counselors, government agencies and others approved by the executive director as qualified to provide rehabilitation services. The executive director shall consider a rehabilitation counselor's rate of successfully placing rehabilitated employees in jobs relative to the placement rates of other counselors in the State as fundamental in deciding whether to approve the counselor as qualified. This section does not affect the ongoing requirement that a person remain disabled in order to continue to receive disability benefits.

Sec. 25. 5 MRSA §17929, sub-§2, ¶B, as amended by PL 2003, c. 675, §2, is further amended to read:

B. The executive director may require, once each year, that the person undergo examinations or tests, conducted in accordance with section 17926, to determine the person's disability. ~~The executive director may refer the records documenting the results of the examinations or tests and the person's file to the medical board for medical consultation regarding rehabilitation in accordance with section 17106, subsection 3, paragraph E.~~

(1) After the disability has continued for 2 years, the disability must render the person unable to engage in any substantially gainful activity that is consistent with the person's training, education or experience and average final compensation adjusted by the same percentage adjustment as has been received under section 17806. The disability retirement benefit continues if the person can effectively demonstrate to the executive director that the person is actively seeking work. For the purposes of this subparagraph, the ability to engage in substantially gainful activity is demonstrated by the ability to perform work resulting in annual earnings that exceed \$20,000 or 80% of the recipient's average final compensation at retirement, whichever is greater, adjusted by the same percentage adjustments granted under section 17806.

(2) If the person refuses to submit to the examinations or tests under this paragraph, the disability retirement benefit is discontinued until that person withdraws the refusal.

(3) If the person's refusal under subparagraph (2) continues for one year, all rights to any further benefits under this article cease.

(4) If it is determined, on the basis of the examinations or tests under this paragraph, that the disability of a person no longer exists, the payment of the disability retirement benefit ceases.

(5) The executive director shall notify the person in writing of the decision to discontinue the disability retirement allowance under subparagraph (2) or (4).

(a) The decision is subject to appeal under section 17451.

(b) If the person appeals the executive director's decision, the disability retirement allowance may not be discontinued until all appeals have been exhausted.

Sec. 26. 5 MRSA §17930, sub-§2, ¶C, as enacted by PL 1989, c. 409, §§8 and 12, is amended to read:

C. If, during the first 5 years of reemployment, the person again becomes disabled, terminates employment and is not covered by any other disability program, the retirement system shall resume paying the disability retirement benefit payable prior to the reemployment with all applicable cost-of-living adjustments and shall provide rehabilitation services under in accordance with section 17927 if recommended by the medical board. If the benefit payable under the other disability program is not equal to or greater than the benefit under this article, the retirement system shall pay the difference between the amount of the benefit payable under the other disability program and the amount of the benefit payable under this article. The executive director shall require examinations or tests to determine whether the person is disabled as described in section 17921; and

Sec. 27. 5 MRSA §17930, sub-§3, ¶E, as enacted by PL 1989, c. 409, §§8 and 12, is amended to read:

E. If, during the first 5 years of reemployment, the person again becomes disabled and terminates employment, the retirement system shall resume paying the disability retirement benefit payable prior to the reemployment with all applicable cost-of-living adjustments, or if greater, a disability retirement benefit based upon the person's current average final compensation and shall provide rehabilitation services under in accordance with section 17927 if recommended by the medical board. The executive director shall require examinations or tests to determine whether the person is disabled as defined in section 17921; and

Sec. 28. 5 MRSA §17932, sub-§2, as amended by PL 2017, c. 88, §27, is further amended to read:

2. Dispute over mental or physical capacity. If there is a dispute between the person and the former employer over the person's mental or physical capacity to perform a specific job, at the option of the person that dispute must be resolved by a majority of 3 medical health care providers, one appointed and reimbursed by the person, one appointed and reimbursed by the employer and one appointed and reimbursed by the retirement system. If the 3 medical health care providers resolve the dispute in favor of the person, the former employer must reimburse the medical health care provider appointed by the person.

Sec. 29. 5 MRSA §17953, sub-§3, ¶A, as amended by PL 1991, c. 469, §2, is further amended to read:

A. A surviving spouse of the qualifying member is paid a \$150 benefit each month beginning the first month after the death occurs and continuing during the surviving spouse's lifetime, if:

(1) The deceased qualifying member had 10 years of creditable service at the time of death; or

(2) The surviving spouse is certified by ~~the medical board~~ an independent health care provider or the medical review service provider to be permanently mentally incompetent or permanently physically incapacitated and is determined by the executive director to be unable to engage in any substantially gainful employment.

A full month's benefit is paid to the estate of the surviving spouse for the month in which the surviving spouse dies.

Sec. 30. 5 MRSA §17953, sub-§5-A, ¶A, as amended by PL 1991, c. 469, §2, is further amended to read:

A. A designated beneficiary who is alive at the time of the death of the qualifying member is paid \$150 per month beginning the first month after the death occurs and continuing until the date of the designated beneficiary's death, if the designated beneficiary is certified by ~~the medical board~~ an independent health care provider or the medical review service provider to be permanently mentally incompetent or permanently physically incapacitated and is determined by the executive director to be unable to engage in any substantially gainful employment.

Sec. 31. 5 MRSA §18502, sub-§1, ¶A, as amended by PL 2017, c. 88, §30, is repealed.

Sec. 32. 5 MRSA §18503, as amended by PL 2017, c. 88, §31, is further amended to read:

§18503. Examination or tests

The examination or tests to determine whether a member is disabled under section 18501 are governed as follows.

1. Agreed upon ~~medical health care~~ provider. The examination or tests must be conducted by a ~~qualified medical health care~~ provider mutually agreed upon by the executive director and member claiming to be disabled.

2. Agreed upon place. The examination or tests ~~shall~~ **must** be conducted at the health care provider's office or facility or at a place mutually agreed upon by the executive director and member claiming to be disabled.

3. Costs. The costs incurred under subsections 1 and 2 ~~shall~~ **must** be paid by the retirement system.

Sec. 33. 5 MRSA §18512, first ¶, as enacted by PL 2003, c. 387, §10, is amended to read:

Upon agreement of the executive director and the person, rehabilitation services may be provided to any person who is the recipient of a disability retirement benefit under this article as a means to the person being able to return to substantially gainful activity. As a condition of entering into an agreement to provide rehabilitation services, the executive director must determine that rehabilitation is feasible, that rehabilitation is consistent with the purposes of this article, that the recipient is suitable for rehabilitation services and that rehabilitation services are likely to lead to substantially gainful activity. ~~When appropriate, determination of suitability must include consultation with the medical board to determine any medical indications that the recipient should not engage in a rehabilitation program or to identify a recipient too severely disabled to benefit from rehabilitation services in accordance with the purposes of this article.~~ Services must be provided by private and public rehabilitation counselors, government agencies and others approved by the executive director as qualified to provide rehabilitation services. The executive director shall consider a rehabilitation counselor's rate of successfully placing rehabilitated employees in jobs relative to the placement rates of other counselors in the State as fundamental in deciding whether to approve the counselor as qualified. This section does not affect the ongoing requirement that a person remain disabled in order to continue to receive disability benefits.

Sec. 34. 5 MRSA §18521, sub-§1, ¶B, as enacted by PL 1989, c. 409, §§11 and 12, is amended to read:

~~B. That it is impossible to perform the duties the member is unable to perform the essential functions of the member's employment position with reasonable accommodation;~~

Sec. 35. 5 MRSA §18525, sub-§1, ¶A, as amended by PL 2017, c. 88, §32, is repealed.

Sec. 36. 5 MRSA §18526, as amended by PL 2017, c. 88, §33, is further amended to read:

§18526. Examinations or tests

Any examinations or tests ~~recommended by the medical board in accordance with~~ conducted under section ~~47106~~ 17106-B or required by the executive director under section 18521, subsection 1, paragraph D; section 18524; section 18529, subsection 2, paragraph B; or section 18533, subsection 3, paragraph A; are governed as follows.

1. Agreed upon ~~medical health care~~ provider. The examinations or tests must be conducted by a ~~qualified medical health care~~ provider mutually agreed upon by the executive director and the member claiming to be disabled.

2. Agreed upon place. The examinations or tests ~~shall~~ **must** be conducted at the health care provider's office or facility or at a place mutually agreed upon by the executive director and the member claiming to be disabled.

3. Costs. The costs incurred under subsections 1 and 2 ~~shall~~ **must** be paid by the retirement system.

Sec. 37. 5 MRSA §18527, first ¶, as amended by PL 2003, c. 387, §11, is further amended to read:

Upon agreement of the executive director and the person, rehabilitation services may be provided to any person who is the recipient of a disability retirement benefit under this article as a means to the person being able to return to substantially gainful activity. As a condition of entering into an agreement to provide rehabilitation services, the executive director must determine that rehabilitation is feasible, that rehabilitation is consistent with the purposes of this article, that the recipient is suitable for rehabilitation services and that rehabilitation services are likely to lead to substantially gainful activity. ~~When appropriate, determination of suitability must include consultation with the medical board to determine any medical indications that the recipient should not engage in a rehabilitation program or to identify a recipient too severely disabled to benefit from rehabilitation services in accordance with the purposes of this article.~~ Services must be provided by private and public rehabilitation counselors, government agencies and others approved by the executive director as qualified to provide rehabilitation services. The executive director shall consider a rehabilitation counselor's rate of successfully placing rehabilitated employees in jobs relative to the placement rates of other counselors in the State as fundamental in deciding whether to approve the counselor as qualified. This section does not affect the ongoing requirement that a person remain disabled in order to continue to receive disability benefits.

Sec. 38. 5 MRSA §18529, sub-§2, ¶B, as amended by PL 2003, c. 675, §4, is further amended to read:

B. The executive director may require, once each year, that the person undergo examinations or tests, conducted in accordance with section 18526, to determine the person's disability. ~~The executive director may refer the records documenting the results of the examinations or tests and the person's file to the medical board for medical consultation regarding rehabilitation in accordance with section 17106, subsection 3, paragraph E.~~

- (1) After the disability has continued for 2 years, the disability must render the person unable to engage in any substantially gainful activity that is consistent with the person's training, education or experience and average final compensation adjusted by the same percentage adjustment as has been received under section 18407. The disability retirement benefit continues if the person can effectively demonstrate to the executive director that the person is actively seeking work. For purposes of this subparagraph, the ability to engage in substantially gainful activity is demonstrated by the ability to perform work resulting in annual earnings that exceed \$20,000 or 80% of the recipient's average final compensation at retirement, whichever is greater, adjusted by the same percentage adjustments granted under section 18407.
- (2) If the person refuses to submit to the examinations or tests under this paragraph, the disability retirement benefit is discontinued until that person withdraws the refusal.
- (3) If the person's refusal under subparagraph (2) continues for one year, all rights to any further benefits under this article cease.
- (4) If it is determined, on the basis of the examinations or tests under this paragraph, that the disability of a person no longer exists, the payment of the disability retirement benefit ceases.
- (5) The executive director shall notify the person in writing of the decision to discontinue the disability retirement allowance under subparagraph (2) or (4).
 - (a) The decision is subject to appeal under section 17451.
 - (b) If the person appeals the executive director's decision, the disability retirement allowance may not be discontinued until all appeals have been exhausted.

Sec. 39. 5 MRSA §18530, sub-§2, ¶C, as enacted by PL 1989, c. 409, §§11 and 12, is amended to read:

C. If, during the first 5 years of reemployment, the person again becomes disabled, terminates

employment and is not covered by any other disability program, the retirement system shall resume paying the disability retirement benefit payable prior to the reemployment with all applicable cost-of-living adjustments and shall provide rehabilitation services under in accordance with section 18527 ~~if recommended by the medical board~~. If the benefit payable under the other disability program is not equal to or greater than the benefit under this article, the retirement system shall pay the difference between the amount of the benefit payable under the other disability program and the amount of the benefit payable under this article. The executive director shall require examinations or tests to determine whether the person is disabled as described in section 18521; and

Sec. 40. 5 MRSA §18530, sub-§3, ¶E, as enacted by PL 1989, c. 409, §§11 and 12, is amended to read:

E. If, during the first 5 years of reemployment, the person again becomes disabled and terminates employment, the retirement system shall resume paying the disability retirement benefit payable prior to the reemployment with all applicable cost-of-living adjustments, or if greater, a disability retirement benefit based upon the person's current average final compensation and shall provide rehabilitation services under in accordance with section 18527 ~~if recommended by the medical board~~. The executive director shall require examinations or tests to determine whether the person is disabled as defined in section 18521; and

Sec. 41. 5 MRSA §18553, sub-§3, ¶A, as amended by PL 1991, c. 469, §5, is further amended to read:

A. A surviving spouse of the qualifying member is paid a \$150 benefit each month beginning the first month after the death occurs and continuing during the surviving spouse's lifetime, if:

- (1) The deceased qualifying member had 10 years of creditable service at the time of death; or
- (2) The surviving spouse is certified by ~~the medical board~~ an independent health care provider or the medical review service provider to be permanently mentally incompetent or permanently physically incapacitated and is determined by the executive director to be unable to engage in any substantially gainful employment.

A full month's benefit is paid to the estate of the surviving spouse for the month in which the surviving spouse dies.

Sec. 42. 5 MRSA §18553, sub-§5-A, ¶A, as amended by PL 1991, c. 469, §5, is further amended to read:

A. A designated beneficiary who is alive at the time of the death of the qualifying member is paid \$150 per month beginning the first month after the death occurs and continuing until the date of the designated beneficiary's death, if the designated beneficiary is certified by ~~the medical board~~ an independent health care provider or the medical review service provider to be permanently mentally incompetent or permanently physically incapacitated and is determined by the executive director to be unable to engage in any substantially gainful employment.

Sec. 43. **Implementation plan for mandatory long-term disability insurance.** The Maine Public Employees Retirement System shall convene a stakeholder group, including representatives of participant employers and employee groups, to develop an implementation plan for providing mandatory long-term disability insurance coverage to retirement system members through their employers. The Maine Public Employees Retirement System shall submit an implementation plan, including any recommended legislation, to the joint standing committee of the Legislature having jurisdiction over retirement matters no later than January 3, 2023. The joint standing committee of the Legislature having jurisdiction over retirement matters may report out a bill to the 131st Legislature on matters related to the report.

Sec. 44. **Report on disability retirement.** The Maine Public Employees Retirement System shall report to the joint standing committee of the Legislature having jurisdiction over retirement matters, no later than January 31, 2023, on the experience of the system and its members after the implementation of this Act. The joint standing committee of the Legislature having jurisdiction over retirement matters may report out a bill to the 131st Legislature on matters related to the report.

Sec. 45. **Application.** This Act applies to disability retirement benefit applications received by the Maine Public Employees Retirement System on or after the effective date of this Act.

See title page for effective date.

CHAPTER 278

S.P. 531 - L.D. 1646

An Act To Amend the Occupational Therapy Licensing Statutes

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

Sec. 1. 32 MRSA §2272, sub-§12, as enacted by PL 1997, c. 294, §2, is repealed.

Sec. 2. 32 MRSA §2272, sub-§12-D is enacted to read:

12-D. Occupational therapy. "Occupational therapy" means the therapeutic use of everyday life activities and occupations with individuals or groups to enhance or enable participation, performance or function in roles and situations in home, school, workplace, community and other settings for the purpose of promoting health and wellness to those who have or are at risk for developing an illness, injury, disease, disorder, condition, impairment, disability, activity limitation or participation restriction. Occupational therapy addresses the physical, cognitive, psychosocial, sensory and other aspects of performance in a variety of contexts to support engagement in everyday occupations that affect physical and mental health, well-being and quality of life. "Occupational therapy" includes:

A. Methods and strategies selected to direct the process of interventions such as:

- (1) Facilitating establishment, remediation or restoration of a skill or ability that has not yet developed, is impaired or is in decline;
- (2) Compensation, modification or adaptation of an activity or environment to enhance performance or to prevent injuries, disorders or other conditions;
- (3) Maintenance and enhancement of capabilities without which performance of everyday life activities would decline;
- (4) Health promotion and wellness to enable or enhance performance in everyday life activities; and
- (5) Prevention or remediation of barriers to performance, including disability prevention;

B. Evaluation of client factors affecting activities of daily living, instrumental activities of daily living, education, work, play, leisure and social participation, including:

- (1) Body functions such as neuromuscular, sensory, visual, perceptual, mental and cognitive functions; pain factors; bodily systems such as cardiovascular, digestive, integumentary and genitourinary systems; and structures related to movement;
- (2) Habits, routines, roles and behavior patterns;
- (3) Cultural, physical, environmental, social and spiritual contexts and activity demands that affect performance; and
- (4) Performance skills, including motor, process, emotional regulation, cognitive, sensory

perceptual, communication and social interaction skills; and

C. Interventions and procedures to promote or enhance safety and performance in activities of daily living, instrumental activities of daily living, education, work, play, leisure and social participation, including:

(1) Therapeutic use of occupations, exercises and activities;

(2) Training in self-care, self-management, home management, community and work integration and reintegration, school activities and work performance;

(3) Development, remediation or compensation of physical, mental and cognitive functions, neuromuscular and sensory functions, pain tolerance and management, developmental skills and behavioral skills;

(4) Therapeutic use of self, including one's personality, insights, perceptions and judgments, as part of the therapeutic process;

(5) Education and training of other individuals, including family members and caregivers;

(6) Care coordination, case management and transition services;

(7) Consultative services to groups, programs, organizations and communities;

(8) Modification of environments such as home, school, workplace and community settings and adaptation of processes, including the application of ergonomic principles;

(9) Assessment, design, fabrication, application, fitting and training in assistive technology, adaptive devices and orthotic devices and training in the use of prosthetic devices;

(10) Assessment, recommendation and training in techniques to enhance functional mobility, including seating and positioning and wheelchair management;

(11) Driver rehabilitation and community mobility;

(12) Management of feeding, eating and swallowing to enable eating and feeding performance; and

(13) Application of physical agent modalities and use of a range of specific therapeutic procedures to enhance performance skills; techniques to enhance sensory, perceptual and cognitive processing; and manual therapy techniques.

Sec. 3. 32 MRSA §2283, sub-§4 is enacted to read:

4. Continuing education requirements for license renewal. As a condition of renewal of a license, the board shall prescribe by rule continuing education requirements as authorized under Title 10, section 8003, subsection 5-A, paragraph D.

See title page for effective date.

**CHAPTER 279
H.P. 1251 - L.D. 1682**

**An Act To Require
Consideration of Climate
Impacts by the Public Utilities
Commission and To
Incorporate Equity
Considerations in Decision
Making by State Agencies**

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

Sec. 1. 35-A MRSA §101, as amended by PL 2013, c. 369, Pt. F, §1, is further amended to read:

§101. Statement of purpose

The purpose of this Title is to ensure that there is a regulatory system for public utilities in the State and for other entities subject to this Title that is consistent with the public interest and with other requirements of law and to provide for reasonable licensing requirements for competitive electricity providers. The basic purpose of this regulatory system as it applies to public utilities subject to service regulation under this Title is to ensure safe, reasonable and adequate service, to assist in minimizing the cost of energy available to the State's consumers and, to ensure that the rates of public utilities subject to rate regulation are just and reasonable to customers and public utilities and to reduce greenhouse gas emissions to meet the greenhouse gas emissions reduction levels set forth in Title 38, section 576-A.

Sec. 2. 35-A MRSA §103-A is enacted to read:

§103-A. Climate requirements

In executing its duties, powers and regulatory functions under this Title, the commission, while ensuring system reliability and resource adequacy, shall facilitate the achievement by the State of the greenhouse gas emissions reduction levels set forth in Title 38, section 576-A.

Sec. 3. Office of Policy Innovation and the Future to incorporate equity considerations and develop related definitions; report. The Office of Policy Innovation and the Future, referred to in this section as "the office," in consultation with other state offices and agencies shall:

1. Develop methods of incorporating equity considerations in decision making at the Department of Environmental Protection, the Public Utilities Commission and other state agencies; and

2. Develop definitions for "environmental justice," "environmental justice populations," "frontline communities" and any other terms determined by the office to be necessary for the incorporation of equity considerations in decision making at the department, the commission and other state agencies.

In developing methods of incorporating equity considerations and the definitions pursuant to this section, the office shall allow for input from the public and stakeholders.

On or before February 15, 2022, the office shall submit a report to the Joint Standing Committee on Environment and Natural Resources and the Joint Standing Committee on Energy, Utilities and Technology that includes any recommendations regarding methods of incorporating equity considerations developed under subsection 1 and the definitions developed under subsection 2, including any suggested legislation. The committees may each report out a bill to the Second Regular Session of the 130th Legislature based on the report.

See title page for effective date.

CHAPTER 280

S.P. 76 - L.D. 188

An Act Regarding the Transportation of Products in the Forest Products Industry

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

Sec. 1. 10 MRSA §2364-B, sub-§1, ¶H, as enacted by PL 1997, c. 648, §2, is amended to read:

H. The destination of the wood, both town and customer; ~~and~~

Sec. 2. 10 MRSA §2364-B, sub-§1, ¶I, as enacted by PL 1997, c. 648, §2, is amended to read:

I. The signature of the truck driver; ~~and~~

Sec. 3. 10 MRSA §2364-B, sub-§1, ¶J is enacted to read:

J. An affirmation by the owner of the land from which the wood was harvested that the load of wood is being transported in a legal manner consistent with state law.

Sec. 4. 10 MRSA §2364-B, sub-§6, as enacted by PL 2003, c. 454, §1 and amended by PL 2011, c. 657, Pt. W, §§5 and 7 and PL 2013, c. 405, Pt. A, §23, is further amended to read:

6. Presentation of trip ticket to forest ranger. Upon request, a truck driver or an owner or manager of any log yard or mill site shall present a copy of the trip ticket to a forest ranger in any log yard or mill site. Upon request, a wood scaler shall present the record of measurement including a copy of the trip ticket or information contained on the trip ticket to a forest ranger. A forest ranger may request and use this information for the purpose of enforcing and investigating alleged violations of Title 12, section 8006 and Title 12, section 8883; Title 14, section 7552; and Title 17, section 2510. For purposes of this subsection, "forest ranger" means a person employed by the Department of Agriculture, Conservation and Forestry, Bureau of Forestry under Title 12, section 8901. A truck driver, an owner or manager of any log yard or mill site or a wood scaler who fails to comply with the provisions of this subsection is subject to the penalties provided in section 2368.

Sec. 5. 12 MRSA §8003, sub-§3, ¶R is enacted to read:

R. The director shall enforce section 8006 for those violations discovered as part of the inspection process pursuant to Title 10, section 2364-B, subsection 6 and within the existing resources of the bureau.

Sec. 6. 12 MRSA §8006 is enacted to read:

§8006. Intrastate transportation of forest products by nonresidents

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

A. "Forest land" has the same meaning as in Title 36, section 573, subsection 3.

B. "Forest products" has the same meaning as in section 8881, subsection 3.

C. "Landowner" means a person that owns 50,000 acres or more of forest land in this State.

D. "Motor carrier" means a contract carrier, a common carrier or a private carrier of property by motor vehicle.

E. "Resident of the United States" does not include a person eligible to be in the United States under the United States H-2A visa program.

2. Prohibition; landowner. A landowner may not hire, or contract with a person to hire, a motor carrier to transport forest products that are harvested from the landowner's land from a location in the State to another location in the State unless the motor carrier is operated by a resident of the United States.

A landowner who violates this subsection commits a civil violation and is subject to a penalty of \$1,000 for

the first violation, \$10,000 for the 2nd violation and \$25,000 for the 3rd and any subsequent violation.

3. Prohibition; motor carrier. A motor carrier may not transport forest products that are harvested from a landowner's land from a location in the State to another location in the State unless the motor carrier is operated by a resident of the United States.

A motor carrier who violates this subsection commits a civil violation and is subject to a penalty of \$1,000 for the first violation, \$2,500 for the 2nd violation and \$10,000 for the 3rd and any subsequent violation.

4. Disposition of fines. Notwithstanding any law to the contrary, fines collected pursuant to this section may be retained by the bureau and used to assist with the enforcement of this section.

5. Enforcement; notification. Violations of this section are enforced in the same manner as provided in section 8307. The director shall notify the State Tax Assessor and municipal property tax assessors of any violation by a landowner under this section.

Sec. 7. Legislative intent. It is the intent of the Legislature that the inspection of trip tickets pursuant to the Maine Revised Statutes, Title 10, section 2364-B, subsection 6 and subsequent enforcement of Title 12, section 8006 by the Director of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry, as required pursuant to Title 12, section 8003, subsection 3, paragraph R, be done within the existing resources of the bureau.

See title page for effective date.

CHAPTER 281
S.P. 185 - L.D. 816

**An Act To Improve
Communication between
School Board Members and
School Employees and
Members of the Public**

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

Sec. 1. 20-A MRSA §1001, sub-§21 is enacted to read:

21. Communication with school employees and the public. A school board shall regularly communicate with school employees in the school board's school administrative unit and members of the public who reside within the boundaries of the school administrative unit.

See title page for effective date.

CHAPTER 282
S.P. 235 - L.D. 824

**An Act To Extend the
Protections Provided to State
Employees upon the Expiration
of Labor Contracts to Other
Public Sector Employees**

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

Sec. 1. 26 MRSA §976 is enacted to read:

§976. Obligations during interim between contracts

During the interim after the expiration of a collective bargaining agreement and before the effective date of any subsequent collective bargaining agreement, public employees covered by the expired collective bargaining agreement remain eligible for and must receive step increases in accordance with the terms and conditions set forth in the expired collective bargaining agreement.

Sec. 2. 26 MRSA §1038 is enacted to read:

§1038. Obligations during interim between contracts

During the interim after the expiration of a collective bargaining agreement and before the effective date of any subsequent collective bargaining agreement, regular employees covered by the expired collective bargaining agreement remain eligible for and must receive step increases in accordance with the terms and conditions set forth in the expired collective bargaining agreement.

Sec. 3. 26 MRSA §1296 is enacted to read:

§1296. Obligations during interim between contracts

During the interim after the expiration of a collective bargaining agreement and before the effective date of any subsequent collective bargaining agreement, judicial employees covered by the expired collective bargaining agreement remain eligible for and must receive merit or step increases in accordance with the terms and conditions set forth in the expired collective bargaining agreement.

See title page for effective date.

CHAPTER 283
H.P. 854 - L.D. 1176

**An Act To Improve Fairness in
Auto Insurance Claims**

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

Sec. 1. 24-A MRSA §2910-B is enacted to read:

§2910-B. Assessment of value of motor vehicle

If an insurer uses the value of a comparable motor vehicle to assess the value of a damaged motor vehicle, the comparable motor vehicle used by the insurer must be in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island or New York and the value of that comparable motor vehicle must be its value in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island or New York to the extent comparable vehicles are available in these states. An insurer may use a comparable motor vehicle in a state not specified in this section only after determining that comparable motor vehicles are not available in the states specified in this section.

See title page for effective date.

CHAPTER 284

H.P. 404 - L.D. 559

An Act To Improve the Rights and Basic Protections of Persons with Acquired Brain Injuries

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

Whereas, each person with an acquired brain injury is entitled to the same rights enjoyed by other citizens of the State and the United States; and

Whereas, the Department of Health and Human Services has adopted rules regarding the rights and basic protections of persons who receive adult mental health services and adult developmental services and children who receive behavioral health services but has not adopted rules regarding the rights and basic protections of adults with acquired brain injuries; and

Whereas, this legislation must take effect before the expiration of the 90-day period so that a study regarding the rights and basic protections of persons with acquired brain injuries may be completed and a report submitted in time for submission to the next legislative session; 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. 22-A MRSA §101, sub-§1-B is enacted to read:

1-B. Acquired brain injury. "Acquired brain injury" has the same meaning as in Title 22, section 3086, subsection 1.

Sec. A-2. 22-A MRSA §206, sub-§4, as amended by PL 2011, c. 542, Pt. A, §51, is further amended to read:

4. Grievance procedures. The commissioner shall establish procedures for hearing grievances of clients who receive mental health services or adult developmental services ~~or~~ of children who receive behavioral health services or of adults who receive acquired brain injury services. The procedures must include the opportunity for a timely hearing before a state hearing examiner or an independent fair hearing examiner. The commissioner may contract for the services of the hearing examiner, who shall conduct adjudicatory proceedings pursuant to the Maine Administrative Procedure Act.

Sec. A-3. 34-B MRSA c. 5, sub-c. 4, headnote, is amended to read:

SUBCHAPTER 4

RIGHTS OF PERSONS WITH INTELLECTUAL DISABILITIES ~~OR~~ AUTISM OR ACQUIRED BRAIN INJURY

Sec. A-4. 34-B MRSA §5601, sub-§1-D is enacted to read:

1-D. Acquired brain injury. "Acquired brain injury" has the same meaning as in Title 22, section 3086, subsection 1.

Sec. A-5. 34-B MRSA §5602, as amended by PL 2011, c. 542, Pt. A, §125, is further amended to read:

§5602. Purpose

It is the intent of the Legislature to guarantee individual dignity, liberty, pursuit of happiness and the protection of the civil and legal rights of persons with intellectual disabilities ~~or~~ autism or acquired brain injuries and to articulate rights of persons with intellectual disabilities ~~or~~ autism or acquired brain injuries, so that these rights may be exercised and protected.

Sec. A-6. 34-B MRSA §5603, as amended by PL 2011, c. 542, Pt. A, §126, is further amended to read:

§5603. Entitlement

Each person with an intellectual disability ~~or~~ autism or an acquired brain injury is entitled to the rights enjoyed by citizens of the State and of the United States, unless some of these rights have been limited or suspended by a court of competent jurisdiction.

1. Person committed to the commissioner. The rights and basic protections set out in section 5605 of a person with an intellectual disability ~~or~~ autism or an

acquired brain injury who is committed to the commissioner as not criminally responsible pursuant to Title 15, section 103 or as incompetent to stand trial pursuant to Title 15, section 101-D may be limited or suspended only if the commissioner submits to the applicable court a written treatment plan that specifies each limitation of a right or basic protection and the treatment plan has been approved by the court.

Sec. A-7. 34-B MRSA §5604, first ¶, as amended by PL 2011, c. 542, Pt. A, §127, is further amended to read:

The Legislature finds and declares that the rights of persons with intellectual disabilities ~~or~~, autism or acquired brain injuries can be protected best under a system of services that operates according to the principles of normalization and full inclusion and that the State's system of services must operate according to these principles with the goals of:

Sec. A-8. 34-B MRSA §5604, sub-§3, as amended by PL 2011, c. 657, Pt. EE, §7, is further amended to read:

3. Grievance right. Providing a person with an intellectual disability ~~or~~, autism or an acquired brain injury with the right to appeal a decision regarding actions or inactions by the department that affects the person's life. The department shall establish in rule a process for hearing such grievances pursuant to Title 22-A, section 206, subsection 4. The rules must contain strict time frames for the resolution of grievances. The rules may provide for resolution of grievances through mediation.

A. The department shall provide easily accessible and regular notice of the grievance process to persons with intellectual disabilities ~~or~~, autism or acquired brain injuries served by the department. This notice must be included in informational materials provided to such persons, as well as to guardians, families, correspondents and allies. Notice of the right to appeal must be prominently displayed in regional offices and on the department's publicly accessible website and must be readily available from provider agencies. Notice of the right to appeal must be included in all substantive correspondence regarding personal planning. Written notice of the right to appeal must also be provided when there is a denial or reduction of services or supports to persons served by the department. All notices and information regarding the grievance process must be written in language that is plain and understandable and must include the address and telephone number of the protection and advocacy agency designated pursuant to Title 5, section 19502.

B. The department must make available a one-page form that enables a person with an intellectual disability ~~or~~, autism or an acquired brain injury to file

a grievance. A grievance may also be filed through an oral request. If a grievance is filed through an oral request, the person receiving the grievance shall reduce the grievance to writing using a one-page form made available by the department.

C. The department shall offer regular training in the grievance process for persons served by the department, their families, guardians and allies and department and service provider staff.

D. If an appeal proceeds to a hearing, the hearing officer's decision constitutes final agency action for the purposes of Rule 80C of the Maine Rules of Civil Procedure unless final decision-making authority has been reserved by the commissioner. If the commissioner makes the final decision and modifies or rejects the hearing officer's recommended decision, the commissioner must state in writing the basis for the commissioner's decision. When the commissioner rejects or modifies a hearing officer's factual findings or makes additional factual findings, the commissioner shall articulate the evidentiary basis for such rejection or modification with appropriate references to the record. The commissioner shall give substantial deference to a hearing officer's determinations on matters of credibility relating to testimony that was heard by the hearing officer, and when rejecting or modifying such determinations of credibility, the commissioner shall state with particularity the reasons with appropriate references to evidence in the record. In the event the commissioner fails to issue a written final decision within 30 days of the date of the recommended decision, the recommended decision of the hearing officer is deemed the final decision of the commissioner.

Sec. A-9. 34-B MRSA §5604, 2nd ¶, as amended by PL 2011, c. 542, Pt. A, §127, is further amended to read:

The rights and basic protections of a person with an intellectual disability ~~or~~, autism or an acquired brain injury under section 5605 may not be restricted or waived by that person's guardian, except as permitted by rules adopted pursuant to this section.

Sec. A-10. 34-B MRSA §5605, as amended by PL 2013, c. 500, §1, is further amended by amending the section headnote to read:

§5605. Rights and basic protections of a person with an intellectual disability ~~or~~, autism or an acquired brain injury

Sec. A-11. 34-B MRSA §5605, first ¶, as amended by PL 2011, c. 542, Pt. A, §129, is further amended to read:

A person with an intellectual disability or autism is entitled to the following rights and basic protections. A person with an acquired brain injury is entitled to the

rights and basic protections outlined in subsections 1 to 11.

Sec. A-12. 34-B MRSA §5605, sub-§1, as amended by PL 2011, c. 542, Pt. A, §129, is further amended to read:

1. Humane treatment. A person with an intellectual disability ~~or~~ autism or an acquired brain injury is entitled to dignity, privacy and humane treatment.

Sec. A-13. 34-B MRSA §5605, sub-§2, as amended by PL 2011, c. 542, Pt. A, §129, is further amended to read:

2. Practice of religion. A person with an intellectual disability ~~or~~ autism or an acquired brain injury is entitled to religious freedom and practice without any restriction or forced infringement on that person's right to religious preference and practice.

Sec. A-14. 34-B MRSA §5605, sub-§3, as amended by PL 2011, c. 542, Pt. A, §129, is further amended to read:

3. Communications. A person with an intellectual disability ~~or~~ autism or an acquired brain injury is entitled to private communications.

A. A person with an intellectual disability ~~or~~ autism or an acquired brain injury is entitled to receive, send and mail sealed, unopened correspondence. A person who is a provider may not delay, hold or censor any incoming or outgoing correspondence of any person with an intellectual disability ~~or~~ autism or an acquired brain injury, nor may any such correspondence be opened without the consent of the person or the person's legal guardian.

B. A person with an intellectual disability ~~or~~ autism or an acquired brain injury is entitled to reasonable opportunities for telephone and Internet communication.

C. A person with an intellectual disability ~~or~~ autism or an acquired brain injury is entitled to an unrestricted right to visitations during reasonable hours unless this right has been restricted pursuant to rules adopted pursuant to section 5604.

Sec. A-15. 34-B MRSA §5605, sub-§4, as amended by PL 2011, c. 542, Pt. A, §129, is further amended to read:

4. Work. A person with an intellectual disability ~~or~~ autism or an acquired brain injury engaged in work programs that require compliance with state and federal wage and hour laws is entitled to fair compensation for labor in compliance with regulations of the United States Department of Labor.

Sec. A-16. 34-B MRSA §5605, sub-§5, as amended by PL 2011, c. 542, Pt. A, §129, is further amended to read:

5. Vote. A person with an intellectual disability ~~or~~ autism or an acquired brain injury may not be denied the right to vote.

Sec. A-17. 34-B MRSA §5605, sub-§6, as amended by PL 2011, c. 542, Pt. A, §129, is further amended to read:

6. Personal property. A person with an intellectual disability ~~or~~ autism or an acquired brain injury is entitled to the possession and use of that person's own clothing, personal effects and money, except when temporary custody of clothing or personal effects by a provider is necessary to protect the person or others from imminent injury or unless this right has been restricted pursuant to rules adopted pursuant to section 5604.

Sec. A-18. 34-B MRSA §5605, sub-§7, as amended by PL 2011, c. 542, Pt. A, §129, is further amended to read:

7. Nutrition. A person with an intellectual disability ~~or~~ autism or an acquired brain injury is entitled to nutritious food in adequate quantities and meals may not be withheld for disciplinary reasons.

Sec. A-19. 34-B MRSA §5605, sub-§8, as amended by PL 2011, c. 542, Pt. A, §129, is further amended to read:

8. Medical care. A person with an intellectual disability ~~or~~ autism or an acquired brain injury is entitled to receive prompt and appropriate medical and dental treatment and care for physical and mental ailments and for the prevention of any illness or disability, and medical treatment must be consistent with the accepted standards of medical practice in the community, unless the religion of the person with an intellectual disability ~~or~~ autism or an acquired brain injury so prohibits.

A. Medication may be administered only at the written order of a physician.

B. Medication may not be used as punishment, for the convenience of staff, as a substitute for a habilitation plan or in unnecessary or excessive quantities.

C. Daily notation of medication received by each person with an intellectual disability ~~or~~ autism or an acquired brain injury must be kept in the records of the person with an intellectual disability ~~or~~ autism or an acquired brain injury.

D. Periodically, but no less frequently than every 6 months, the drug regimen of each person with an intellectual disability ~~or~~ autism or an acquired brain injury must be reviewed by a physician or other appropriate monitoring body, consistent with appropriate standards of medical practice.

E. All prescriptions must have a termination date.

G. Prior to instituting a plan of experimental medical treatment or carrying out any surgical procedure, express and informed consent must be obtained from the person with an intellectual disability ~~or~~, autism or an acquired brain injury, unless the person has been found to be legally incompetent, in which case the person's guardian may consent.

(1) Before making a treatment or surgical decision, the person must be given information, including, but not limited to, the nature and consequences of the procedures, the risks, benefits and purposes of the procedures and the availability of alternate procedures.

(2) The person or, if legally incompetent, that person's guardian may withdraw express and informed consent at any time, with or without cause, before treatment or surgery.

H. Notwithstanding the absence of express and informed consent, emergency medical care or treatment may be provided to any person with an intellectual disability ~~or~~, autism or an acquired brain injury who has been injured or who is suffering from an acute illness, disease or condition if delay in initiation of emergency medical care or treatment would endanger the health of the person.

I. Notwithstanding the absence of express and informed consent, emergency surgical procedures may be provided to any person with an intellectual disability ~~or~~, autism or an acquired brain injury who has been injured or who is suffering from an acute illness, disease or condition if delay in initiation of emergency surgery would substantially endanger the health of the person.

Sec. A-20. 34-B MRSA §5605, sub-§9, as amended by PL 2011, c. 542, Pt. A, §129, is further amended to read:

9. Sterilization. A person with an intellectual disability ~~or~~, autism or an acquired brain injury may not be sterilized, except in accordance with chapter 7.

Sec. A-21. 34-B MRSA §5605, sub-§10, as amended by PL 2011, c. 542, Pt. A, §129, is further amended to read:

10. Social activity. A person with an intellectual disability ~~or~~, autism or an acquired brain injury is entitled to opportunities for behavioral and leisure time activities that include social interaction in the community, as set out in section 5610. This right may be waived or restricted only under the rules adopted pursuant to section 5604 or pursuant to a treatment plan approved pursuant to section 5603, subsection 1.

Sec. A-22. 34-B MRSA §5605, sub-§11, as amended by PL 2011, c. 542, Pt. A, §129, is further amended to read:

11. Physical exercise. A person with an intellectual disability ~~or~~, autism or an acquired brain injury is entitled to opportunities for appropriate physical exercise, including the use of available indoor and outdoor facilities and equipment.

Sec. A-23. 34-B MRSA §5610, as amended by PL 2011, c. 542, Pt. A, §131, is further amended to read:

§5610. Service delivery

1. Guiding service delivery. The delivery of services by providers of services and the department to persons with intellectual disabilities ~~and~~, autism or acquired brain injuries is guided by the following.

A. Persons with intellectual disabilities ~~or~~, autism or acquired brain injuries have the same rights as all citizens, including the rights to live, work and participate in the life of the community.

B. Community inclusion is achieved by connecting persons and their families, whenever possible, to local and generic supports within the community and by the use of residential services that are small and integrated into the community.

C. Real work for real pay for persons in integrated settings in the community is the cornerstone of all vocational and employment services.

D. Service delivery to persons with intellectual disabilities ~~and~~, autism or acquired brain injuries is based on the following fundamentals:

- (1) Maximizing the growth and development of the person and inclusion in the community;
- (2) Maximizing the person's control over that person's life;
- (3) Supporting the person in that person's own home;
- (4) Acknowledging and enhancing the role of the family, as appropriate, as the primary and most natural caregiver; and
- (5) Planning for the delivery of community services that:

- (a) Promotes a high quality of life;
- (b) Is based on ongoing individualized assessment of the strengths, needs and preferences of the person and the strengths of that person's family; and
- (c) Identifies and considers connections in other areas of the person's life, including but not limited to family, allies, friends, work, recreation and spirituality.

PART B

Sec. B-1. Task force. The Commissioner of Health and Human Services, referred to in this Part as "the commissioner," shall convene a task force to

develop and make recommendations on rules and procedures regarding the rights and basic protections of persons with acquired brain injuries, referred to in this Part as "the task force."

Sec. B-2. Composition. The task force must consist of:

1. Experts in the field of acquired brain injury;
2. Providers of services to persons with acquired brain injuries;
3. Persons with acquired brain injuries;
4. Family members of persons with acquired brain injuries;
5. Advocates for persons with acquired brain injuries; and
6. Representatives of the Acquired Brain Injury Advisory Council established under the Maine Revised Statutes, Title 34-B, section 19001.

Sec. B-3. Duties. The task force shall recommend:

1. Rules regarding the rights and basic protections of persons with acquired brain injuries;
2. Procedures for the annual instruction for persons receiving brain injury services, provider staff and others on the rights and basic protections of persons with acquired brain injuries;
3. Procedures for hearing grievances of persons with acquired brain injuries; and
4. Procedures for the filing and resolution of complaints regarding the brain injury service system for persons with acquired brain injuries.

Sec. B-4. Report. The commissioner shall report the findings and recommendations of the task force to the Joint Standing Committee on Health and Human Services by January 2, 2022. The Joint Standing Committee on Health and Human Services may report out legislation to the Second Regular Session of the 130th Legislature related to the report.

Sec. B-5. Staff assistance. The Department of Health and Human Services shall provide necessary staffing services to the task force.

PART C

Sec. C-1. Rulemaking. The Department of Health and Human Services, by July 1, 2022, shall adopt rules regarding this Act, including, but not limited to: the rights and basic protections of persons with acquired brain injuries; procedures for the annual instruction for persons receiving brain injury services, service provider staff and others on the rights and basic protections of persons with acquired brain injuries; procedures for hearing grievances of persons with acquired

brain injuries; and procedures for the filing and resolution of complaints regarding acquired brain injury services for persons with acquired brain injuries. The department shall consider the recommendations of the task force established in Part B in its adoption of rules under this section. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A and are adopted in accordance with the department's rule-making authority under Titles 22, 22-A and 34-B, including, but not limited to, Title 22, section 3089, subsection 3; Title 22-A, section 205, subsection 2; Title 22-A, section 206, subsection 3; and Title 34-B, sections 5604 and 5605.

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

Effective June 20, 2021.

CHAPTER 285

S.P. 222 - L.D. 535

An Act To Provide for the Well-being of Companion Animals upon the Dissolution of Marriages

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

Sec. 1. 19-A MRSA §953, sub-§10 is enacted to read:

10. Companion animals. In the disposition of property pursuant to subsection 1, the court, with respect to a companion animal, shall award ownership of the companion animal to only one party after considering all relevant factors, including, but not limited to:

- A. The well-being and basic daily needs of the companion animal;
- B. The amount of time each party has spent with the companion animal during the marriage tending to the companion animal's nutritional, grooming, physical and medical needs;
- C. The ability of a party to continue to own, support and provide adequate care for the companion animal;
- D. The emotional attachment of a party to the companion animal;
- E. The emotional attachment of any child in the household to the companion animal and the benefit to the child of the companion animal's remaining in the primary residence of the child;
- F. Any domestic violence between the parties or in the household of the parties; and

G. Any history of animal abuse or other unsafe conditions for the companion animal.

For the purposes of this subsection, "companion animal" means an animal kept primarily for companionship rather than as a working animal, service animal or farm animal kept for profit.

See title page for effective date.

**CHAPTER 286
S.P. 364 - L.D. 1103**

An Act To Allow a 5-year Open Enrollment in the Participating Local District Retirement Program for Certain Law Enforcement Officers, Firefighters and Other Municipal Employees

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

Sec. 1. 5 MRSA §18251, sub-§3, as amended by PL 2013, c. 555, §1, is further amended by amending the first blocked paragraph to read:

A Except as provided in section 18252-C, a person must make an election at the time of initial hire, or on the date of first eligibility to participate, whichever occurs earlier, whether to be a member of the program. ~~Once an election is made under this subsection, the election is irrevocable with respect to all subsequent employment with the same employer when membership in the program is not mandatory.~~

Sec. 2. 5 MRSA §18252, first ¶, as amended by PL 2011, c. 449, §14, is further amended to read:

A person who is or would be covered by the United States Social Security Act as a result of employment by a participating local district with Social Security coverage may elect to be a member in the Participating Local District Retirement Program. A Except as provided by section 18252-C, a person must make an election at the time of initial hire or on the date of first eligibility to participate, whichever occurs earlier, whether to be a member of the program. ~~Once an election is made under this section, the election is irrevocable with respect to all subsequent employment with the same employer when membership in the program is not mandatory.~~

Sec. 3. 5 MRSA §18252-A, sub-§1, ¶A, as amended by PL 2011, c. 449, §15, is further amended to read:

A. A Except as provided by section 18252-C, a person hired by a participating local district, or rehired following a break in service, after the date on which the employer provides a plan under section

18252-B must elect at the time of initial hiring or rehiring whether to be a member under the Participating Local District Retirement Program or to be covered under a plan provided by the employer under section 18252-B. ~~Once an election is made under this paragraph, the election is irrevocable with respect to all subsequent employment with the same employer when membership in the program is not mandatory.~~

Sec. 4. 5 MRSA §18252-A, sub-§1, ¶B, as amended by PL 2009, c. 474, §33, is further amended to read:

B. An employee of the participating local district who is a member under the Participating Local District Retirement Program on the date on which the employer provides a plan under section 18252-B may elect to remain a member under that program or to become covered under a plan provided by the employer under section 18252-B. A Except as provided by section 18252-C, a person must make an election within 90 days of the date on which the employer provides a plan under section 18252-B. ~~Once an election is made under this paragraph, the election is irrevocable with respect to all subsequent employment with the same employer when membership in the program is not mandatory.~~

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

Sec. 5. 5 MRSA §18252-C is enacted to read:

§18252-C. Delayed election of membership; annual open enrollment

Employees who were eligible to participate in the Participating Local District Retirement Program under section 18251, subsection 3, section 18252 and section 18252-A, subsection 1 at the beginning of employment but did not join may do so as governed by this section.

1. Delayed election of membership. An employee who was first eligible to participate in the Participating Local District Retirement Program who elects not to join the Participating Local District Retirement Program at the beginning of that employee's employment may become a member at any time up to and including that employee's 5th-year employment anniversary with that employer pursuant to subsection 2.

2. Annual open enrollment period. An employee under this section may elect to join the Participating Local District Retirement Program through an annual

open enrollment period from September 1st to November 1st, beginning in 2022.

3. Creditable service granted. An employee who elects to join the Participating Local District Retirement Program under this section is entitled to creditable service as governed by section 18358.

4. Member contributions. Member contributions for an employee that joins the Participating Local District Retirement Program under this section are not pick-up contributions.

5. Rules. The board may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules pursuant to chapter 375, subchapter 2-A.

Sec. 6. Application. Notwithstanding the Maine Revised Statutes, Title 5, section 18252-C, subsection 1, an employee who has been employed for more than 5 years on the effective date of this Act may make a one-time election to join the Participating Local District Retirement Program by November 1, 2021. A person electing to join must be granted service as described in Title 5, section 18252-C, subsection 3 and must make contributions according to Title 5, section 18252-C, subsection 4.

See title page for effective date.

CHAPTER 287

H.P. 1057 - L.D. 1441

An Act To Create a James Weldon Johnson Annual Observance Day and an Observance Task Force

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

Sec. 1. 1 MRSA §150-Q is enacted to read:

§150-Q. James Weldon Johnson Day

The Governor shall annually issue a proclamation designating June 17th of each year as James Weldon Johnson Day in honor of writer and civil rights activist James Weldon Johnson.

Sec. 2. James Weldon Johnson observance task force established. The Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations, established under the Maine Revised Statutes, Title 5, section 25001, shall establish a James Weldon Johnson observance task force, referred to in this section as "the task force."

1. Membership. Membership of the task force may include representatives of:

- A. The Town of Wiscasset;

- B. A civil rights organization whose primary mission is racial justice;

- C. Historical societies;

- D. Scholars whose disciplines are in African-American history and culture;

- E. Literary societies;

- F. The Maine State Archives;

- G. The Maine State Museum;

- H. Regional and national efforts engaged in memorializing James Weldon Johnson;

- I. Creative writing programs;

- J. Educators; and

- K. Other groups that the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations determines will help the task force in its work.

2. Duties. The task force shall:

- A. Develop methods to educate the public on James Weldon Johnson's life and legacy in order to continue his work to end systemic racism;

- B. Study models for formally observing and promoting figures of importance;

- C. Connect with local, regional and national efforts that honor James Weldon Johnson; and

- D. Explore opportunities for memorializing James Weldon Johnson's life such as a creative writing scholarship, annual events and programs, sister state and city relationships, a walking trail, a geographical marker and links to cultural tourism.

3. Funding. The Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations may raise outside funds in order to fund the task force and is not required to convene the task force if sufficient funds are not secured.

4. Report. The Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations shall submit an interim report to the Joint Standing Committee on State and Local Government no later than January 15, 2022 that includes the status of the task force and a timeline for its work, including a date for a final report to the committee if funding has been secured by the commission.

See title page for effective date.

**CHAPTER 288
H.P. 1103 - L.D. 1489**

**An Act To Update the
Classification of Service
Employees**

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

Sec. 1. 26 MRSA §663, sub-§8, as amended by PL 2011, c. 118, §1, is further amended to read:

8. Service employee. "Service employee" means any employee engaged in an occupation in which the employee customarily and regularly receives more than ~~§30 a month in tips.~~

- A. Prior to January 1, 2022, \$30 a month in tips;
- B. Beginning January 1, 2022, \$100 a month in tips; or
- C. Beginning January 1, 2023, \$175 a month in tips.

On January 1, 2024, and every January 1st thereafter, the monetary amount over which an employee is considered a service employee under this subsection must be increased by the same percentage of the increase, if any, in the cost of living. The increase in the cost of living is measured by the percentage increase, if any, as of August of the previous year over the level as of August of the year preceding that year in the Consumer Price Index for Urban Wage Earners and Clerical Workers, CPI-W, for the Northeast Region, or its successor index, as published by the United States Department of Labor, Bureau of Labor Statistics or its successor agency, with the amount of the increase rounded to the nearest multiple of \$1.

See title page for effective date.

**CHAPTER 289
S.P. 11 - L.D. 4**

**An Act To Amend the Maine
Pharmacy Act**

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

Whereas, this legislation clarifies the definition of compounding under the Maine Pharmacy Act to include the compounding of drugs for distribution to licensed veterinarians for limited office use on behalf of their animal patients; and

Whereas, this legislation requires the Maine Board of Pharmacy to adopt rules establishing the terms

and conditions for compounding for veterinarian office use; and

Whereas, this legislation prohibits compounding for veterinarian office use until rules are adopted; and

Whereas, it is important that this legislation take effect as soon as possible so that the rules can be adopted in an expedient manner; 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:**

Sec. 1. 10 MRSA §8003-H is enacted to read:

§8003-H. Licensure by endorsement

The Office of Professional and Occupational Regulation, referred to in this section as "the office," including the licensing boards and commissions within the office, shall establish a process to issue a license by endorsement to an applicant who presents proof of licensure by another jurisdiction of the United States as long as the other jurisdiction maintains substantially equivalent license requirements for the licensed profession or occupation and as long as:

1. Good standing. The applicant is in good standing in all jurisdictions in which the applicant holds or has held a license. For purposes of this subsection, "good standing" means that the applicant does not have a complaint, allegation or investigation pending, does not have a license that is suspended or subject to practice restrictions and has never surrendered a license or had a license revoked;

2. No cause for denial. No cause for denial of a license exists under section 8003, subsection 5-A, paragraph A or under any other law; and

3. Fee. The applicant pays the fee, if any, pursuant to section 8003, subsection 2-A, paragraph D.

The office, or a licensing board or commission within the office, may require an applicant to pass a jurisprudence examination if such an examination is required to be passed for licensure pursuant to law or rule of the office, licensing board or commission.

The office, including the licensing boards and commissions within the office, shall adopt rules to implement this section. Rules adopted pursuant to this paragraph are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 2. 32 MRSA §13702-A, sub-§4, as enacted by PL 2007, c. 402, Pt. DD, §2, is amended to read:

4. Compounding. "Compounding" means the preparation, mixing, assembling, packaging or labeling of a drug or device by a pharmacist for the pharmacist's patient either for dispensing as the result of a practitioner's prescription drug order, or for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale or dispensing. "Compounding" includes the preparation of drugs or devices in anticipation of prescription drug orders to be received by the pharmacist based on routine, regularly observed prescribing patterns.:

A. For the pharmacist's patient for dispensing as the result of a practitioner's prescription drug order;

B. For the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale or dispensing;

C. In anticipation of prescription drug orders to be received by the pharmacist based on routine, regularly observed prescribing patterns for the pharmacist's patient; or

D. For nonpatient-specific drugs for distribution to licensed veterinarians for veterinarian office use for nonfood-producing animals, as that term is defined in board rule.

Sec. 3. 32 MRSA §13702-A, sub-§23, as enacted by PL 2007, c. 402, Pt. DD, §2, is amended to read:

23. Pharmacist in charge. "Pharmacist in charge" means ~~the a pharmacist who is responsible for the licensing of the~~ accepts responsibility for the operation of a licensed pharmacy in conformance with applicable laws.

Sec. 4. 32 MRSA §13721, sub-§1, ¶A, as enacted by PL 1987, c. 710, §5, is amended to read:

A. The licensing by examination or by reciprocity endorsement of applicants who are qualified to engage in the practice of pharmacy under this Act;

Sec. 5. 32 MRSA §13722, sub-§1, ¶B-1, as enacted by PL 1999, c. 130, §6, is amended to read:

B-1. Establish standards for the use, maintenance and supervision of automated pharmacy systems.;

Sec. 6. 32 MRSA §13722, sub-§1, ¶B-2 is enacted to read:

B-2. Establish the terms and conditions for compounding drugs for veterinarian office use by rule, including, at a minimum:

- (1) Requirements and specifications of minimum professional and technical equipment, environments, supplies and procedures and quality assurance requirements;
- (2) Labeling requirements;

(3) Limits on the supply for administration to the veterinarian's patient and the supply for dispensing to the veterinarian's client;

(4) Record-keeping requirements; and

(5) Procedures for notifications regarding defective drug products and adverse events.

Compounding drugs for veterinarian office use is not permitted until rules are adopted by the board pursuant to this paragraph. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A;

Sec. 7. 32 MRSA §13732, sub-§1, ¶C, as enacted by PL 1987, c. 710, §5, is repealed.

Sec. 8. 32 MRSA §13733, as amended by PL 2007, c. 402, Pt. DD, §14, is repealed.

Sec. 9. 32 MRSA §13733-A is enacted to read: **§13733-A. Licensure by endorsement**

In order to obtain a license as a pharmacist by endorsement, an applicant for licensure must meet the requirements of Title 10, section 8003-H and any applicable rules adopted pursuant to that section.

Sec. 10. 32 MRSA §13752, sub-§2, ¶C, as amended by PL 2007, c. 402, Pt. DD, §24, is further amended to read:

C. Identity of the pharmacist licensed to practice in the State who will be the pharmacist in charge of the pharmacy, when one is required by this chapter, and such further information as the board may determine necessary. The board shall adopt rules identifying the duties and responsibilities of the pharmacist in charge, which must include, at a minimum, responsibility for ensuring the pharmacy's compliance with all state and federal laws, rules and regulations pertaining to the practice of pharmacy, the distribution of drugs by the pharmacy and the licensure of pharmacy personnel. A pharmacist may be the pharmacist in charge for only one pharmacy, except upon the pharmacist applying for and receiving written authorization from as otherwise determined by the board by rule. The position of pharmacist in charge may not be held by a qualified assistant pharmacist; and

Sec. 11. 32 MRSA §13752, sub-§2, ¶D, as enacted by PL 1999, c. 130, §11, is amended to read:

D. A certification Attestation by the pharmacist identified as the pharmacist in charge that the pharmacist has read and understands the requirements and duties of a pharmacist in charge set forth in board rules.

Sec. 12. 32 MRSA §13753, sub-§1, as amended by PL 2007, c. 402, Pt. DD, §26, is further amended to read:

1. Changes. All licensed pharmacies shall report to the board, by mail ~~or~~ fax or electronic communication as accepted by the board, the occurrence of any of the following changes:

- A. Permanent closing, which requires ~~14~~ 10 calendar days' prior notice to the public and to the board;
- B. Change of ownership, which requires ~~7~~ 10 calendar days' prior notice to the board;
- C. Change of pharmacist, in charge which requires notice no later than ~~7~~ 10 calendar days after the change; and
- D. Any other matters and occurrences as the board may require by rule.

Sec. 13. 32 MRSA §13833, first ¶, as amended by PL 2011, c. 577, §6, is further amended to read:

~~The~~ A pharmacist shall administer drugs and vaccines in compliance with a treatment protocol established by a practitioner authorized under the laws of this State to order administration of those drugs and vaccines approved by the board. A copy of the original treatment protocol must be submitted to the board and any subsequent revisions to the treatment protocol must be kept on the premises of the pharmacy and be available to the board or the board's representative upon request. At a minimum the treatment protocol must include:

Sec. 14. 32 MRSA §13835, sub-§1, as amended by PL 2011, c. 577, §8, is further amended to read:

1. Criteria. Criteria for the operation of a vaccine administration clinic inside, outside or off the premises of a retail pharmacy, rural health clinic or free clinic licensed under section 13751. The rules must require ~~one time board approval~~ of the plan of operation for any vaccine administration clinics to be operated by a pharmacist or pharmacy ~~and may not require board approval of each individual clinic;~~

Sec. 15. Consultation with State Board of Veterinary Medicine. The Maine Board of Pharmacy shall consult with the State Board of Veterinary Medicine in the establishment of the terms and conditions for compounding drugs for veterinarian office use pursuant to the Maine Revised Statutes, Title 32, section 13722, subsection 1, paragraph B-2.

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

Effective June 21, 2021.

**CHAPTER 290
S.P. 40 - L.D. 32**

An Act Regarding Remote Participation in Public Proceedings

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 state of emergency declared by the Governor pursuant to the Maine Revised Statutes, Title 37-B, section 742 in response to the public health emergency caused by the spread of the novel coronavirus disease referred to as COVID-19 may terminate sooner than 90 days after the adjournment of the First Special Session of the 130th Legislature; and

Whereas, the Maine Revised Statutes, Title 1, section 403-A governs remote participation in public proceedings of certain public bodies but is automatically repealed 30 days after the termination of the state of emergency declared by the Governor; and

Whereas, there is a need to have in place a law that governs remote participation in public proceedings of certain public bodies after the termination of the state of emergency declared by the Governor; 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:

Sec. 1. 1 MRSA §403-B is enacted to read:

§403-B. Remote participation in public proceedings

1. Remote participation. This section governs remote methods of participation in public proceedings of certain public bodies. For the purposes of this section, "remote methods" means telephonic or video technology allowing simultaneous reception of information and may include other means when such means are necessary to provide reasonable accommodation to a person with a disability. Public proceedings may not be conducted by text-only means such as e-mail, text messages or chat functions.

2. Requirements. A public body subject to this subchapter may allow members of the body to participate in a public proceeding using remote methods only under the following conditions:

- A. After notice and hearing the body has adopted a written policy governing the conditions upon which members of the body and the public may

participate in a public proceeding of that body by remote methods;

B. The policy adopted pursuant to paragraph A must provide that members of the body are expected to be physically present for public proceedings except when being physically present is not practicable. Circumstances in which physical presence for one or more members is not practicable may include:

(1) The existence of an emergency or urgent issue that requires the public body to meet by remote methods;

(2) Illness, other physical condition or temporary absence from the jurisdiction of the body that causes a member of the body to face significant difficulties traveling to and attending in person at the location in the notice under section 406;

(3) With respect to a public body with statewide membership, significant distance a member must travel to be physically present at the location in the notice under section 406; and

(4) The area of the public body's jurisdiction includes geographic characteristics that impede or slow travel, including but not limited to islands not connected by bridges;

C. The policy adopted pursuant to paragraph A must provide members of the public a meaningful opportunity to attend by remote methods when members of the body participate by remote methods, and reasonable accommodations may be provided when necessary to provide access to individuals with disabilities;

D. If the body allows or is required to provide an opportunity for public input during the proceeding, an effective means of communication between the members of the body and the public must be provided;

E. Notice of the proceeding must be provided in accordance with section 406. When the public may attend by remote methods pursuant to paragraphs C and D, the notice must include the means by which members of the public may access the proceeding using remote methods. The notice must also identify a location for members of the public to attend in person. The body may not determine that public attendance at a proceeding will be limited solely to remote methods except under the conditions in paragraph B, subparagraph (1);

F. A member of the body who participates in a public proceeding by remote methods is present for purposes of a quorum and voting;

G. All votes taken during a public proceeding using remote methods must be taken by roll call vote that can be seen and heard if using video technology, and heard if using only audio technology, by the other members of the public body and the public; and

H. The public body must make all documents and other materials considered by the public body available, electronically or otherwise, to the public who attend by remote methods to the same extent customarily available to members of the public who attend the proceedings of the public body in person, as long as additional costs are not incurred by the public body.

3. Remote participation not permitted. This section does not authorize town meetings held pursuant to Title 30-A, section 2524 or regional school unit budget meetings held pursuant to Title 20-A, section 1482-A to be conducted using remote methods.

4. Application. This section does not apply to:

A. The Legislature; or

B. A public body to which specific statutory provisions for remote participation apply.

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

Effective June 21, 2021.

CHAPTER 291

S.P. 50 - L.D. 791

An Act Regarding Telehealth Regulations

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

Whereas, in response to COVID-19, the Governor has declared a state of civil emergency and, pursuant to that proclamation, the Governor has issued an executive order authorizing licensed health care providers to provide telehealth services until the end of the state of civil emergency; and

Whereas, this legislation permits licensed health care providers to provide telehealth services on an ongoing basis as long as they act within the scope of practice of their licenses in accordance with any requirements and restrictions imposed by law and in accordance with standards of practice; and

Whereas, this legislation authorizes the licensing boards for these health care providers to adopt rules to

establish standards of practice and restrictions for telehealth services; and

Whereas, it is important that this legislation take effect as soon as possible so that the rules can be adopted in an expedient manner; 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. 22 MRSA §3173-H, sub-§1, ¶D, as amended by PL 2019, c. 649, §1, is further amended to read:

~~D. "Telehealth," as it pertains to the delivery of MaineCare services, means the use of interactive visual and audio or other electronic media for the purpose of consultation and education concerning and diagnosis, treatment, care management and self management of a patient's physical and mental health information technology and includes real-time interaction between the patient and the patient's provider, electronic consultation between health professionals regarding the patient, synchronous encounters, asynchronous encounters, store and forward transfers and remote patient monitoring. "Telehealth" includes telephonic services when interactive telehealth services are unavailable or when a telephonic service is medically appropriate for the underlying covered service telemonitoring.~~

Sec. A-2. 22 MRSA §3173-H, sub-§1, ¶E, as amended by PL 2019, c. 649, §1, is further amended to read:

~~E. "Telemonitoring," as it pertains to the delivery of MaineCare services, means the use of information technology to remotely monitor a patient's health status via electronic means through the use of clinical data while the patient remains in a residential setting, allowing the provider to track the patient's health data over time. Telemonitoring may or may not take place in real time be synchronous or asynchronous.~~

Sec. A-3. 22 MRSA §3173-H, sub-§6 is enacted to read:

6. Consent for telehealth and telemonitoring services. A patient may provide verbal, electronic or written consent for telehealth and telemonitoring services under this section.

Sec. A-4. 24-A MRSA §4316, sub-§1, as amended by PL 2019, c. 649, §3, is further amended to read:

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

A. "Mobile health device" means a wearable device used to track health and wellness, including, but not limited to, a heart rate and respiratory monitor, an electrocardiogram monitor and a glucose monitor.

A-1. "Medicare" means the "Health Insurance for the Aged Act," Title XVIII of the Social Security Amendments of 1965, as amended.

B. "Store and forward transfers" means transmission of an enrollee's recorded health history through a secure electronic system to a provider.

B-1. "Asynchronous encounters" means the interaction or consultation between an enrollee and the enrollee's provider or between providers regarding the enrollee through a system with the ability to store digital information, including, but not limited to, still images, video, audio and text files, and other relevant data in one location and subsequently transmit such information for interpretation at a remote site by health professionals without requiring the simultaneous presence of the patient or the health professionals.

B-2. "Synchronous encounters" means a real-time interaction conducted with interactive audio or video connection between an enrollee and the enrollee's provider or between providers regarding the enrollee.

~~C. "Telehealth," as it pertains to the delivery of health care services, means the use of interactive real-time visual and audio or other electronic media for the purpose of consultation and education concerning and diagnosis, treatment, care management and self management of an enrollee's physical and mental health information technology and includes real-time interaction between the enrollee and the telehealth provider, synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring. "Telehealth" does not include the use of audio-only telephone, facsimile machine, e-mail or texting.~~

~~D. "Telemonitoring," as it pertains to the delivery of health care services, means the use of information technology to remotely monitor an enrollee's health status via electronic means through the use of clinical data while the enrollee remains in a residential setting, allowing the provider to track the enrollee's health data over time. Telemonitoring may or may not take place in real time be synchronous or asynchronous.~~

~~E. "Telephonic services," as it pertains to the delivery of health care services, means the use of telephone communication by a provider at a distance for the purpose of diagnosis, disease monitoring or treatment.~~

Sec. A-5. 24-A MRSA §4316, sub-§2, as corrected by RR 2019, c. 2, Pt. A, §28, is amended to read:

2. Parity for telehealth services. A carrier offering a health plan in this State may not deny coverage on the basis that the health care service is provided through telehealth if the health care service would be covered if it were provided through in-person consultation between an enrollee and a provider and as long as the provider is acting within the scope of practice of the provider's license and in accordance with rules adopted by the board, if any, that issued the provider's license related to standards of practice for the delivery of a health care service through telehealth. Coverage for health care services provided through telehealth must be determined in a manner consistent with coverage for health care services provided through in-person consultation. If an enrollee is eligible for coverage and the delivery of the health care service through telehealth is medically appropriate, a carrier may not deny coverage for telehealth services. A carrier may offer a health plan containing a provision for a deductible, copayment or coinsurance requirement for a health care service provided through telehealth as long as the deductible, copayment or coinsurance does not exceed the deductible, copayment or coinsurance applicable to a comparable service provided through in-person consultation. A carrier may not exclude a health care service from coverage solely because such health care service is provided only through a telehealth encounter, as long as telehealth is appropriate for the provision of such health care service.

Sec. A-6. 24-A MRSA §4316, sub-§3, ¶G is enacted to read:

G. The carrier may not place any restriction on the prescribing of medication through telehealth by a provider whose scope of practice includes prescribing medication that is more restrictive than any requirement in state and federal law for prescribing medication through in-person consultation.

Sec. A-7. 24-A MRSA §4316, sub-§5, as enacted by PL 2019, c. 289, §2, is repealed.

Sec. A-8. 24-A MRSA §4316, sub-§10 is enacted to read:

10. Network adequacy. The availability of health care services through telehealth may not be considered for the purposes of demonstrating the adequacy of a carrier's network pursuant to section 4303, subsection 1 and Bureau of Insurance Rule Chapter 850: Health Plan Accountability.

PART B

Sec. B-1. 32 MRSA §69 is enacted to read:

§69. Telehealth services

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

A. "Asynchronous encounter" means an interaction between an individual and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the individual and the person licensed under this chapter.

B. "Store and forward transfer" means the transmission of an individual's records through a secure electronic system to a person licensed under this chapter.

C. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between an individual and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

D. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

E. "Telemonitoring" means the use of information technology to remotely monitor an individual's health status via electronic means, allowing the person licensed under this chapter to track the individual's health data over time. Telemonitoring may be synchronous or asynchronous.

2. Telehealth services permitted. A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this section and in accordance with standards of practice.

3. Confidentiality. When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

4. Professional responsibility. All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

5. Rulemaking. The board shall adopt rules governing telehealth services by persons licensed under this

chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-2. 32 MRSA c. 9, sub-c. 6 is enacted to read:

SUBCHAPTER 6
TELEHEALTH SERVICES

§566. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Asynchronous encounter. "Asynchronous encounter" means an interaction between a patient and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the patient and the person licensed under this chapter.

2. Store and forward transfer. "Store and forward transfer" means the transmission of a patient's records through a secure electronic system to a person licensed under this chapter.

3. Synchronous encounter. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between a patient and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

4. Telehealth services. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

5. Telemonitoring. "Telemonitoring" means the use of information technology to remotely monitor a patient's health status via electronic means, allowing the person licensed under this chapter to track the patient's health data over time. Telemonitoring may be synchronous or asynchronous.

§567. Telehealth services permitted

A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this subchapter and in accordance with standards of practice.

§568. Confidentiality

When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

§569. Professional responsibility

All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

§570. Rulemaking

The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-3. 32 MRSA §1533 is enacted to read:

§1533. Telehealth services

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

A. "Asynchronous encounter" means an interaction between an individual and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the individual and the person licensed under this chapter.

B. "Store and forward transfer" means the transmission of an individual's records through a secure electronic system to a person licensed under this chapter.

C. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between an individual and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

D. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

E. "Telemonitoring" means the use of information technology to remotely monitor an individual's health status via electronic means, allowing the person licensed under this chapter to track the individual's health data over time. Telemonitoring may be synchronous or asynchronous.

2. Telehealth services permitted. A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this section and in accordance with standards of practice.

3. Confidentiality. When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

4. Professional responsibility. All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

5. Rulemaking. The director shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-4. 32 MRSA c. 31, sub-c. 7 is enacted to read:

SUBCHAPTER 7
TELEHEALTH SERVICES

§2266. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Asynchronous encounter. "Asynchronous encounter" means an interaction between a patient and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the patient and the person licensed under this chapter.

2. Store and forward transfer. "Store and forward transfer" means the transmission of a patient's records through a secure electronic system to a person licensed under this chapter.

3. Synchronous encounter. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between a patient and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

4. Telehealth services. "Telehealth services" means health care services delivered through the use of

information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

5. Telemonitoring. "Telemonitoring" means the use of information technology to remotely monitor a patient's health status via electronic means, allowing the person licensed under this chapter to track the patient's health data over time. Telemonitoring may be synchronous or asynchronous.

§2267. Telehealth services permitted

A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this subchapter and in accordance with standards of practice.

§2268. Confidentiality

When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

§2269. Professional responsibility

All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

§2270. Rulemaking

The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-5. 32 MRSA §2287 is enacted to read:

§2287. Telehealth services

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

A. "Asynchronous encounter" means an interaction between a patient and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the patient and the person licensed under this chapter.

B. "Store and forward transfer" means the transmission of a patient's records through a secure electronic system to a person licensed under this chapter.

C. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between a patient and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

D. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

E. "Telemonitoring" means the use of information technology to remotely monitor a patient's health status via electronic means, allowing the person licensed under this chapter to track the patient's health data over time. Telemonitoring may be synchronous or asynchronous.

2. Telehealth services permitted. A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this section and in accordance with standards of practice.

3. Confidentiality. When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

4. Professional responsibility. All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

5. Rulemaking. The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-6. 32 MRSA c. 34-A, sub-c. 6 is enacted to read:

SUBCHAPTER 6

TELEHEALTH SERVICES

§2447. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Asynchronous encounter. "Asynchronous encounter" means an interaction between a patient and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio

files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the patient and the person licensed under this chapter.

2. Store and forward transfer. "Store and forward transfer" means the transmission of a patient's records through a secure electronic system to a person licensed under this chapter.

3. Synchronous encounter. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between a patient and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

4. Telehealth services. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

5. Telemonitoring. "Telemonitoring" means the use of information technology to remotely monitor a patient's health status via electronic means, allowing the person licensed under this chapter to track the patient's health data over time. Telemonitoring may be synchronous or asynchronous.

§2448. Telehealth services permitted

A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this subchapter and in accordance with standards of practice.

§2449. Confidentiality

When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

§2450. Professional responsibility

All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

§2450-A. Rulemaking

The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-7. 32 MRSA c. 36, sub-c. 8 is enacted to read:

SUBCHAPTER 8
TELEHEALTH SERVICES

§2600-AA. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Asynchronous encounter. "Asynchronous encounter" means an interaction between a patient and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the patient and the person licensed under this chapter.

2. Store and forward transfer. "Store and forward transfer" means the transmission of a patient's records through a secure electronic system to a person licensed under this chapter.

3. Synchronous encounter. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between a patient and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

4. Telehealth services. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

5. Telemonitoring. "Telemonitoring" means the use of information technology to remotely monitor a patient's health status via electronic means, allowing the person licensed under this chapter to track the patient's health data over time. Telemonitoring may be synchronous or asynchronous.

§2600-BB. Telehealth services permitted

A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this subchapter and in accordance with standards of practice.

§2600-CC. Confidentiality

When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

§2600-DD. Professional responsibility

All laws and rules governing professional responsibility, unprofessional conduct and generally accepted

standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

§2600-EE. Rulemaking

The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-8. 32 MRSA §3120 is enacted to read:

§3120. Telehealth services

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

A. "Asynchronous encounter" means an interaction between a patient and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the patient and the person licensed under this chapter.

B. "Store and forward transfer" means the transmission of a patient's records through a secure electronic system to a person licensed under this chapter.

C. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between a patient and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

D. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

E. "Telemonitoring" means the use of information technology to remotely monitor a patient's health status via electronic means, allowing the person licensed under this chapter to track the patient's health data over time. Telemonitoring may be synchronous or asynchronous.

2. Telehealth services permitted. A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this section and in accordance with standards of practice.

3. Confidentiality. When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

4. Professional responsibility. All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

5. Rulemaking. The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-9. 32 MRSA c. 48, sub-c. 4 is enacted to read:

SUBCHAPTER 4

TELEHEALTH SERVICES

§3300-AA. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Asynchronous encounter. "Asynchronous encounter" means an interaction between a patient and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the patient and the person licensed under this chapter.

2. Store and forward transfer. "Store and forward transfer" means the transmission of a patient's records through a secure electronic system to a person licensed under this chapter.

3. Synchronous encounter. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between a patient and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

4. Telehealth services. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

5. Telemonitoring. "Telemonitoring" means the use of information technology to remotely monitor a patient's health status via electronic means, allowing the person licensed under this chapter to track the patient's

health data over time. Telemonitoring may be synchronous or asynchronous.

§3300-BB. Telehealth services permitted

A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this subchapter and in accordance with standards of practice.

§3300-CC. Confidentiality

When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

§3300-DD. Professional responsibility

All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

§3300-EE. Rulemaking

The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-10. 32 MRSA c. 51, sub-c. 4 is enacted to read:

SUBCHAPTER 4

TELEHEALTH SERVICES

§3661. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Asynchronous encounter. "Asynchronous encounter" means an interaction between a patient and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the patient and the person licensed under this chapter.

2. Store and forward transfer. "Store and forward transfer" means the transmission of a patient's records through a secure electronic system to a person licensed under this chapter.

3. Synchronous encounter. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between a

patient and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

4. Telehealth services. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

5. Telemonitoring. "Telemonitoring" means the use of information technology to remotely monitor a patient's health status via electronic means, allowing the person licensed under this chapter to track the patient's health data over time. Telemonitoring may be synchronous or asynchronous.

§3662. Telehealth services permitted

A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this subchapter and in accordance with standards of practice.

§3663. Confidentiality

When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

§3664. Professional responsibility

All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

§3665. Rulemaking

The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-11. 32 MRSA c. 56, sub-c. 4 is enacted to read:

SUBCHAPTER 4

TELEHEALTH SERVICES

§3841. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Asynchronous encounter. "Asynchronous encounter" means an interaction between a patient and a person licensed under this chapter through a system

that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the patient and the person licensed under this chapter.

2. Store and forward transfer. "Store and forward transfer" means the transmission of a patient's records through a secure electronic system to a person licensed under this chapter.

3. Synchronous encounter. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between a patient and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

4. Telehealth services. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

5. Telemonitoring. "Telemonitoring" means the use of information technology to remotely monitor a patient's health status via electronic means, allowing the person licensed under this chapter to track the patient's health data over time. Telemonitoring may be synchronous or asynchronous.

§3842. Telehealth services permitted

A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this subchapter and in accordance with standards of practice.

§3843. Confidentiality

When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

§3844. Professional responsibility

All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

§3845. Rulemaking

The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-12. 32 MRSA §4879 is enacted to read:

§4879. Telehealth services

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

A. "Asynchronous encounter" means an interaction between a patient and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the patient and the person licensed under this chapter.

B. "Store and forward transfer" means the transmission of a patient's records through a secure electronic system to a person licensed under this chapter.

C. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between a patient and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

D. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

E. "Telemonitoring" means the use of information technology to remotely monitor a patient's health status via electronic means, allowing the person licensed under this chapter to track the patient's health data over time. Telemonitoring may be synchronous or asynchronous.

2. Telehealth services permitted. A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this section and in accordance with standards of practice.

3. Confidentiality. When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

4. Professional responsibility. All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

5. Rulemaking. The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types

and forms of telehealth services. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-13. 32 MRSA c. 81, sub-c. 5 is enacted to read:

**SUBCHAPTER 5
TELEHEALTH SERVICES**

§6231. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Asynchronous encounter. "Asynchronous encounter" means an interaction between a client and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the client and the person licensed under this chapter.

2. Store and forward transfer. "Store and forward transfer" means the transmission of a client's records through a secure electronic system to a person licensed under this chapter.

3. Synchronous encounter. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between a client and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

4. Telehealth services. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

5. Telemonitoring. "Telemonitoring" means the use of information technology to remotely monitor a client's health status via electronic means, allowing the person licensed under this chapter to track the client's health data over time. Telemonitoring may be synchronous or asynchronous.

§6232. Telehealth services permitted

A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this subchapter and in accordance with standards of practice.

§6233. Confidentiality

When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

§6234. Professional responsibility

All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

§6235. Rulemaking

The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-14. 32 MRSA c. 83, sub-c. 4 is enacted to read:

SUBCHAPTER 4

TELEHEALTH SERVICES

§7071. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Asynchronous encounter. "Asynchronous encounter" means an interaction between a client and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the client and the person licensed under this chapter.

2. Store and forward transfer. "Store and forward transfer" means the transmission of a client's records through a secure electronic system to a person licensed under this chapter.

3. Synchronous encounter. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between a client and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

4. Telehealth services. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

5. Telemonitoring. "Telemonitoring" means the use of information technology to remotely monitor a client's health status via electronic means, allowing the person licensed under this chapter to track the client's health data over time. Telemonitoring may be synchronous or asynchronous.

§7072. Telehealth services permitted

A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this subchapter and in accordance with standards of practice.

§7073. Confidentiality

When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

§7074. Professional responsibility

All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

§7075. Rulemaking

The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-15. 32 MRSA §9714 is enacted to read:

§9714. Telehealth services

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

A. "Asynchronous encounter" means an interaction between a patient and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the patient and the person licensed under this chapter.

B. "Store and forward transfer" means the transmission of a patient's records through a secure electronic system to a person licensed under this chapter.

C. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between a patient and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

D. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters,

asynchronous encounters, store and forward transfers and telemonitoring.

E. "Telemonitoring" means the use of information technology to remotely monitor a patient's health status via electronic means, allowing the person licensed under this chapter to track the patient's health data over time. Telemonitoring may be synchronous or asynchronous.

2. Telehealth services permitted. A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this section and in accordance with standards of practice.

3. Confidentiality. When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

4. Professional responsibility. All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

5. Rulemaking. The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-16. 32 MRSA §9863 is enacted to read:
§9863. Telehealth services

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

A. "Asynchronous encounter" means an interaction between a patient and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the patient and the person licensed under this chapter.

B. "Store and forward transfer" means the transmission of a patient's records through a secure electronic system to a person licensed under this chapter.

C. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between a patient and a person licensed under this chapter or between a person

licensed under this chapter and another health care provider.

D. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

E. "Telemonitoring" means the use of information technology to remotely monitor a patient's health status via electronic means, allowing the person licensed under this chapter to track the patient's health data over time. Telemonitoring may be synchronous or asynchronous.

2. Telehealth services permitted. A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this section and in accordance with standards of practice.

3. Confidentiality. When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

4. Professional responsibility. All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

5. Rulemaking. The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-17. 32 MRSA §9916 is enacted to read:
§9916. Telehealth services

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

A. "Asynchronous encounter" means an interaction between an individual and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the individual and the person licensed under this chapter.

B. "Store and forward transfer" means the transmission of an individual's records through a secure electronic system to a person licensed under this chapter.

C. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between an individual and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

D. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

E. "Telemonitoring" means the use of information technology to remotely monitor an individual's health status via electronic means, allowing the person licensed under this chapter to track the individual's health data over time. Telemonitoring may be synchronous or asynchronous.

2. Telehealth services permitted. A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this section and in accordance with standards of practice.

3. Confidentiality. When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

4. Professional responsibility. All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

5. Rulemaking. The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-18. 32 MRSA c. 113-B, sub-c. 7 is enacted to read:

SUBCHAPTER 7

TELEHEALTH SERVICES

§12611. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Asynchronous encounter. "Asynchronous encounter" means an interaction between a patient and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio

files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the patient and the person licensed under this chapter.

2. Store and forward transfer. "Store and forward transfer" means the transmission of a patient's records through a secure electronic system to a person licensed under this chapter.

3. Synchronous encounter. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between a patient and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

4. Telehealth services. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

5. Telemonitoring. "Telemonitoring" means the use of information technology to remotely monitor a patient's health status via electronic means, allowing the person licensed under this chapter to track the patient's health data over time. Telemonitoring may be synchronous or asynchronous.

§12612. Telehealth services permitted

A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this subchapter and in accordance with standards of practice.

§12613. Confidentiality

When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

§12614. Professional responsibility

All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

§12615. Rulemaking

The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-19. 32 MRSA c. 117, sub-c. 15 is enacted to read:

SUBCHAPTER 15
TELEHEALTH SERVICES

§13848. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Asynchronous encounter. "Asynchronous encounter" means an interaction between a patient and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the patient and the person licensed under this chapter.

2. Store and forward transfer. "Store and forward transfer" means the transmission of a patient's records through a secure electronic system to a person licensed under this chapter.

3. Synchronous encounter. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between a patient and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

4. Telehealth services. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

5. Telemonitoring. "Telemonitoring" means the use of information technology to remotely monitor a patient's health status via electronic means, allowing the person licensed under this chapter to track the patient's health data over time. Telemonitoring may be synchronous or asynchronous.

§13849. Telehealth services permitted

A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this subchapter and in accordance with standards of practice.

§13849-A. Confidentiality

When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

§13849-B. Professional responsibility

All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed

under this chapter also apply to that licensee while providing telehealth services.

§13849-C. Rulemaking

The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-20. 32 MRSA §13868 is enacted to read:

§13868. Telehealth services

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

A. "Asynchronous encounter" means an interaction between a client and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the client and the person licensed under this chapter.

B. "Store and forward transfer" means the transmission of a client's records through a secure electronic system to a person licensed under this chapter.

C. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between a client and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

D. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

E. "Telemonitoring" means the use of information technology to remotely monitor a client's health status via electronic means, allowing the person licensed under this chapter to track the client's health data over time. Telemonitoring may be synchronous or asynchronous.

2. Telehealth services permitted. A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this section and in accordance with standards of practice.

3. Confidentiality. When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

4. Professional responsibility. All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

5. Rulemaking. The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-21. 32 MRSA §14363 is enacted to read:
§14363. Telehealth services

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

A. "Asynchronous encounter" means an interaction between an individual and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the individual and the person licensed under this chapter.

B. "Store and forward transfer" means the transmission of individual's records through a secure electronic system to a person licensed under this chapter.

C. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between an individual and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

D. "Telehealth services" means health care services delivered through the use of information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

E. "Telemonitoring" means the use of information technology to remotely monitor an individual's health status via electronic means, allowing the person licensed under this chapter to track the individual's health data over time. Telemonitoring may be synchronous or asynchronous.

2. Telehealth services permitted. A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this section and in accordance with standards of practice.

3. Confidentiality. When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

4. Professional responsibility. All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

5. Rulemaking. The commissioner shall adopt rules governing telehealth services by persons licensed under this chapter. These rules shall establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. B-22. 32 MRSA c. 137, sub-c. 4 is enacted to read:

SUBCHAPTER 4
TELEHEALTH SERVICES

§17401. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Asynchronous encounter. "Asynchronous encounter" means an interaction between a patient and a person licensed under this chapter through a system that has the ability to store digital information, including, but not limited to, still images, video files, audio files, text files and other relevant data, and to transmit such information without requiring the simultaneous presence of the patient and the person licensed under this chapter.

2. Store and forward transfer. "Store and forward transfer" means the transmission of a patient's records through a secure electronic system to a person licensed under this chapter.

3. Synchronous encounter. "Synchronous encounter" means a real-time interaction conducted with an interactive audio or video connection between a patient and a person licensed under this chapter or between a person licensed under this chapter and another health care provider.

4. Telehealth services. "Telehealth services" means health care services delivered through the use of

information technology and includes synchronous encounters, asynchronous encounters, store and forward transfers and telemonitoring.

5. Telemonitoring. "Telemonitoring" means the use of information technology to remotely monitor a patient's health status via electronic means, allowing the person licensed under this chapter to track the patient's health data over time. Telemonitoring may be synchronous or asynchronous.

§17402. Telehealth services permitted

A person licensed under this chapter may provide telehealth services as long as the licensee acts within the scope of practice of the licensee's license, in accordance with any requirements and restrictions imposed by this subchapter and in accordance with standards of practice.

§17403. Confidentiality

When providing telehealth services, a person licensed under this chapter shall comply with all state and federal confidentiality and privacy laws.

§17404. Professional responsibility

All laws and rules governing professional responsibility, unprofessional conduct and generally accepted standards of practice that apply to a person licensed under this chapter also apply to that licensee while providing telehealth services.

§17405. Rulemaking

The board shall adopt rules governing telehealth services by persons licensed under this chapter. These rules must establish standards of practice and appropriate restrictions for the various types and forms of telehealth services. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

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

Effective June 21, 2021.

CHAPTER 292

H.P. 1273 - L.D. 1718

**An Act To Establish the
Accidental Drug Overdose
Death Review Panel**

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 number of individuals residing in Maine who die as the result of an accidental drug overdose is increasing and exceeds the national average on a per capita basis; and

Whereas, this legislation must take effect before the expiration of the 90-day period to help prevent, as soon as possible, accidental drug overdose deaths; 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:

Sec. 1. 5 MRSA §200-M is enacted to read:

§200-M. Accidental Drug Overdose Death Review Panel

There is created, within the Office of the Attorney General, the Accidental Drug Overdose Death Review Panel, referred to in this section as "the panel," in order to recommend to state, county and local agencies methods of preventing deaths as the result of accidental drug overdoses including modification or enactment of laws, rules, policies and procedures. For purposes of this section, "accidental drug overdoses" means those overdoses that are presumed to be self-administered by an individual and excludes any overdose that occurs within a licensed health care facility.

1. Composition. The panel consists of the following members:

- A. The Chief Medical Examiner, ex officio;
- B. The Commissioner of Public Safety, ex officio;
- C. The director of the office of behavioral health within the Department of Health and Human Services, ex officio;
- D. The Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services, ex officio;
- E. The Chief Justice of the Supreme Judicial Court, ex officio;
- F. A prosecutor, nominated by a statewide association of prosecutors and appointed by the Attorney General;
- G. A police chief, nominated by a statewide association of chiefs of police and appointed by the Attorney General;
- H. A sheriff, nominated by a statewide association of sheriffs and appointed by the Attorney General;
- I. One or more physicians who treat substance use disorder, appointed by the Governor;

J. An emergency medical services representative, appointed by the Commissioner of Public Safety;

K. An expert in harm reduction strategies, appointed by the Governor;

L. An academic research professor with experience in reviewing drug overdose deaths, appointed by the Attorney General;

M. A representative of families affected by drug overdose deaths, appointed by the Governor;

N. A person in recovery from substance use disorder, appointed by the Governor; and

O. The director of opioid response within the Governor's Office of Policy Innovation and the Future, ex officio, who shall chair the panel.

In making appointments to the panel, the appointing authorities shall take into consideration the racial and ethnic diversity of the State.

2. Designees; terms of office. An ex officio member may appoint a designee to represent the ex officio member on the panel. A designee, once appointed, qualifies as a full voting member of the panel and may hold office and enjoy all the other rights and privileges of full membership on the panel. Appointed members of the panel shall serve for a term of 3 years. Any vacancy on the panel must be filled in the same manner as the original appointment but for the unexpired term.

3. Meetings. The panel shall meet at such time or times as may be reasonably necessary to carry out its duties, but it shall meet at least twice per year. The panel's chair shall call the first meeting before July 1, 2021.

4. Powers and duties. The panel shall examine a subset of the deaths associated with accidental drug overdoses, taking into consideration the racial and ethnic composition of the population of individuals whose deaths are associated with an accidental drug overdose. The deaths selected for review must be recommended by the Chief Medical Examiner or the Chief Medical Examiner's designee or by an individual with whom the Office of the Attorney General contracts for services. Notwithstanding any provision of law to the contrary, the panel may review information surrounding an accidental drug overdose that was not fatal, as long as review of such a case promotes the purpose of the panel under this section. The panel shall recommend to state, county and local agencies methods of preventing deaths as the result of accidental drug overdoses including modification or enactment of laws, rules, policies and procedures.

5. Access to information, records and materials. In any case subject to review by the panel, upon oral or written request of the panel, notwithstanding any provision of law to the contrary, any person that possesses information or records that are necessary and relevant

to a panel review shall as soon as practicable provide the panel with the information and records. Persons disclosing or providing information or records upon request of the panel are not criminally or civilly liable for disclosing or providing information or records in compliance with this subsection.

6. Confidentiality. The proceedings and records of the panel are confidential and are not subject to subpoena, discovery or introduction into evidence in a civil or criminal action. The Office of the Attorney General shall disclose conclusions of the panel upon request, but may not disclose information, records or data that are otherwise classified as confidential.

7. Noninterference. A review by the panel under this section is subject to and may not interfere with the authority and responsibility of the Attorney General to investigate and prosecute homicides pursuant to Title 5, section 200-A.

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

Effective June 21, 2021.

**CHAPTER 293
H.P. 1279 - L.D. 1730**

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

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

Whereas, acts of this and previous Legislatures have resulted in certain technical errors, conflicts and inconsistencies in the laws of Maine; and

Whereas, these errors, conflicts and inconsistencies create uncertainties and confusion in interpreting legislative intent; and

Whereas, it is vitally necessary that these uncertainties and this confusion be resolved in order to prevent any injustice or hardship to the citizens of Maine; 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. 4 MRSA §1051, as amended by PL 2019, c. 59, §1 and c. 475, §49, is repealed and the following enacted in its place:

§1051. Legal holidays

Court may not be held on Sunday or any day designated for the annual Thanksgiving; New Year's Day, January 1st; Martin Luther King, Jr., Day, the 3rd Monday in January; Washington's Birthday, the 3rd Monday in February; Patriot's Day, the 3rd Monday in April; Memorial Day, the last Monday in May, but if the Federal Government designates May 30th as the date for observance of Memorial Day, the 30th of May; the 4th of July; Labor Day, the first Monday of September; Indigenous Peoples Day, the 2nd Monday in October; Veterans Day, November 11th; or Christmas Day. The Chief Justice of the Supreme Judicial Court may order that court be held on a legal holiday when the Chief Justice finds that the interests of justice and judicial economy in any particular case will be served. The public offices in county buildings may be closed to business on the holidays named in this section. When any one of the holidays named in this section falls on Sunday, the Monday following must be observed as a holiday, with all the privileges applying to any of the days named in this section.

Sec. A-2. 5 MRSA §1531, sub-§2, as amended by PL 2019, c. 343, Pt. D, §2 and Pt. III, §1, is repealed and the following enacted in its place:

2. Average personal income growth. "Average personal income growth" means the average for the prior 10 calendar years, ending with the most recent calendar year for which data is available, of the percent change in personal income in this State, as estimated by the United States Department of Commerce, Bureau of Economic Analysis. The average personal income growth is determined by October 1st, annually, by the State Economist.

Sec. A-3. 5 MRSA §1710-D, as amended by PL 2019, c. 343, Pt. D, §4 and Pt. III, §2, is repealed and the following enacted in its place:

§1710-D. Staffing

The commission may receive staff support from the Department of Administrative and Financial Services and the Department of Labor.

Sec. A-4. 5 MRSA §1710-I, as amended by PL 2019, c. 343, Pt. D, §5 and Pt. III, §3, is repealed and the following enacted in its place:

§1710-I. Staffing

The committee may receive staff assistance from the Department of Administrative and Financial Services and, at the discretion of the Legislature, the Office of Fiscal and Program Review. The committee may also utilize other professionals having revenue forecasting, economic and fiscal expertise.

Sec. A-5. 5 MRSA c. 167, as enacted by 2019, c. 471, §1 and c. 472, §1, is repealed and the following enacted in its place:

CHAPTER 167

MAINE PRESCRIPTION DRUG AFFORDABILITY BOARD

§2041. Maine Prescription Drug Affordability Board established

1. Board established. The Maine Prescription Drug Affordability Board, as established in section 12004-G, subsection 14-I and referred to in this chapter as "the board," shall carry out the purposes of this chapter.

2. Membership. The board has 5 members with expertise in health care economics or clinical medicine, who may not be affiliated with or represent the interests of a public payor, as that term is defined in section 2042, and who are appointed as follows:

A. Two members by the President of the Senate. The President of the Senate shall also appoint one alternate board member who will participate in deliberations of the board in the event a member appointed by the President of the Senate elects to be recused as provided in subsection 7, paragraph B;

B. Two members by the Speaker of the House of Representatives. The Speaker of the House of Representatives shall also appoint one alternate board member who will participate in deliberations of the board in the event a member appointed by the Speaker of the House of Representatives elects to be recused as provided in subsection 7, paragraph B; and

C. One member by the Governor. The Governor shall also appoint one alternate board member who will participate in deliberations of the board in the event the member appointed by the Governor elects to be recused as provided in subsection 7, paragraph B.

3. Terms. Members are appointed to 5-year terms. Of the initial appointees, the member appointed by the Governor serves an initial term of 5 years, one member appointed by the President of the Senate and one member appointed by the Speaker of the House of Representatives serve an initial term of 4 years and one member appointed by the President of the Senate and one member appointed by the Speaker of the House of Representatives serve an initial term of 3 years.

4. Quorum. A majority of board members constitutes a quorum.

5. Chair. The Governor shall name the chair.

6. Meetings. Beginning no later than March 1, 2020, the board shall meet in public session at least

every 12 weeks to review prescription drug information and to make recommendations pursuant to section 2042. Meetings may be cancelled or postponed at the discretion of the chair.

A. Each public meeting must be announced 2 weeks in advance, and materials for the meeting must be made public at least one week in advance.

B. Each public meeting must provide opportunity for comment from the public in attendance at the meeting, and the board shall provide the opportunity for the public to submit written comments on pending decisions.

C. The board may allow expert testimony at public meetings and any meeting conducted in executive session as permitted by paragraph D.

D. Notwithstanding the requirements of Title 1, section 405, the board may meet in executive session, except that any decision of the board must be made in public.

7. Conflicts of interest. The following provisions govern any conflict of interest for a member of the board, a member of the advisory council established pursuant to subsection 10 or any staff member or contractor of the board.

A. When appointing a member of the board or the advisory council established pursuant to subsection 10, the appointing authority shall consider any conflict of interest disclosed by the prospective member. A member shall elect to be recused from any board activity in the case in which the member or an immediate family member of the member has a conflict of interest. For the purposes of this paragraph, "conflict of interest" means an association, including a financial or personal association, that has the potential to bias or have the appearance of biasing an individual's decisions in matters related to the board or the conduct of the board's activities.

B. A board member or staff or contractor of the board with a conflict of interest shall elect to be recused. For purposes of this paragraph, "conflict of interest" means any instance in which a member of the board or an immediate family member of the member has received or could receive either of the following:

(1) A direct financial benefit of any amount deriving from the results or findings of a study or determination by or for the board; or

(2) A financial benefit from individuals or companies that own or manufacture prescription drugs, services or items to be studied by the board that in the aggregate exceeds \$5,000 per year. For purposes of this subparagraph, "financial benefit" includes honoraria, fees, stock or other financial benefit and the current value of the member's or immediate family

member's already existing stock holdings, in addition to any direct financial benefit deriving from the results or findings conducted under this section.

C. A conflict of interest must be disclosed in the following manner:

(1) By the board in the employment of board senior staff;

(2) By the Governor, President of the Senate or Speaker of the House of Representatives when appointing members to the board and advisory council established pursuant to subsection 10;

(3) By the board, describing any recusals as part of any final decision relating to a prescription drug; and

(4) By the 5th day after a conflict is identified or, if a public meeting of the board will occur within that 5-day period, in advance of the public meeting.

D. Conflicts of interest must be publicly posted on the website of the board. The information disclosed must include the type, nature and magnitude of the interests of the individual involved, except to the extent that the individual elects to be recused from participation in any activity with respect to which the potential conflict exists.

E. The board, the advisory council established pursuant to subsection 10, a member of the board or staff or a contractor of the board may not accept gifts, bequests or donations of services or property that suggest a conflict of interest or have the appearance of creating bias in the work of the board or advisory council.

F. A member of the advisory council established pursuant to subsection 10 who accepts a gift, bequest or donation of services or property that suggests a conflict of interest or has the appearance of creating bias in the work of the advisory council shall disclose the gift, bequest or donation publicly.

8. Staff. The board may employ an executive director, whose salary, to the extent feasible, must comport with state personnel rules and requirements.

9. Compensation. A member of the board and a member of the advisory council appointed pursuant to subsection 10, paragraph L are entitled to legislative per diem and reimbursement for expenses as provided in section 12004-G, subsection 14-1.

10. Advisory council. A 12-member advisory council is established to advise the board on establishing annual spending targets pursuant to section 2042, subsection 1 and determining methods for meeting those spending targets pursuant to section 2042, subsection 3. The advisory council consists of:

- A. The Governor or the governor's designee;
- B. The Commissioner of Administrative and Financial Services or the commissioner's designee;
- C. The Commissioner of Corrections or the commissioner's designee;
- D. The Commissioner of Health and Human Services or the commissioner's designee;
- E. The Attorney General or the Attorney General's designee;
- F. The Executive Director of Employee Health and Benefits, within the Department of Administrative and Financial Services, Bureau of Human Resources, or the executive director's designee;
- G. A representative from the Maine State Employees Association, appointed by the Governor, based on a nomination by the association;
- H. A representative from the Maine Education Association, appointed by the Governor, based on a nomination by the association;
- I. A representative from the Maine Municipal Association, appointed by the Governor, based on a nomination by the association;
- J. A representative from the University of Maine System, appointed by the Governor, based on a nomination by the system;
- K. A representative from the Maine Community College System, appointed by the Governor, based on a nomination by the system; and
- L. A representative of consumer interests, appointed by the Governor, who serves a 3-year term.

11. Funds and grants. The board may apply for and receive funds, grants or contracts from public and private sources.

12. Assessment. The board may recommend that a public payor, as defined in section 2042, subsection 1, pay an annual assessment to support the administrative costs of the board.

§2042. Powers and duties of the board

1. Prescription drug spending targets. The board has the following powers and duties. For the purposes of this section, the term "public payor" means any division of state, county or municipal government that administers a health plan for employees of that division of state, county or municipal government or an association of state, county or municipal employers that administers a health plan for its employees, except for the MaineCare program. The board shall:

- A. Beginning for the year 2021 and in consultation with the advisory council established under section 2041, subsection 10, determine annual spending targets for prescription drugs purchased by public

payors based upon a 10-year rolling average of the medical care services component of the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index medical care services index plus a reasonable percentage for inflation and minus a spending target determined by the board for pharmacy savings;

B. Determine spending targets on specific prescription drugs that may cause affordability challenges to enrollees in a public payor health plan; and

C. Determine which public payors are likely to exceed the spending targets determined under paragraph A.

2. Prescription drug spending data. The board may consider the following data to accomplish its duties under this section:

A. A public payor's prescription drug spending data, which the 3rd-party administrator or insurer for the public payor's health plan shall provide to the board on behalf of the public payor upon request notwithstanding any provision of law to the contrary, including:

- (1) Expenditures and utilization data for prescription drugs for each plan offered by a public payor;
- (2) The formulary for each plan offered by a public payor and prescription drugs common to each formulary;
- (3) Pharmacy benefit management services and other administrative expenses of the prescription drug benefit for each plan offered by a public payor; and
- (4) Enrollee cost sharing for each plan offered by a public payor; and

B. Data compiled by the Maine Health Data Organization under Title 22, chapter 1683.

Prescription drug spending data provided to the board under this subsection is confidential to the same extent it is confidential while in the custody of the entity that provided the data to the board.

3. Recommendations. Based upon the prescription drug spending data received under subsection 2, the board, in consultation with a representative of each public payor identified under subsection 1, paragraph A, shall determine methods for the public payor to meet the spending targets established under subsection 1. The board shall determine whether the following methods reduce costs to individuals purchasing prescription drugs through a public payor and allow public payors to meet the spending targets established under subsection 1:

- A. Negotiating specific rebate amounts on the prescription drugs that contribute most to spending that exceeds the spending targets;
- B. Changing a formulary when sufficient rebates cannot be secured under paragraph A;
- C. Changing a formulary with respect to all of the prescription drugs of a manufacturer within a formulary when sufficient rebates cannot be secured under paragraph A;
- D. Establishing a common prescription drug formulary for all public payors;
- E. Prohibiting health insurance carriers in the State from offering on their formularies a prescription drug or any of the prescription drugs manufactured by a particular manufacturer when the methods described in paragraph B or C are implemented;
- F. Purchasing prescription drugs in bulk or through a single purchasing agreement for use among public payors;
- G. Collaborating with other states and state prescription drug purchasing consortia to purchase prescription drugs in bulk or to jointly negotiate rebates;
- H. Allowing health insurance carriers providing coverage to small businesses and individuals in the State to participate in the public payor prescription drug benefit for a fee;
- I. Procuring common expert services for public payors, including but not limited to pharmacy benefit management services and actuarial services; and
- J. Any other method the board may determine.

4. Report. The board shall report its recommendations, including prescription drug spending targets, and the progress of implementing those recommendations to the joint standing committee of the Legislature having jurisdiction over health coverage and insurance matters no later than October 1, 2020 and on January 30th annually thereafter. The joint standing committee may report out legislation based upon the report.

Sec. A-6. 5 MRSA c. 168 is enacted to read:

CHAPTER 168

WHOLESALE PRESCRIPTION DRUG IMPORTATION PROGRAM

§2045. Authorization

The Wholesale Prescription Drug Importation Program, referred to in this chapter as "the program," is established to provide for the wholesale importation of prescription drugs from Canada by or on behalf of the State. The program must be designed in accordance with the requirements of this chapter. The program may not be implemented unless the State obtains approval

and certification, pursuant to section 2046, subsection 3, from the United States Department of Health and Human Services.

§2046. Design of program

1. Design requirements. The Department of Health and Human Services, in consultation with appropriate federal and other state agencies, other states and interested parties, shall design the program to comply with the applicable requirements of 21 United States Code, Section 384, including requirements regarding safety and cost savings. The program design must:

- A. Designate a state agency to become a licensed drug wholesaler or to contract with a licensed drug wholesaler in order to seek federal certification and approval, pursuant to subsection 3, to import safe prescription drugs and provide cost savings to consumers in the State;
- B. Use prescription drug suppliers in Canada regulated under the laws of Canada or of one or more Canadian provinces, or both;
- C. Ensure that only prescription drugs meeting the federal Food and Drug Administration's safety, effectiveness and other standards are imported by or on behalf of the State;
- D. Import only those prescription drugs expected to generate substantial cost savings for consumers in the State;
- E. Ensure that the program complies with the transaction and tracing requirements of 21 United States Code, Sections 360eee and 360eee-1 to the extent feasible and practical prior to imported prescription drugs coming into the possession of the licensed drug wholesaler and that the program complies fully with those federal requirements after imported prescription drugs are in the possession of the licensed drug wholesaler;
- F. Consider whether the program may be developed on a multistate basis through collaboration with other states;
- G. Prohibit the distribution, dispensing or sale of imported prescription drugs outside of the State;
- H. Recommend a charge per prescription or another method of financing to ensure that the program is adequately funded in a manner that does not jeopardize significant cost savings to consumers, including adequate funding for the initial start-up costs of the program;
- I. Apply for and receive funds, grants or contracts from public and private sources; and
- J. Include an audit function.

2. Rules. The Department of Health and Human Services shall adopt rules to design the program in accordance with the requirements of subsection 1 no

later than January 1, 2020. Rules adopted pursuant to this subsection are major substantive rules as defined in chapter 375, subchapter 2-A.

3. Request for federal approval and certification. The Department of Health and Human Services shall submit a request for approval and certification of the program to the United States Department of Health and Human Services no later than May 1, 2020.

§2047. Implementation

1. Implementation; operation. Upon receipt of federal approval and certification under section 2046, subsection 3, the state agency designated to oversee the program pursuant to this chapter shall implement the program as required in subsection 2. The program must begin operating no later than 6 months following receipt of federal approval and certification.

2. Requirements. Prior to operating the program, the state agency designated to oversee the program pursuant to this chapter shall:

- A. Become a licensed drug wholesaler or enter into a contract with a licensed drug wholesaler in the State;
- B. Contract with one or more distributors licensed in the State;
- C. Contract with one or more licensed and regulated prescription drug suppliers in Canada;
- D. Consult with health insurance carriers, employers, pharmacies, pharmacists, health care providers and consumers;
- E. Develop a registration process for health insurance carriers, pharmacies and health care providers authorized to prescribe and administer prescription drugs that are willing to participate in the program;
- F. Create a publicly accessible website for listing the prices of prescription drugs to be imported under the program;
- G. Create an outreach and marketing plan to generate public awareness of the program;
- H. Provide a telephone hotline to answer questions and address needs of consumers, employers, health insurance carriers, pharmacies, health care providers and others affected by the program;
- I. Develop a 2-year audit work plan; and
- J. Conduct any other activity determined necessary to successfully implement and operate the program.

§2048. Annual reporting

Beginning January 2021, and annually thereafter, the Department of Health and Human Services, or other state agency designated to oversee the program pursuant to this chapter, shall report to the joint standing committee of the Legislature having jurisdiction over health coverage and prescription drugs regarding the implementation and operation of the program during the previous calendar year, including:

ant to this chapter, shall report to the joint standing committee of the Legislature having jurisdiction over health coverage and prescription drugs regarding the implementation and operation of the program during the previous calendar year, including:

1. Prescription drugs included. The prescription drugs included in the program;

2. Participation. The number of participating pharmacies, health care providers and health insurance carriers;

3. Prescriptions dispensed. The number of prescription drugs dispensed through the program;

4. Estimated savings. The estimated cost savings to consumers, health insurance carriers, employers and the State during the previous calendar year and to date;

5. Audit findings. Information regarding implementation of the audit work plan and audit findings; and

6. Other relevant information. Any other information the Department of Health and Human Services, or other state agency designated to oversee the program pursuant to this chapter, considers relevant.

Sec. A-7. 5 MRSA §3101, sub-§1, as amended by PL 2019, c. 343, Pt. D, §6 and c. 383, §1, is repealed and the following enacted in its place:

1. Director. "Director" means the Director of the Office of Policy Innovation and the Future established by section 3102.

Sec. A-8. 5 MRSA §3101, sub-§2, as amended by PL 2019, c. 343, Pt. D, §6 and c. 383, §1, is repealed and the following enacted in its place:

2. Office. "Office" means the Office of Policy Innovation and the Future established by section 3102.

Sec. A-9. 5 MRSA §3102, as amended by PL 2019, c. 343, Pt. D, §7 and repealed and replaced by c. 383, §2, is repealed and the following enacted in its place:

§3102. Office established; purpose

The Office of Policy Innovation and the Future is established in the Executive Department to: support the creation of a coherent system of policy planning and coordinated implementation as one function and responsibility of the executive branch; serve the Governor as a research, advisory, consultative, coordinating and administrative agency; and advance policies that support a sustainable future for the State's people, communities, natural resources, physical infrastructure, industries, businesses and institutions by:

1. Assistance; data; policy. Providing technical assistance and data to the Governor by undertaking special studies and plans as directed and preparing policy;

2. Coordination. Facilitating general intergovernmental coordination;

3. Innovation. Supporting state efforts to encourage innovation and policy that facilitates innovation in the public and private sectors;

4. Technology. Supporting improved technology use for government programs and advancing responsible state data policies;

5. Resources. Supporting the development of the State's economy and energy resources with the conservation of its natural resources; and

6. Analysis. Conducting ongoing demographic, economic, workforce and other needed analyses to support state policy makers.

Sec. A-10. 5 MRSA §3103, as amended by PL 2019, c. 343, Pt. D, §8 and c. 383, §3, is repealed and the following enacted in its place:

§3103. Director

The Director of the Office of Policy Innovation and the Future is appointed by the Governor and serves at the pleasure of the Governor.

Sec. A-11. 5 MRSA §12004-C, sub-§7, as enacted by PL 1995, c. 676, §1 and affected by c. 676, §13, is amended to read:

7.

School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf	Legislative Per Diem and Expenses	20-A MRSA §7406
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Sec. A-12. 5 MRSA §13056, sub-§3, as amended by PL 2019, c. 343, Pt. D, §9 and Pt. IIII, §4, is repealed and the following enacted in its place:

3. Conduct planning and research. Conduct planning, research and analysis for department needs, but not macroeconomic forecasting, which is the responsibility of the Department of Administrative and Financial Services. The department shall gather and maintain and must have access to all economic and other information necessary to the performance of its duties;

Sec. A-13. 5 MRSA §13056, sub-§6, ¶B, as amended by PL 2003, c. 159, §2, is further amended to read:

B. Other community planning and development assistance programs of the former State Planning Office;

Sec. A-14. 9-A MRSA §14-105, sub-§5, as enacted by PL 2019, c. 431, §2 and affected by §4, is repealed.

Sec. A-15. 10 MRSA §363, sub-§2-A, as amended by PL 2019, c. 343, Pt. D, §11 and Pt. IIII, §5, is repealed and the following enacted in its place:

2-A. Recommendation of Governor and issuers.

At any time action of the Legislature under subsection 1-A is necessary or desirable, the Governor shall recommend to the appropriate committee of the Legislature a proposed allocation or reallocation of all or part of the state ceiling. To assist the Governor in making a recommendation of proposed allocations of the state ceiling on private activity bonds, the group of 7 representatives described in subsection 1-A shall make a recommendation regarding allocation or reallocation of the state ceiling. In order to assist the group in making its recommendation and to assist the Governor and the Legislature, the Department of Administrative and Financial Services shall prepare an annual analysis of the State's economic outlook, prevailing interest rate forecasts related to tax-exempt financing by the issuers specifically identified in subsections 4 to 8, the availability to those issuers of alternative financing from sources that do not require an allocation of the state ceiling and the relationship of these factors and various public policy considerations to the allocation or reallocation of the state ceiling. In recommending any allocation or reallocation of the state ceiling to the Legislature, the Governor shall consider the requests and recommendations of those issuers of bonds within the State designated in this section, the recommendations of the group of representatives described in subsection 1-A and the annual analysis of the Department of Administrative and Financial Services.

Sec. A-16. 10 MRSA §1310-H, sub-§3, as amended by PL 2019, c. 77, §1 and c. 407, §2, is repealed and the following enacted in its place:

3. Nonliability. A person may not be held liable for any violation of this section if the person shows by a preponderance of the evidence that at the time of the alleged violation the person maintained reasonable procedures to ensure compliance with the provisions of subsections 1, 2, 2-A and 4.

Sec. A-17. 10 MRSA §9722, sub-§6, ¶G, as amended by PL 2019, c. 391, §4, is further amended to read:

G. In accordance with section 9723, ensure that training and certification regarding the Maine Uniform Building and Energy Code is readily available, affordable and accessible to municipal building officials; ~~and~~

Sec. A-18. 10 MRSA §9722, sub-§6, ¶I, as amended by PL 2019, c. 391, §4, is further amended to read:

I. Approve methods of energy performance rating for use in generating any consumer information labels that may be required in the marketing and sale of residential and commercial buildings or units within buildings; and

Sec. A-19. 10 MRSA §9722, sub-§6, ¶M, as repealed by PL 2019, c. 391, §4 and amended by c. 392, §1, is repealed.

Sec. A-20. 10 MRSA §9722, sub-§6, ¶N, as repealed by PL 2019, c. 391, §4 and amended by c. 392, §2, is repealed.

Sec. A-21. 12 MRSA §8876, sub-§2, as amended by PL 2019, c. 343, Pt. D, §12 and Pt. IIII, §6, is repealed and the following enacted in its place:

2. Future demand. Project future demand for forest resources based on a common economic forecast developed by the Consensus Economic Forecasting Commission and on other appropriate economic projections;

Sec. A-22. 19-A MRSA §4012, sub-§5, as amended by PL 2019, c. 412, §9, is further amended to read:

5. Arrest in certain situations. When a law enforcement officer has probable cause to believe that there has been a criminal violation under section 4011 of a court-approved consent agreement or a protection order issued pursuant to this chapter or Title 15, chapter 12-A, or that a violation of Title 17-A, section 208-D, 208-E, or 208-F has occurred, that enforcement officer shall arrest and take into custody the alleged offender.

Sec. A-23. 20-A MRSA §10, sub-§2, ¶G, as amended by PL 2019, c. 450, §12, is further amended to read:

G. The Maine Municipal Association; ~~and~~

Sec. A-24. 20-A MRSA §10, sub-§2, ¶H, as amended by PL 2019, c. 450, §13, is further amended to read:

H. The Maine Principals Association; ~~and~~

Sec. A-25. 22 MRSA §2422, sub-§4-N, as enacted by PL 2019, c. 331, §2 and c. 528, §16, is repealed and the following enacted in its place:

4-N. Immature marijuana plant. "Immature marijuana plant" means a nonflowering marijuana plant that measures more than 24 inches from the base of the main plant stalk to the most distant point of the plant's leaf stems or branches. "Immature marijuana plant" does not include hemp as defined in Title 7, section 2231, subsection 1-A, paragraph D.

Sec. A-26. 22 MRSA §2422, sub-§4-S, as enacted by PL 2019, c. 331, §2 and c. 528, §16, is repealed and the following enacted in its place:

4-S. Marijuana concentrate. "Marijuana concentrate" means the resin extracted from any part of a marijuana plant and every compound, manufacture, salt, derivative, mixture or preparation from such resin, including, but not limited to, hashish. "Marijuana concentrate" does not include resin extracted from hemp as

defined in Title 7, section 2231, subsection 1-A, paragraph D or any compound, manufacture, salt, derivative, mixture or preparation therefrom.

Sec. A-27. 22 MRSA §2428, sub-§1-A, ¶F, as repealed and replaced by PL 2019, c. 331, §24 and c. 354, §7, is repealed and the following enacted in its place:

F. Except as provided in section 2426:

(1) Transfer marijuana plants and harvested marijuana to a qualifying patient and to a caregiver on behalf of a qualifying patient in a retail sale for reasonable compensation;

(2) Transfer marijuana plants and harvested marijuana to a qualifying patient, caregiver or dispensary for no remuneration;

(3) Acquire marijuana plants and harvested marijuana from another dispensary for no remuneration;

(4) Transfer to and accept from a registered caregiver or another dispensary marijuana plants and harvested marijuana in a wholesale transaction in accordance with this paragraph. A dispensary may transfer in wholesale transactions for reasonable compensation or for no remuneration up to 75% of the mature marijuana plants grown by the dispensary over the course of a calendar year, including any marijuana products or marijuana concentrate manufactured from that 75% of the mature marijuana plants grown by the dispensary. A dispensary may transfer to or accept from registered caregivers and dispensaries in wholesale transactions an unlimited amount of immature marijuana plants and seedlings. A dispensary that acquires mature marijuana plants, marijuana products or marijuana concentrate in a wholesale transaction under this subparagraph may not resell the mature marijuana plants, marijuana products or marijuana concentrate except to a qualifying patient or to a caregiver or dispensary to assist a qualifying patient;

(5) Transfer harvested marijuana to a manufacturing facility and accept marijuana products and marijuana concentrate from the manufacturing facility that are produced from the harvested marijuana the dispensary provided to the manufacturing facility; and

(6) Provide samples to a marijuana testing facility for testing and research purposes;

Sec. A-28. 22 MRSA §3739, sub-§2, ¶G, as repealed by PL 2019, c. 450, §16 and amended by c. 524, §16, is repealed.

Sec. A-29. 24-A MRSA §4316, sub-§4, ¶C, as enacted by PL 2019, c. 289, §2, is amended to read:

C. The enrollee is cognitively and physically capable of operating the mobile health devices or the enrollee has a caregiver willing and able to assist with the mobile health devices; and

Sec. A-30. 25 MRSA §1542-A, sub-§1, ¶R, as amended by PL 2019, c. 343, Pt. G, §5; c. 399, §3; c. 402, §3; and c. 416, §3, is repealed and the following enacted in its place:

R. Who is required to have a criminal background check under Title 22, section 8302-A or 8302-B.

Sec. A-31. 25 MRSA §1542-A, sub-§1, ¶S, as enacted by PL 2019, c. 399, §4 and c. 402, §4 and reallocated by c. 343, Pt. G, §4 and c. 416, §2, is repealed and the following enacted in its place:

S. Who is required to have a criminal history record check under Title 22, section 2425-A, subsection 3-A.

Sec. A-32. 25 MRSA §1542-A, sub-§1, ¶T, as enacted by PL 2019, c. 399, §4; c. 402, §4; and c. 416, §4, is repealed and the following enacted in its place:

T. Who is required to have a criminal history record check under Title 22, section 8110.

Sec. A-33. 25 MRSA §1542-A, sub-§1, ¶U, as enacted by PL 2019, c. 616, Pt. S, §2, is reallocated to 25 MRSA §1542-A, sub-§1, ¶X.

Sec. A-34. 25 MRSA §1542-A, sub-§1, ¶V is enacted to read:

V. Who is employed or may be offered employment by the Office of the State Auditor as required under Title 5, section 247.

Sec. A-35. 25 MRSA §1542-A, sub-§1, ¶W is enacted to read:

W. Who is required to have a criminal history record check under Title 19-A, section 2111.

Sec. A-36. 25 MRSA §1542-A, sub-§3, ¶O, as repealed by PL 2019, c. 343, Pt. G, §8 and c. 416, §5 and repealed and replaced by c. 399, §5 and c. 402, §5, is repealed and the following enacted in its place:

O. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph P at the request of that person and upon payment of the expenses by that person as required by Title 32, section 2571-A.

Sec. A-37. 25 MRSA §1542-A, sub-§3, ¶S, as enacted by PL 2019, c. 399, §6; c. 402, §6; and c. 416, §7, is repealed and the following enacted in its place:

S. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph T at the request of that person or the Department of Health and Human Services pursuant to Title 22, section 8110.

Sec. A-38. 25 MRSA §1542-A, sub-§3, ¶T, as enacted by PL 2019, c. 616, Pt. S, §3 and c. 644, §2, is repealed and the following enacted in its place:

T. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph U at the request of that person and upon payment of the expenses by the Department of Labor, Bureau of Unemployment Compensation as specified under Title 26, section 1085, subsection 3.

Sec. A-39. 25 MRSA §1542-A, sub-§3, ¶U is enacted to read:

U. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph V at the request of that person or the Office of the State Auditor and upon payment by the Office of the State Auditor of the fee established in Title 5, section 247, subsection 3.

Sec. A-40. 25 MRSA §1542-A, sub-§3, ¶V is enacted to read:

V. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph W at the request of that person or the Department of Health and Human Services pursuant to Title 19-A, section 2111.

Sec. A-41. 25 MRSA §1542-A, sub-§3, ¶W is enacted to read:

W. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph X at the request of that person or the Department of Administrative and Financial Services, Office of Information Technology and upon payment of the fee as provided under Title 5, section 1986.

Sec. A-42. 25 MRSA §1542-A, sub-§4, as repealed and replaced by PL 2019, c. 343, Pt. G, §10; c. 399, §7; c. 402, §7; and c. 416, §8, is repealed and the following enacted in its place:

4. Duty to submit to State Bureau of Identification. It is the duty of the law enforcement agency taking the fingerprints as required by subsection 3, paragraphs A, B and G to transmit immediately to the State Bureau of Identification the criminal fingerprint record. Fingerprints taken pursuant to subsection 1, paragraph C, D, E or F or pursuant to subsection 5 may not be submitted to the State Bureau of Identification unless an express request is made by the commanding officer of the State Bureau of Identification. Fingerprints taken

pursuant to subsection 1, paragraph G must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Education. The bureau may not use the fingerprints for any purpose other than that provided for under Title 20-A, section 6103. The bureau shall retain the fingerprints, except as provided under Title 20-A, section 6103, subsection 9. Fingerprints taken pursuant to subsection 1, paragraph I and subsection 3, paragraph I must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the court and the Department of Public Safety, Gambling Control Board, respectively. Fingerprints taken pursuant to subsection 1, paragraph J or S must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Administrative and Financial Services. Fingerprints taken pursuant to subsection 1, paragraph P must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Board of Osteopathic Licensure, established in Title 32, chapter 36. Fingerprints taken pursuant to subsection 1, paragraph N must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Board of Licensure in Medicine, established in Title 32, chapter 48. Fingerprints taken pursuant to subsection 1, paragraph Q must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the State Board of Nursing, established in Title 32, chapter 31. Fingerprints taken pursuant to subsection 1, paragraph O must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks under Title 28-B, section 204. Fingerprints taken pursuant to subsection 1, paragraph R, T or W must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Health and Human Services. Fingerprints taken pursuant to subsection 1, paragraph V must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Office of the State Auditor.

Sec. A-43. 26 MRSA §3, sub-§3, ¶B, as amended by PL 2019, c. 343, Pt. D, §13 and Pt. III, §7, is repealed and the following enacted in its place:

B. Information and records pertaining to the workforce, employment patterns, wage rates, poverty and low-income patterns, economically distressed communities and regions and other similar information and data to the Department of Administrative and Financial Services and the Department of

Economic and Community Development for the purposes of analysis and evaluation, measuring and monitoring poverty and economic and social conditions throughout the State, and promoting economic development.

Sec. A-44. 30-A MRSA §4312, sub-§3, ¶K, as amended by PL 2019, c. 38, §3; c. 145, §3; and c. 153, §2, is further amended to read:

K. To encourage municipalities to develop policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets; and

Sec. A-45. 30-A MRSA §4312, sub-§3, ¶M, as enacted by PL 2019, c. 145, §4 and reallocated by RR 2019, c. 1, Pt. A, §38, is amended to read:

M. To encourage municipalities to develop policies that provide for accessory dwelling units; and

Sec. A-46. 30-A MRSA §5903, sub-§6-A, as amended by PL 2019, c. 343, Pt. D, §14 and Pt. III, §9, is repealed and the following enacted in its place:

6-A. Median household income. "Median household income" means the income computed based on the most current census information available, as provided by the State Economist.

Sec. A-47. 35-A MRSA §3454, first ¶, as amended by PL 2019, c. 343, Pt. D, §15 and Pt. III, §10, is repealed and the following enacted in its place:

In making findings pursuant to Title 38, section 484, subsection 3, the primary siting authority shall presume that an expedited wind energy development provides energy and emissions-related benefits described in section 3402 and shall make additional findings regarding other tangible benefits provided by the development. The Department of Labor, the Governor's Energy Office and the Public Utilities Commission shall provide review comments if requested by the primary siting authority.

Sec. A-48. 35-A MRSA §10110, sub-§1, ¶C, as amended by PL 2019, c. 306, §4 and c. 365, §2, is repealed and the following enacted in its place:

C. "Conservation programs" means programs developed by the trust pursuant to this section designed to increase the efficiency of electricity use.

Sec. A-49. 36 MRSA §1817, sub-§5, as repealed by PL 2017, c. 409, Pt. D, §3 and amended by c. 452, §30, is repealed.

Sec. A-50. 37-B MRSA §111, as enacted by PL 1983, c. 460, §3, is repealed.

Sec. A-51. 38 MRSA §484, sub-§10, as amended by PL 2019, c. 343, Pt. D, §17 and Pt. IIII, §12, is repealed and the following enacted in its place:

10. Special provisions; wind energy development or offshore wind power project. In the case of a grid-scale wind energy development, or an offshore wind power project with an aggregate generating capacity of 3 megawatts or more, the proposed generating facilities, as defined in Title 35-A, section 3451, subsection 5:

A. Will be designed and sited to avoid unreasonable adverse shadow flicker effects;

B. Will be constructed with setbacks adequate to protect public safety. In making a finding pursuant to this paragraph, the department shall consider the recommendation of a professional, licensed civil engineer as well as any applicable setback recommended by a manufacturer of the generating facilities; and

C. Will provide significant tangible benefits as determined pursuant to Title 35-A, section 3454, if the development is an expedited wind energy development.

The Department of Labor, the Governor's Energy Office and the Public Utilities Commission shall provide review comments if requested by the primary siting authority.

For purposes of this subsection, "grid-scale wind energy development," "primary siting authority," "significant tangible benefits" and "expedited wind energy development" have the same meanings as in Title 35-A, section 3451.

Sec. A-52. PL 2019, c. 343, Pt. D, §18 is amended to read:

Sec. D-18. Maine Revised Statutes amended; revision clause. Wherever in the Maine Revised Statutes the words "Governor's Office of Policy and Management" appear or reference is made to that entity or those words, those words are amended to read or mean, as appropriate, "Governor's Office of Policy Innovation and the Future" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

PART B

Sec. B-1. 3 MRSA §312-A, sub-§11-A, as amended by PL 2019, c. 587, §5 and c. 599, §2, is repealed and the following enacted in its place:

11-A. Original source. "Original source" means any person who pays \$1,000 or more in any lobbying year directly or indirectly to any employer of a lobbyist for purposes of lobbying or grassroots lobbying or to any other person for purposes of grassroots lobbying, except that payments of membership dues to nonprofit

corporations formed under Title 13-B, under any equivalent state law or by legislative enactment are not considered payments by an original source.

Sec. B-2. 5 MRSA §4572, sub-§1, ¶D, as amended by PL 2005, c. 10, §12, is further amended by amending subparagraph (2) to read:

(2) Make or keep a record of race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, any previous assertion of a claim or right under former Title 39 or Title 39-A or any previous actions that are protected under Title 26, chapter 7, subchapter 5-B, except under that, in relation to physical or mental disability, when an employer requires a physical or mental examination prior to employment, a privileged record of that examination is permissible if made and kept in compliance with this Act;

Sec. B-3. 5 MRSA §17851-A, sub-§6-B, as enacted by PL 2019, c. 541, §10, is amended to read:

6-B. Consequences of participation in retirement plan under section 17851, subsection 14. A member in the capacity specified in subsection 1, paragraph ~~N~~ **Q** who, prior to July 1, 2020, elected the retirement option provided in section 17851, subsection 14 is treated as follows under the 1998 Special Plan.

A. A member who made the election at the time of first employment in a position covered under section 17851, subsection 14 is considered to be a member under the 1998 Special Plan as of the date of hire. Beginning July 1, 2020, a member covered by this paragraph shall contribute to the State Employee and Teacher Retirement Program or have pick-up contributions made at a rate of 8.65% of earnable compensation until completion of 25 years of creditable service and shall contribute at a rate of 7.65% thereafter.

B. A member who was serving in a position covered under section 17851, subsection 14 at the time of the election and who elected to participate in the retirement option prospectively from the time of election is considered to be a member under the 1998 Special Plan as of the effective date of the election. Beginning July 1, 2020, a member covered by this paragraph shall contribute to the State Employee and Teacher Retirement Program or have pick-up contributions made at a rate of 8.65% of earnable compensation until completion of 25 years of creditable service and shall contribute at a rate of 7.65% thereafter.

C. A member who was serving in a position covered under section 17851, subsection 14 at the time of the election and who elected to participate in the retirement option prospectively from the time of election and also elected to purchase credit for service earned while serving in the same capacity

before exercising the election is considered to be a member under the 1998 Special Plan as of the beginning date of the service for which credit is purchased, as long as all of the payments required under section 17852, subsection 15 are made before retirement. If all the required payments are not made before retirement, that member is considered to be a member under the 1998 Special Plan as of the effective date of the election. Beginning July 1, 2020, for employees identified in subsection 1, paragraph ~~N~~ Q, a member covered by this paragraph shall contribute to the State Employee and Teacher Retirement Program or have pick-up contributions made at a rate of 8.65% of earnable compensation until completion of 25 years of creditable service and shall contribute at a rate of 7.65% thereafter.

Employee contributions and actuarial and administrative costs paid to the State Employee and Teacher Retirement Program by a member covered by this subsection may not be returned to that member, except that these employee contributions may be refunded to a member who terminates service and requests a refund under section 17705-A.

Sec. B-4. 16 MRSA §707, sub-§1, as amended by PL 2015, c. 354, §2, is further amended to read:

1. Offense. A person is guilty of unlawful dissemination of confidential criminal history record information if the person intentionally disseminates confidential criminal history record information knowing it to be in violation of any of the provisions of this chapter ~~or if the person intentionally disseminates criminal history record information relating to a criminal conviction in violation of Title 15, section 2255 knowing it to be in violation.~~

Sec. B-5. 29-A MRSA §2081, sub-§2-B, as amended by PL 2019, c. 577, §3, is further amended to read:

2-B. Children 2 years of age or older and weighing less than 55 pounds. When a child who is 2 years of age or older and who weighs less than 55 pounds is being transported in a motor vehicle that is required by the United States Department of Transportation to be equipped with seat belts, the operator shall ensure that the child is properly secured in a child restraint system with an internal harness in accordance with the child restraint system manufacturer's instructions and the vehicle manufacturer's instructions except that, if the child exceeds the child restraint system manufacturer's recommended height limit for the child restraint system, the operator shall ensure that the child is properly secured in a federally approved belt positioning seat. Violation of this subsection is a traffic infraction for which a fine of \$50 for the first offense, \$125 for the 2nd offense and \$250 for the 3rd and subsequent offenses must be imposed. A fine imposed under this subsection may not be suspended by the court.

Sec. B-6. 30-A MRSA §5225, sub-§1, ¶C, as amended by PL 2019, c. 604, §3 and c. 625, §3, is repealed and the following enacted in its place:

C. Costs related to economic development, environmental improvements, fisheries and wildlife or marine resources projects, recreational trails, broadband service development, expansion or improvement, including connecting to broadband service outside the tax increment financing district, employment training or the promotion of workforce development and retention within the municipality or plantation, including, but not limited to:

(1) Costs of funding economic development programs or events developed by the municipality or plantation or funding the marketing of the municipality or plantation as a business or arts location;

(2) Costs of funding environmental improvement projects developed by the municipality or plantation for commercial or arts district use or related to such activities;

(3) Funding to establish permanent economic development revolving loan funds, investment funds and grants;

(4) Costs of services and equipment to provide skills development and training, including scholarships to in-state educational institutions or to online learning entities when in-state options are not available, for jobs created or retained in the municipality or plantation. These costs must be designated as training funds in the development program;

(5) Costs associated with quality child care facilities and adult care facilities, including finance costs and construction, staffing, training, certification and accreditation costs related to child care and adult care;

(6) Costs associated with new or existing recreational trails determined by the department to have significant potential to promote economic development, including, but not limited to, costs for multiple projects and project phases that may include planning, design, construction, maintenance, grooming and improvements with respect to new or existing recreational trails, which may include bridges that are part of the trail corridor, used all or in part for all-terrain vehicles, snowmobiles, hiking, bicycling, cross-country skiing or other related multiple uses;

(7) Costs associated with a new or expanded transit service, limited to:

(a) Transit service capital costs, including but not limited to: transit vehicles such as buses, ferries, vans, rail conveyances and

related equipment; bus shelters and other transit-related structures; and benches, signs and other transit-related infrastructure; and

(b) In the case of transit-oriented development districts, ongoing costs of adding to an existing transit system or creating a new transit service and limited strictly to transit operator salaries, transit vehicle fuel and transit vehicle parts replacements;

(8) Costs associated with the development of fisheries and wildlife or marine resources projects;

(9) Costs related to the construction or operation of municipal or plantation public safety facilities, the need for which is related to general economic development within the municipality or plantation, not to exceed 15% of the captured assessed value of the development district; and

(10) Costs associated with broadband and fiber optics expansion projects, including preparation, planning, engineering and other related costs in addition to the construction costs of those projects. If an area within a municipality or plantation is unserved with respect to broadband service, as defined by the ConnectMaine Authority as provided in Title 35-A, section 9204-A, subsection 1, broadband and fiber optics expansion projects may serve residential or other nonbusiness or non-commercial areas in addition to business or commercial areas within the municipality or plantation; and

Sec. B-7. 32 MRSA §3300-D, as enacted by PL 2015, c. 137, §1, is amended to read:

§3300-D. Interstate practice of ~~telemedicine~~ telehealth

1. Definition. For the purposes of this section, "~~telemedicine telehealth~~" has the same meaning as in Title 24-A, section 4316, subsection 1.

2. Requirements. A physician not licensed to practice medicine in this State may provide consultative services through interstate ~~telemedicine telehealth~~ to a patient located in this State if the physician is registered in accordance with subsection 3. A physician intending to provide consultative services in this State through interstate ~~telemedicine telehealth~~ shall provide any information requested by the board and complete information on:

A. All states and jurisdictions in which the physician is currently licensed;

B. All states and jurisdictions in which the physician was previously licensed; and

C. All negative licensing actions taken previously against the physician in any state or jurisdiction.

3. Registration. The board may register a physician to practice medicine in this State through interstate ~~telemedicine telehealth~~ if the following conditions are met:

A. The physician is fully licensed without restriction to practice medicine in the state from which the physician provides ~~telemedicine telehealth~~ services;

B. The physician has not had a license to practice medicine revoked or restricted in any state or jurisdiction;

C. The physician does not open an office in this State, does not meet with patients in this State, does not receive calls in this State from patients and agrees to provide only consultative services as requested by a physician, advanced practice registered nurse or physician assistant licensed in this State and the physician, advanced practice registered nurse or physician assistant licensed in this State retains ultimate authority over the diagnosis, care and treatment of the patient;

D. The physician registers with the board every 2 years, on a form provided by the board; and

E. The physician pays a registration fee not to exceed \$500.

4. Notification of restrictions. A physician registered to provide interstate ~~telemedicine telehealth~~ services under this section shall immediately notify the board of restrictions placed on the physician's license to practice medicine in any state or jurisdiction.

5. Jurisdiction. In registering to provide interstate ~~telemedicine telehealth~~ services to residents of this State under this section, a physician agrees to be subject to the laws and judicial system of this State and board rules with respect to providing medical services to residents of this State.

6. Notification to other states. The board shall obtain confirmation of licensure from all states and jurisdictions in which a physician applying for registration has ever been licensed prior to registering the physician pursuant to subsection 3. The board shall request notification from a state or jurisdiction if future adverse action is taken against the physician's license in that state or jurisdiction.

Sec. B-8. 32 MRSA c. 113-B, sub-c. 5, head-note, as enacted by PL 2019, c. 265, §1, is amended to read:

SUBCHAPTER 5 6

COMPLEMENTARY AND ALTERNATIVE HEALTH CARE

Sec. B-9. 34-B MRSA §3874, as enacted by PL 2015, c. 309, §10, is amended to read:

§3874. Medical examinations conducted via telemedicine telehealth technologies

Notwithstanding any other provision in this subchapter, any medical examination or consultation required or permitted to be conducted under this subchapter may be conducted using telemedicine telehealth or other similar technologies that enable the medical examination or consultation to be conducted in accordance with applicable standards of care. As used in this section, "telemedicine telehealth" has the same meaning as in Title 24-A, section 4316, subsection 1.

Sec. B-10. 35-A MRSA §9203, sub-§1, ¶F, as enacted by PL 2015, c. 284, §4, is amended to read:

F. One member with significant knowledge of telemedicine telehealth as defined in Title 24-A, section 4316, subsection 1, appointed by the Governor.

Sec. B-11. 35-A MRSA §9211-A, sub-§3, ¶B, as enacted by PL 2015, c. 323, §1, is amended to read:

B. Provide expanded health care services by facilitating access to telemedicine telehealth, as defined in Title 24-A, section 4316, subsection 1, and state and local services for senior citizens and persons with disabilities;

Sec. B-12. 38 MRSA §546, sub-§6, as amended by PL 1991, c. 698, §6, is further amended to read:

6. Vessel response plans. Every tank vessel, as defined under ~~56~~ 46 United States Code, Section 2101, entering state waters shall have available for inspection by the commissioner or an agent of the commissioner a copy of any oil discharge response plan required to be submitted to the President of the United States under the federal Oil Pollution Act of 1990, Public Law 101-380, Section 4202, 104 Stat. 484.

Sec. B-13. 38 MRSA §1154, as amended by PL 1983, c. 444, is repealed and the following enacted in its place:

§1154. Appeal

If a person sustaining damages by any taking by a sanitary district under section 1153 does not agree with the district upon the sum to be paid therefor, either party, upon petition to the county commissioners of the county in which the property is located, may have the damages assessed by them; the procedure and all subsequent proceedings and right of appeal thereon must be had under the same restrictions, conditions and limitations as are or may be by law prescribed in the case of

damages by the laying out of highways by the county commissioners, except only:

1. Title not vested until payment. Title to the lands, real estate, easements or interests therein and other property and rights to be taken do not vest in the district until payment to the owner of the amount awarded therefor or, if such payment is refused upon tender, until tender thereof to the treasurer of the county in which lands and interests are located, for escrow at interest for the benefit of the owner pending final determination of the amount to which the owner is entitled; and

2. Appeal. In the event of an appeal of the amount awarded as damages for such a taking:

A. The petition for assessment of damages must be filed with the clerk of the county commissioners, by either party, within 30 days following the filing and recording of plans of the location of all the property, facilities and rights taken; and

B. If the return of the county commissioners has not been made within 120 days following the filing of the petition for assessment, the county commissioners must be conclusively presumed to have confirmed the award of damages by the district and either party may, within 30 days following that 120-day period, appeal the amount of the damages awarded by the district to the Superior Court.

Sec. B-14. PL 2019, c. 574, §1, amending clause is amended to read:

Sec. 1. 19-A MRSA §4007, sub-§1, as amended by PL 2019, c. 176, §2 and c. 407, §4, is further amended to read:

PART C

Sec. C-1. 3 MRSA §312-A, sub-§11-A, as amended by PL 2019, c. 587, §5 and affected by §18 and amended by c. 599, §2 and affected by §5, is repealed and the following enacted in its place:

11-A. Original source. "Original source" means any person who pays \$1,000 or more in any lobbying year directly or indirectly to any employer of a lobbyist for purposes of lobbying or grassroots lobbying or to any other person for purposes of grassroots lobbying, except that payments of membership dues to nonprofit corporations formed under Title 13-B, under any equivalent state law or by legislative enactment are not considered payments by an original source.

Sec. C-2. 3 MRSA §317, sub-§4, ¶B, as amended by PL 2019, c. 587, §16 and affected by §18, is further amended to read:

B. If the lobbyist or lobbyist associate is engaged in lobbying, if the lobbyist, lobbyist associate or employer conducts ~~indirect~~ grassroots lobbying or if the employer makes any expenditures directly to

or on behalf of a covered official or a covered official's immediate family member in any of those months, a monthly report in the manner prescribed in subsection 1 even if compensation or reimbursement for expenses has not been received for the month.

Sec. C-3. 5 MRSA §7-B, as amended by PL 2019, c. 578, §2, is further amended to read:

§7-B. Use of state vehicles for commuting

A Notwithstanding section 7-A, a state-owned or state-leased vehicle may not be used by any employee to commute between home and work, except for those vehicles authorized and assigned to employees of the Baxter State Park Authority and of the Department of Defense, Veterans and Emergency Management, Military Bureau as designated by the Commissioner of Defense, Veterans and Emergency Management and to law enforcement officials within the following organizational units: Bureau of State Police; Maine Drug Enforcement Agency; Office of the State Fire Marshal; the division within the Department of Public Safety designated by the Commissioner of Public Safety to enforce the law relating to the manufacture, importation, storage, transportation and sale of all liquor and to administer those laws relating to licensing and collection of taxes on malt liquor and wine; Bureau of Motor Vehicles; Bureau of Marine Patrol; the forest protection unit within the Bureau of Forestry; Bureau of Warden Service; Bureau of Parks and Lands; and the Office of Chief Medical Examiner, the investigation division and the Medicaid fraud control unit within the Office of the Attorney General.

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

Effective June 21, 2021.

CHAPTER 294

H.P. 119 - L.D. 163

An Act Concerning the Regulation of Air Emissions at Petroleum Storage Facilities

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

Sec. 1. 38 MRSA §590, sub-§1, as amended by PL 2001, c. 626, §16, is repealed and the following enacted in its place:

1. License required; rules. After ambient air quality standards and emission standards have been established within a region, the board may by rule provide that a person may not operate, maintain or modify in that region any air contamination source or emit any

air contaminants in that region without an air emission license from the department.

A. As a condition of licensure under this chapter for any petroleum storage facility with an above-ground petroleum storage tank, the facility shall:

(1) Ensure that any new aboveground petroleum storage tank with a storage capacity greater than 39,000 gallons used for the storage of distillate fuel products is equipped with a floating roof;

(2) Maintain a record of any additives or materials added to any heated, aboveground petroleum storage tank;

(3) Ensure that any heated, fixed-roof aboveground petroleum storage tank is fully insulated in a manner that minimizes temperature fluctuation and resulting breathing losses and that the temperature of the petroleum product stored in the tank is continuously monitored;

(4) Implement forward-looking infrared technology for the monitoring of vapor leaks around any aboveground petroleum storage tank with a storage capacity greater than 39,000 gallons, as well as around the piping and fittings associated with the tank. The facility shall conduct such monitoring on at least a quarterly basis, and the results of that monitoring and any resulting repairs made as a result of detected leaks must be properly documented and provided to the department upon request;

(5) Collect site-specific air emission test data semiannually during the most active time of operations for any existing, new or modified heated, aboveground petroleum storage tank with a storage capacity greater than 39,000 gallons, and the collected data must be used to establish site-specific air emission factors. A facility that operates in a similar manner multiple tanks of the same construction storing the same product may, upon approval by the department, collect site-specific air emission test data from a representative tank in lieu of testing all similarly operating tanks. The test data collected by the facility must be used for the purposes of annual air emissions reporting and by the department when determining compliance with licensed air emission limits;

(6) Conduct on a monthly basis a visual inspection of the internal, floating roof of any aboveground petroleum storage tank equipped with such a roof; conduct on a monthly basis an external leak inspection of that roof using photo ionization detection technology or flame ionization detection technology; and conduct a complete inspection of the cover and seal

associated with that roof every 5 years and each time the tank is emptied and degassed; and

(7) If the facility has an aboveground petroleum storage tank with a storage capacity greater than 39,000 gallons that is equipped with an external or internal floating roof, implement a fenceline monitoring program, designed and operated by a qualified, independent 3rd-party entity, which must provide continuous emission monitoring consistent with the requirements of the United States Environmental Protection Agency’s Method 325A, Volatile Organic Compounds from Fugitive and Area Sources: Sampler Deployment and VOC Sample Collection, and Method 325B, Volatile Organic Compounds from Fugitive and Area Sources: Sampler Preparation and Analysis. The facility shall provide to the department a description of its fenceline monitoring program and a copy of all data collected under the program, which the department shall make available on its publicly accessible website.

B. A facility required to be licensed under this chapter may not load distillate fuel into a cargo tank that carried gasoline as its most recent load unless the facility is equipped with and uses a collection and control system for air emissions of volatile organic compounds.

C. As a condition of licensure under this chapter for any new or modified bulk gasoline terminal, the terminal shall implement best practical treatment for emissions associated with the loading, unloading and storage of gasoline at the terminal that is equivalent or substantially similar to applicable best available control technology requirements implemented by the United States Environmental Protection Agency pursuant to the federal Clean Air Act.

D. At least once every 5 years, the board shall evaluate and, if determined necessary, update the best practical treatment requirements applicable to licensed petroleum storage facilities with aboveground petroleum storage tanks. In evaluating the best practical treatment requirements pursuant to this paragraph, the board shall consider best practical treatment requirements for aboveground petroleum storage tanks implemented by other New England states and applicable best available control technology requirements implemented by the United States Environmental Protection Agency pursuant to the federal Clean Air Act.

E. An incinerator may not be used to dispose of solid waste without a license from the department, except an incinerator with a primary chamber volume no greater than 133 cubic feet or 1,000 gallons

that burns only wood waste as defined in Title 12, section 9324, subsection 7-A and painted and unpainted wood from construction and demolition debris.

As used in this subsection, “petroleum storage facility” means a storage facility that receives petroleum products from refineries primarily by pipeline, ship or barge and delivers those products to bulk plants or to commercial or retail accounts primarily by tank truck.

The board may adopt rules to implement paragraphs A to E. Rules initially adopted to implement paragraphs A to E are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. Any subsequent revision to rules adopted to implement paragraphs A to E are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. Department of Environmental Protection; rulemaking. On or before December 31, 2021, the Department of Environmental Protection shall initiate rulemaking to amend its rules regulating air emissions adopted pursuant to the Maine Revised Statutes, Title 38, sections 585, 585-A and 590 to align those rules as necessary with the provisions of Title 38, section 590, subsection 1, paragraphs A to E.

See title page for effective date.

CHAPTER 295

H.P. 348 - L.D. 474

An Act Regarding School Discipline for Maine's Youngest Children

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

Sec. 1. 20-A MRSA §1001, sub-§8-A, ¶A, as enacted by PL 2011, c. 614, §3, is amended by amending subparagraph (1), division (d) to read:

(d) A description of the hearing process; ~~and~~

Sec. 2. 20-A MRSA §1001, sub-§8-A, ¶A, as enacted by PL 2011, c. 614, §3, is amended by enacting a new subparagraph (1), division (f) to read:

(f) A list of available free and low-cost legal services, which must be created and updated annually by the department; and

Sec. 3. 20-A MRSA §1001, sub-§9, as amended by PL 2017, c. 407, Pt. A, §57, is further amended to read:

9. Students expelled or suspended. Following a proper investigation of a student's behavior and due process proceedings pursuant to subsection 8-A, if found necessary for the peace and usefulness of the school, a

school board shall expel any student, except a student who is enrolled in grade 5 or below:

- A. Who is deliberately disobedient or deliberately disorderly;
- B. For infractions of violence;
- C. Who possesses on school property a firearm as defined in Title 17-A, section 2, subsection 12-A or a dangerous weapon as defined in Title 17-A, section 2, subsection 9 without permission of a school official;
- D. Who, with use of any other dangerous weapon as defined in Title 17-A, section 2, subsection 9, paragraph A, intentionally or knowingly causes injury or accompanies use of a weapon with a threat to cause injury; or
- E. Who possesses, furnishes or trafficks in any scheduled drug as defined in Title 17-A, chapter 45.

A student may be readmitted on satisfactory evidence that the behavior that was the cause of the student being expelled will not likely recur. The school board may authorize the principal to suspend students up to a maximum of 10 days for infractions of school rules, except that the school board may not authorize the principal to issue an out-of-school suspension to a student who is enrolled in grade 5 or below except as provided under subsection 9-A or unless the principal determines that there is an imminent danger of serious physical injury to the student or others and less restrictive interventions would be ineffective. An out-of-school suspension for a student who is enrolled in grade 5 or below may not exceed 3 days. In addition to other powers and duties under this subsection, the school board may develop a policy requiring a student who is in violation of school substance use or possession rules to participate in substance use disorder services as provided in section 6606. Nothing in this subsection or subsection 9-C prevents a school board from providing educational services in an alternative setting to a student who has been expelled.

Sec. 4. 20-A MRS §1001, sub-§15, as amended by PL 2011, c. 659, §2, is further amended to read:

15. Adoption of student code of conduct. With input from educators, administrators, parents, students and community members, they shall adopt a ~~district-wide~~ districtwide student code of conduct consistent with the statewide standards for student behavior developed under section 254, subsection 11. The student code of conduct must:

- A. Define unacceptable student behavior;
- B. Establish standards of student responsibility for behavior;

C. Prescribe consequences for violation of the student code of conduct, including first-time violations, when appropriate;

D. Describe appropriate procedures for referring students in need of special services to those services;

E. Establish criteria to determine when further assessment of a current individual education plan is necessary, based on removal of the student from class;

F. Establish policies and procedures concerning the removal of disruptive or violent students or students threatening death or bodily harm to others from a classroom or a school bus, as well as student disciplinary and placement decisions, when appropriate;

G. Establish guidelines and criteria concerning the appropriate circumstances when the superintendent or the superintendent's designee may provide information to the local police or other appropriate law enforcement authorities regarding an offense that involves violence committed by any person on school grounds or other school property; ~~and~~

H. Establish policies and procedures to address bullying, harassment and sexual harassment as set forth in section 6554-~~;~~

I. Provide that recess may not be withheld as a consequence of a violation of the student code of conduct by any student enrolled in grade 5 or below, except that when there is no alternative time available, recess time may be used for restorative interventions as defined in section 1001, subsection 15-A, paragraph B related to the student's behavior;

J. Establish that an out-of-school suspension or expulsion may not be issued to a student in grade 5 or below except as provided under subsection 9 or 9-A or unless the principal determines that there is an imminent danger of serious physical injury to the student or others and less restrictive interventions would be ineffective; and

K. Establish that an out-of-school suspension for a student in grade 5 or below may not exceed 3 days.

The school board is responsible for ensuring that school officials inform students, parents and community members of the student code of conduct.

See title page for effective date.

**CHAPTER 296
H.P. 351 - L.D. 477**

**An Act To Allow for Fair
Restitution by Providing That
Restitution Includes the Cost of
Analysis of Suspected Illegal
Drugs If the Defendant Was
Convicted of Trafficking and
Was Motivated by Profit**

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

Sec. 1. 17-A MRSA §2002, sub-§3, ¶B, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

B. "Critical investigation expense" means a necessary expense incurred by a government or by a victim while investigating or prosecuting suspected criminal conduct. "Critical investigation expense" is limited to the cost of an audit or other financial analysis when that analysis is necessary to determine whether and to what extent a victim has suffered financial harm from criminal conduct by an employee or other person in a position of trust and the cost of analysis of suspected illegal drugs if the defendant is convicted of trafficking a scheduled drug under chapter 45 and the court in sentencing the defendant makes a finding that the conduct underlying the conviction was motivated by profit.

See title page for effective date.

**CHAPTER 297
S.P. 205 - L.D. 522**

**An Act To Protect Consumers
against Predatory Lending
Practices**

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

Sec. 1. 9-A MRSA Art. 2, Pt. 7 is enacted to read:

PART 7

FRAUDULENT PRACTICES

**§2-701. Engaging in pretense to evade requirements
of this Article prohibited**

An entity covered by this Article may not engage in any device, subterfuge or pretense to evade the requirements of this Article, including, but not limited to, making a loan disguised as a personal property sale and leaseback transaction, disguising loan proceeds as a cash rebate for the pretextual installment sale of goods or services or making, offering, assisting or arranging a

debtor to obtain a loan with a greater rate of interest, consideration or charge than is permitted by this Article through any method. A loan made in violation of this Part is void and uncollectible as to any principal, fee, interest or charge.

§2-702. Purporting to act as agent or service provider for another entity exempt from this Article

A person is a lender subject to the requirements of this Article notwithstanding the fact that the person purports to act as an agent or service provider or in another capacity for another entity that is exempt from this Article, if, among other things:

1. The person holds, acquires or maintains, directly or indirectly, the predominant economic interest in the loan;
2. The person markets, brokers, arranges or facilitates the loan and holds the right, requirement or first right of refusal to purchase the loan or a receivable or interest in the loan; or
3. The totality of the circumstances indicate that the person is the lender and the transaction is structured to evade the requirements of this Article. Circumstances that weigh in favor of a person being a lender include, without limitation, when the person:

A. Indemnifies, insures or protects an exempt entity for any costs or risks related to the loan;

B. Predominantly designs, controls or operates the loan program; or

C. Purports to act as an agent or service provider or in another capacity for an exempt entity while acting directly as a lender in other states.

Sec. 2. 9-A MRSA §5-201, sub-§2, as amended by PL 1993, c. 496, §1, is further amended to read:

2. If a creditor has violated the provisions of this Act applying to authority to make supervised loans, section 2-301, the debtor is not obligated to pay ~~any application fee, prepaid finance charge or closing cost, nor the loan finance charge owed for the first 12 months of the loan.~~ If the debtor has paid any part of ~~the application fee, prepaid finance charge, closing cost or loan finance charge owed for the first 12 months of the loan,~~ the debtor has a right to recover the payment from the person violating this Act or from an assignee of that person's rights who undertakes direct collection of payments or enforcement of rights arising from the debt. With respect to violations arising from loans made pursuant to open-end credit, no action pursuant to this subsection may be brought more than 2 years after the violation occurred. With respect to violations arising from other loans, no action pursuant to this subsection may be brought more than one year after the due date of the

last scheduled payment of the agreement pursuant to which the charge was paid.

Sec. 3. 9-A MRSA §5-201, sub-§2-A is enacted to read:

2-A. If a lender has violated the provisions of this Act applying to authority to make supervised loans as set forth in section 2-301, the lender:

A. May not furnish information concerning a debt associated with that violation to a consumer reporting agency, as defined in Title 10, section 1308, subsection 3; and

B. May not refer a debt associated with that violation to a debt collector, as defined in Title 32, section 11002, subsection 6.

Sec. 4. Short-term, small dollar loan study.

The Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection shall study the use by Maine residents of short-term, small dollar loans in accordance with this section. In conducting the study, the bureau shall seek input from consumer advocates, regulators in other states, federal regulatory agencies, members of the lending industry and other interested parties.

1. At a minimum, the study must include the following:

A. A survey of the laws of other New England states related to maximum interest rates, permitted fees and finance charges and other provisions regulating consumer debt;

B. A survey of other policies that help consumers avoid the debt trap, including prohibitions on postdated checks or loan limits accompanied by cooling-off periods;

C. A review of complaints from Maine consumers and a survey of credit counselors and nonprofit organizations that provide legal or other assistance to Maine consumers to provide insight into the types of debt that are causing the most difficulty to Maine consumers; and

D. An analysis of the extent to which lenders and other entities use the provisions of the Maine Revised Statutes, Title 9-A, section 2-201, subsection 6 to receive a minimum charge on short-term, small dollar loans and the impact of those minimum charges on overall interest rates charged to Maine consumers.

2. The bureau shall submit the report, including any suggested legislation, to the Joint Standing Committee on Health Coverage, Insurance and Financial Services no later than December 1, 2021. The Joint Standing Committee on Health Coverage, Insurance and Financial Services may submit a bill to the Second

Regular Session of the 130th Legislature in response to the report.

See title page for effective date.

CHAPTER 298

S.P. 213 - L.D. 528

An Act To Advance Energy Storage in Maine

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

Sec. 1. 35-A MRSA §3145 is enacted to read:

§3145. State energy storage policy goals

The state goal for energy storage system development is 300 megawatts of installed capacity located within the State by December 31, 2025 and 400 megawatts of installed capacity located within the State by December 31, 2030. Beginning January 1, 2031, and every 2 years thereafter, the Governor's Energy Office established in Title 2, subsection 9 shall set the state goal for energy storage system development and report that goal to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters. For the purposes of this section, "energy storage system" has the same meaning as in section 3481, subsection 6.

Sec. 2. 35-A MRSA §10102, sub-§5-A is enacted to read:

5-A. Energy storage system. "Energy storage system" has the same meaning as in section 3481, subsection 6.

Sec. 3. 35-A MRSA §10109, sub-§4, ¶A, as amended by PL 2019, c. 69, §1, is further amended to read:

A. Trust funds must be allocated for measures, investments, loans, technical assistance and arrangements that reduce electricity consumption, increase energy efficiency or reduce greenhouse gas emissions and lower energy costs at commercial or industrial facilities and for investment in measures that lower residential heating energy demand and reduce greenhouse gas emissions. The measures that lower residential heating demand must be fuel-neutral and may include, but are not limited to, energy efficiency improvements to residential buildings, energy storage systems and upgrades to efficient heating systems that will reduce residential energy costs and greenhouse gas emissions, as determined by the board. The trust shall ensure that measures to reduce the cost of residential heating are available for low-income households as defined by the trust. When promoting electricity cost and consumption reduction, the

trust may consider measures at commercial and industrial facilities that also lower peak capacity demand, including energy storage systems. Subject to the apportionment pursuant to this subsection, the trust shall fund conservation programs that give priority to measures with the highest benefit-to-cost ratio, as long as cost-effective collateral efficiency opportunities are not lost, and that:

- (1) Reliably reduce greenhouse gas production and heating energy costs by fossil fuel combustion in the State at the lowest cost in funds from the trust fund per unit of emissions; or
- (2) Reliably increase the efficiency with which energy in the State is consumed at the lowest cost in funds from the trust fund per unit of energy saved.

Sec. 4. 35-A MRSA §10110, sub-§2, ¶A, as amended by PL 2019, c. 365, §3, is further amended by amending subparagraph (4) to read:

- (4) Reduce the price of electricity over time for all consumers by ~~achieving reductions in reducing or shifting demand for electricity during peak use periods or balancing load~~, including by the implementation of beneficial electrification and energy storage systems; and

Sec. 5. Efficiency Maine Trust; energy storage measures. The Efficiency Maine Trust shall explore and evaluate options to expand existing opportunities and develop new opportunities to support energy storage measures that cost-effectively reduce or shift demand or balance load, through its electric efficiency and conservation programs established pursuant to the Maine Revised Statutes, Title 35-A, section 10110 and its programs funded by the Regional Greenhouse Gas Initiative Trust Fund established in Title 35-A, section 10109. In evaluating the cost-effectiveness of energy storage measures, the trust shall explore various methods and tests to measure cost-effectiveness. In fulfilling the duties of this section, the trust shall consider:

1. Expanding energy storage pilot projects within the trust's innovation pilot program and implementing any cost-effective pilot projects as statewide programs;
2. Bring-your-own-device programs in which customer-owned and customer-sited battery storage is aggregated and performance incentives are provided for reducing load at times of system peak;
3. Rebate or funding programs for energy storage paired with renewable energy for residential, commercial and industrial electricity customers; and
4. Customer education initiatives regarding demand management and energy storage, including education targeted to low-income and rural populations in the State.

The trust shall report on its activities under this section, including its efforts with respect to bring-your-own-device programs, in the trust's annual report due December 1, 2021 pursuant to the Maine Revised Statutes, Title 35-A, section 10104, subsection 5.

Sec. 6. Energy storage pilot program. The Efficiency Maine Trust shall conduct a pilot program beginning January 1, 2022 to provide energy storage systems to critical care facilities, including but not limited to, hospitals, health care facilities, fire departments, emergency medical service departments, police departments, public safety buildings, emergency shelters and other facilities providing critical services. The total energy storage capacity deployed under the pilot program may not exceed 15 megawatts. Under this program, the trust may consider the installation of energy storage systems to support the operations of a critical care facility during outages or emergencies. The trust shall select for the program the most cost-effective proposals that provide direct or indirect benefits through transmission or distribution deferral or other uses or through the participation in energy markets, capacity markets or ancillary service markets. The trust may also consider the deployment of mobile energy storage technologies that serve multiple critical care facilities.

The trust shall report on its activities under this section in the trust's annual report pursuant to the Maine Revised Statutes, Title 35-A, section 10104, subsection 5.

Sec. 7. Public Utilities Commission; rate design and energy storage. The Public Utilities Commission shall investigate and, where appropriate, implement transmission and distribution utility rate designs that account for variation in the cost components of electricity as the load or demand on the electricity system fluctuates. By December 31, 2022, the commission, in coordination with other related proceedings, shall take the following specific steps to address rate design and energy storage:

1. Open a docket to investigate opportunities to modernize transmission and distribution utility rate designs through time-of-use or other time-differentiated rates that send appropriate price signals and incentives to consumers to reduce demand during peak periods and develop and implement a pilot program to test and evaluate time-of-use rates in conjunction with energy storage; and
2. Develop and implement a schedule for regular review and update of transmission and distribution utility rate designs, including consideration of fixed charges, and ensure that the review includes consideration of time-differentiated rates.

Sec. 8. Public Utilities Commission; consideration of power-to-fuel pilot program. The Public Utilities Commission shall consider the feasibility of a power-to-fuel pilot program that would result in the

development of power-to-fuel projects utilizing renewable energy and would provide the developer with exemptions, for a period of at least 15 years, from distribution charges, including volumetric, demand and standby charges, charges associated with the procurement of energy efficiency resources by transmission and distribution utilities ordered under the Maine Revised Statutes, Title 35-A, section 10110, subsection 4-A and renewable portfolio standards requirements under Title 35-A, section 3210, subsections 3-A, 3-B and 3-C. The commission shall also:

1. Evaluate whether a power-to-fuel project would benefit the electric grid;
2. Provide estimates of the ratepayer impact of a pilot program and how that compares with other types of energy storage technologies; and
3. Review what measures other states have taken to facilitate the development of energy storage and whether those measures were successful in promoting energy storage, minimized ratepayer impacts and promoted a diversification of energy storage technologies.

By February 1, 2022, the commission shall submit a report to the Joint Standing Committee on Energy, Utilities and Technology and the committee may report out a bill related to the report to the Second Regular Session of the 130th Legislature.

For the purposes of this section, "power-to-fuel project" means a facility that converts renewable energy to hydrogen gas, methane or other fuel.

Sec. 9. Governor's Energy Office; energy storage market assessment study. The Governor's Energy Office shall conduct an energy storage market assessment study, including an in-depth analysis and review of the opportunities and potential presented to and challenges facing the State in reaching the goals established pursuant to the Maine Revised Statutes, Title 35-A, section 3145, and shall submit a report on the market assessment study, along with any recommendations on adjustments or changes to the energy storage requirements in Title 35-A, section 3145, to the Joint Standing Committee on Energy, Utilities and Technology no later than March 1, 2022. The committee may report out a bill related to the report to the Second Regular Session of the 130th Legislature.

1. The market assessment study must include, but is not limited to, examination of:
 - A. The availability of commercially viable energy storage technologies, including emerging technologies, in the State and New England region between 2021 and 2030;
 - B. The policy and regulatory options that may influence the speed, predictability and cost to ratepayers associated with the development of energy storage technologies in this State and the amount of energy storage installed;

C. The estimated electricity costs and benefits for ratepayers of commercially viable energy storage technologies during the 10-year period between 2020 and 2030;

D. Policies and regulations in other states and the New England region and how energy storage can assist in achieving the greenhouse gas emissions reduction levels in Title 38, chapter 3-A in a cost-effective manner; and

E. The potential implications for the achievement of the state goals established in Title 35-A, section 3210 associated with achievement of the energy storage goal established in Title 35-A, section 3145.

2. Upon written request of the Governor's Energy Office, the Public Utilities Commission shall provide for the study:

A. Reasonable technical, legal and other assistance, including the provision of requested information; and

B. Funding for staff and consultants in an amount not to exceed \$100,000. Any such costs must be recovered through assessments on transmission and distribution utilities in accordance with Title 35-A, section 116.

The Governor's Energy Office shall encourage interested parties to submit relevant information, including data, to inform the energy storage market assessment study.

Sec. 10. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Public Utilities - Administrative Division 0184

Initiative: Provides funding to assist the Governor's Energy Office with a market assessment study regarding energy storage.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$100,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$100,000	\$0

Public Utilities - Administrative Division 0184

Initiative: Provides funding for one Staff Attorney position and one Utility Analyst position and related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$209,122	\$290,624
All Other	\$15,031	\$17,760

OTHER SPECIAL REVENUE	\$224,153	\$308,384
FUNDS TOTAL		
PUBLIC UTILITIES COMMISSION		
DEPARTMENT TOTALS	2021-22	2022-23
OTHER SPECIAL REVENUE	\$324,153	\$308,384
FUNDS		
DEPARTMENT TOTAL - ALL FUNDS	\$324,153	\$308,384

See title page for effective date.

CHAPTER 299
S.P. 223 - L.D. 536

An Act To Amend the Maine Criminal Code

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

PART A

Sec. A-1. 17-A MRSA §2016, sub-§1, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

1. Work program; payment of restitution and fines. A prisoner who has been ordered to pay restitution or fines may not be released pursuant to a work program administered by the Department of Corrections under Title 34-A, section 3035, or a sheriff under Title 30-A, section 1605, or participate in an industry program under Title 34-A, section 1403, subsection 9 or any other program administered by the Department of Corrections or a sheriff by which a prisoner is able to generate money, unless the prisoner consents to pay at least 25% of the prisoner's gross weekly wages or other money generated to the victim or the court until such time as full restitution has been made or the fine is paid in full. The chief administrative officer of the correctional facility where the prisoner is incarcerated shall collect and disburse to the victim or victims that portion of the prisoner's wages or other money generated agreed to as payment of restitution. The chief administrative officer of the correctional facility where the prisoner is incarcerated shall also collect and disburse to the court that portion of the prisoner's wages or other money generated agreed to as payment of fines after the restitution is paid in full. If the victim or victims ordered by the court to receive restitution cannot be located, the correctional facility shall ~~inform the court that ordered restitution. The court shall determine the distribution of these funds forward the funds, as provided in section 2009, to the Treasurer of State to be handled as unclaimed property.~~

Sec. A-2. 17-A MRSA §2016, sub-§2, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

2. Payment of restitution or fines from other sources. A prisoner, other than one addressed by subsection 1, who receives money, from any source, shall pay 25% of that money to any victim or the court if the court has ordered that restitution or a fine be paid. The chief administrative officer of the correctional facility in which the prisoner is incarcerated shall collect and disburse to the victim or victims that portion of the prisoner's money ordered as restitution. The chief administrative officer of the correctional facility where the prisoner is incarcerated shall also collect and disburse to the court that portion of the prisoner's money ordered as fines after the restitution is paid in full. If the victim or victims ordered by the court to receive restitution cannot be located, the correctional facility shall ~~inform the court that ordered restitution. The court shall determine the distribution of these funds forward the funds, as provided in section 2009, to the Treasurer of State to be handled as unclaimed property.~~ Money received by the prisoner and directly deposited into a telephone call account established by the Department of Corrections for the sole purpose of paying for use of the department's client telephone system is not subject to this subsection, except that 25% of any money received by the prisoner and transferred from the telephone call account to the department's general client account at the time of the prisoner's discharge or transfer to supervised community confinement must be collected and disbursed as provided in this subsection.

PART B

Sec. B-1. 17-A MRSA §301, sub-§1, ¶A, as amended by PL 2001, c. 383, §26 and affected by §156, is further amended to read:

- A. The actor knowingly restrains another person with the intent to:
- (1) Hold the other person for ransom or reward;
 - (2) Use the other person as a shield or hostage;
 - (3) Inflict bodily injury upon the other person ~~or subject the other person to conduct defined as criminal in chapter 11;~~
 - (3-A) Subject the other person to conduct defined as criminal in chapter 11;
 - (4) Terrorize the other person or a 3rd person;
 - (5) Facilitate the commission of another crime by any person or flight thereafter; or
 - (6) Interfere with the performance of any governmental or political function; or

Sec. B-2. 34-A MRSA §11273, sub-§16, ¶C, as enacted by PL 2011, c. 663, §3, is amended to read:

C. Title 17-A, section 301, subsection 1, paragraph A, subparagraph (3) if the crime is committed prior to January 1, 2022;

Sec. B-3. 34-A MRSA §11273, sub-§16, ¶C-1 is enacted to read:

C-1. Title 17-A, section 301, subsection 1, paragraph A, subparagraph (3-A) if the crime is committed on or after January 1, 2022;

Sec. B-4. 37-B MRSA §504, sub-§4, ¶H, as enacted by PL 2015, c. 175, §1, is amended by amending subparagraph (3) to read:

(3) Been convicted of a Class A or Class B crime under:

- (a) Title 17-A, chapter 11;
- (b) Title 17-A, chapter 12; or
- (c) Title 17-A, section 301, subsection 1, paragraph A, subparagraph (3) if the crime is committed prior to January 1, 2022; or
- (d) Title 17-A, section 301, subsection 1, paragraph A, subparagraph (3-A) if the crime is committed on or after January 1, 2022;

PART C

Sec. C-1. 17-A MRSA §1111-B, as amended by PL 2019, c. 292, §1, is further amended to read:

§1111-B. Exemption from criminal liability for reporting a drug-related medical emergency or administering naloxone

A person who in good faith seeks medical assistance for or administers naloxone hydrochloride to another person experiencing a drug-related overdose and who is experiencing a drug-related overdose and is in need of medical assistance may not be arrested or prosecuted for or subject to revocation of probation based on conduct that would otherwise constitute a violation of section 1107-A, 1108, 1111 or 1111-A or a violation of probation as authorized by chapter 49 if the grounds for arrest or prosecution are obtained as a result of the person's seeking medical assistance, administering naloxone hydrochloride or experiencing a drug-related overdose.

PART D

Sec. D-1. 17-A MRSA §257, as amended by PL 2007, c. 476, §3, is repealed.

See title page for effective date.

**CHAPTER 300
H.P. 407 - L.D. 562**

An Act To Enhance Tribal-State Collaboration in the Enforcement of Child Support

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

Sec. 1. 19-A MRSA §2201-A is enacted to read:

§2201-A. Notice to licensing boards and obligor; judicial review; Penobscot Nation

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

A. "Board" means any bureau, board or commission listed in Title 10, section 8001 or 8001-A, any other licensor that is affiliated with or is a part of the Department of Professional and Financial Regulation and the Department of Inland Fisheries and Wildlife.

B. "Support obligor" or "obligor" means an individual who owes a duty of support and over whom the Penobscot Nation and the Penobscot Nation Tribal Court have jurisdiction.

C. "Support order" or "order of support" means a judgment, decree or order, whether temporary, final or subject to modification, issued by the Penobscot Nation Tribal Court for the support and maintenance of a child or a child and the parent with whom the child is living that provides for monetary support, health care, arrearages or reimbursement and may include related costs and fees, interest and penalties, income withholding, attorney's fees and other relief.

2. Notice. The Penobscot Nation may serve notice upon a support obligor who is not in compliance with an order of support that informs the obligor of the Penobscot Nation's intention to submit the obligor's name to the appropriate board as a licensee who is not in compliance with an order of support. The notice must inform the obligor that:

A. The obligor may request a court hearing in the Penobscot Nation Tribal Court to contest the issue of compliance;

B. A request for hearing must be made in writing and must be received by the Penobscot Nation Tribal Court within 20 days of service;

C. If the obligor requests a hearing within 20 days of service, the Penobscot Nation will stay the action to certify the obligor to a board for noncompliance with an order of support pending a hearing;

D. If the obligor does not request a hearing within 20 days of service and is not in compliance with an order of support, the Penobscot Nation will certify the obligor to the appropriate board for noncompliance with an order of support;

E. If the Penobscot Nation certifies the obligor to a board for noncompliance with an order of support, the board must revoke the obligor's license and refuse to issue or reissue a license until the obligor provides the board with a written confirmation of compliance from the Penobscot Nation that states the obligor is in compliance with the obligor's order of support. The notice must state that revocation by a board or a refusal to reissue, renew or otherwise extend the license or certificate of authority is deemed a final determination within the meaning of Title 5, section 10002; and

F. The obligor can comply with an order of support by:

- (1) Paying current support;
- (2) Paying all past-due support or, if unable to pay all past-due support and a periodic payment for past-due support has not been ordered by the court, by making periodic payments in accordance with a written payment agreement with the Penobscot Nation; and
- (3) Meeting the obligor's health insurance obligation, if applicable.

The notice must include the address and telephone number of the Penobscot Nation's support enforcement office that issues the notice and a statement of the need to obtain a written confirmation of compliance from that office as provided in subsection 10. The Penobscot Nation shall attach a copy of the obligor's order of support to the notice. Service of the notice must be made in the manner provided for service of summons by the Maine Rules of Civil Procedure, Rule 4. For purposes of this subsection, support enforcement action must be deemed to be an action pursuant to Chapter XIII of the Maine Rules of Civil Procedure.

3. Written agreement to pay past-due support.

An obligor who is presently unable to pay all past-due support may come into compliance with the support order by executing a written payment agreement with the Penobscot Nation and by complying with that agreement. A condition of a written payment agreement must be that the obligor pay the current support when due. Before a written payment agreement is executed, the obligor shall:

A. Disclose fully to the Penobscot Nation in writing on a form prescribed by the Penobscot Nation the obligor's financial circumstances, including income from all sources, assets, liabilities and work history for the past year; and

B. Provide documentation to the Penobscot Nation concerning the obligor's financial circumstances, including copies of the most recent state and federal income tax returns, both personal and business, a copy of a recent pay stub representative of current income and copies of other records that show the obligor's income and the present value of assets held by the obligor.

After full financial disclosure under this subsection, the Penobscot Nation shall determine the obligor's ability to pay past-due support and request the obligor to execute a written payment agreement consistent with the obligor's ability to pay, not to exceed the limits on income withholding in section 2356.

4. Failure to comply with written agreement.

Failure to comply with a written payment agreement described in subsection 3 is grounds for license revocation unless the obligor notifies the Penobscot Nation that the obligor is unable to comply with the agreement and provides the Penobscot Nation with evidence of the obligor's current financial circumstances to support the claim. The consequences of failing to comply with a written payment agreement and the requirements to avoid license revocation, if the obligor cannot comply with the agreement, must be stated in the agreement. If the obligor claims inability to comply with a written payment agreement, the Penobscot Nation, upon motion to the Penobscot Nation Tribal Court, may request the tribal court to determine the obligor's ability to pay past-due support. After notice and an opportunity for hearing, the tribal court may make a finding of money due and render judgment in that amount.

5. Hearing. An obligor may request a hearing in the Penobscot Nation Tribal Court upon service of the notice described in subsection 2. The request for hearing must be made in writing and must be received by the Penobscot Nation Tribal Court within 20 days of service. The issues that may be determined at hearing are whether the obligor is required to pay support under an order of support and whether the obligor is in compliance with an order of support.

6. Order. The Penobscot Nation Tribal Court shall issue an order after hearing without undue delay as to whether the obligor is in compliance with the obligor's order of support. The order must be based on the hearing record. The Penobscot Nation Tribal Court shall send an attested copy of the order to the obligor by regular mail to the obligor's most recent address of record.

7. Stay. If an obligor timely requests a hearing to contest the issue of compliance, the Penobscot Nation may not certify the name of the obligor to a board for noncompliance with an order of support until the Penobscot Nation Tribal Court issues an order after hearing that finds the obligor is not in compliance with an order of support.

8. Certification of noncompliance. The Penobscot Nation may certify in writing to the appropriate board that a support obligor is not in compliance with an order of support if:

A. The obligor does not timely request a hearing upon service of a notice issued under subsection 2 and is not in compliance with an order of support 21 days after service of the notice;

B. The Penobscot Nation Tribal Court issues a nonappealable, final judgment that the obligor is not in compliance with an order of support;

C. The obligor abandons a timely request for a hearing on the Penobscot Nation's notice of non-compliance and is not in compliance with the support order; or

D. The obligor fails to comply with a written payment agreement described in subsection 3, does not notify the Penobscot Nation that the obligor is unable to comply with the agreement and does not provide the Penobscot Nation with evidence of the obligor's current financial circumstances.

The Penobscot Nation shall send by regular mail a copy of a certification of noncompliance filed with a board to the obligor at the obligor's most recent address of record. The certification of noncompliance is prima facie evidence that the obligor is required to pay support under an order of support and is not in compliance with that order of support.

9. Notice from board. A board shall notify an obligor certified by the Penobscot Nation under subsection 8, without undue delay, that the obligor's application for the issuance or renewal of a license may not be granted or that the obligor's license has been revoked because the obligor's name has been certified by the Penobscot Nation as a support obligor who is not in compliance with an order of support. The notice constitutes final agency action for the purposes of judicial review under Title 5, chapter 375, subchapter 7. Notwithstanding Title 5, section 11006, the Superior Court may supplement the record, including records of any proceedings before the Penobscot Nation that resulted in the certification under subsection 8.

10. Written confirmation of compliance. When an obligor who is served notice under subsection 2 subsequently complies with the official order of support, the Penobscot Nation shall provide the obligor with written confirmation that the obligor is in compliance with the order of support.

11. Agreements. The Penobscot Nation and the various boards may enter into agreements that are necessary to carry out the requirements of this section.

12. Motion to modify order of support; stay. This section does not prohibit a support obligor from filing a motion to modify support with the Penobscot Nation Tribal Court.

13. Reporting. As soon as economically feasible and at least annually, all boards subject to this section and the Department of Professional and Financial Regulation, Division of Administrative Services shall provide to the Penobscot Nation specified information in machine-readable or electronic form, according to standards established by the Penobscot Nation, about applicants for licensure and all current licensees. The Department of Professional and Financial Regulation, Office of Securities shall provide the specified information for only those current licensees who are residents of this State. The information to be provided must include all of the following information about the licensee:

A. Name;

B. Address of record;

C. Federal employer identification number or social security number;

D. Type of license;

E. Effective date of license or renewal;

F. Expiration date of license; and

G. Active or inactive status.

14. Commissioner of Inland Fisheries and Wildlife report. The Commissioner of Inland Fisheries and Wildlife shall provide annually to the Penobscot Nation in machine-readable or electronic form watercraft, snowmobile and all-terrain vehicle registration information concerning obligors who are residents of this State. The information to be provided must include all of the following information about the registrant:

A. Name;

B. Address of record;

C. Make, model and identification number for each watercraft registered under Title 12, section 13052; each snowmobile registered under Title 12, section 13104; and each all-terrain vehicle registered under Title 12, section 13155;

D. Type of registration;

E. Effective date of registration or registration renewal; and

F. Expiration of registration.

15. Subsequent reissuance, renewal or other extension of license or certificate. A board may reissue, renew or otherwise extend the license or certificate of authority of the obligor in accordance with the board's rules after the board receives a copy of the written confirmation of compliance specified in subsection 10. A board may waive any applicable requirement for reissuance, renewal or other extension if it determines that the imposition of that requirement places an undue burden on the obligor and that waiver of the requirement is consistent with the public interest.

Sec. 2. 19-A MRSA §2360-B is enacted to read:

§2360-B. Cooperative agreements between department and Penobscot Nation

In accordance with 45 Code of Federal Regulations, Sections 302.34 and 303.107, the department shall enter into one or more cooperative arrangements with the Penobscot Nation governing the expedient and efficient administration and availability of the child support enforcement remedies in sections 2360 and 2360-A, and any other child support enforcement remedy available in this Title.

See title page for effective date.

**CHAPTER 301
H.P. 432 - L.D. 589**

An Act To Provide Access to Justice for Victims of Child Sexual Abuse

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

Sec. 1. 14 MRSA §752-C, sub-§3 is enacted to read:

3. Application. This section applies to all actions based upon sexual acts toward minors regardless of the date of the sexual act and regardless of whether the statute of limitations on such actions expired prior to the effective date of this subsection.

Sec. 2. PL 1999, c. 639, §2 is repealed.

See title page for effective date.

**CHAPTER 302
H.P. 473 - L.D. 642**

An Act To Ensure That Children Receive Behavioral Health Services

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

Sec. 1. 32 MRSA §3817-A is enacted to read:

§3817-A. Services to minors with consent of a parent or guardian

A person licensed under this chapter who practices clinical psychology and who renders services under this chapter to a minor with the consent of one of the minor's parents or the minor's guardian is under no obligation to obtain the consent of any other parent or guardian of the minor. Nothing in this section may be construed so as to prohibit the licensed person rendering the services

from informing another parent or guardian of the services.

Sec. 2. 32 MRSA §7008 is enacted to read:

§7008. Services to minors with consent of a parent or guardian

A person licensed under this chapter who renders services under this chapter to a minor with the consent of one of the minor's parents or the minor's guardian is under no obligation to obtain the consent of any other parent or guardian of the minor. Nothing in this section may be construed so as to prohibit the licensed person rendering the services from informing another parent or guardian of the services.

Sec. 3. 32 MRSA §13868 is enacted to read:

§13868. Services to minors with consent of a parent or guardian

A person licensed under this chapter as a clinical professional counselor who renders services under this chapter to a minor with the consent of one of the minor's parents or the minor's guardian is under no obligation to obtain the consent of any other parent or guardian of the minor. Nothing in this section may be construed so as to prohibit the licensed person rendering the services from informing another parent or guardian of the services.

See title page for effective date.

**CHAPTER 303
S.P. 260 - L.D. 673**

An Act To Create the Insulin Safety Net Program

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

Sec. 1. 32 MRSA §13725 is enacted to read:

§13725. Insulin Safety Net Program

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

A. "Eligible individual" means an individual who has been determined to qualify for assistance under the program pursuant to subsection 3 or 4.

B. "Insulin" has the same meaning as in section 13786-D, subsection 1, paragraph A, except for an insulin product that has a wholesale acquisition cost of \$8 or less per milliliter or applicable National Council for Prescription Drug Plan billing unit, for the entire assessment time period, adjusted annually based on the Consumer Price Index Annual Average, for All Urban Consumers, CPI-U: U.S. City Averages, All Items reported by the

United States Department of Labor, Bureau of Labor Statistics.

C. "Manufacturer" means a manufacturer engaged in the manufacturing of insulin that is self-administered on an outpatient basis, except for a manufacturer with an annual gross revenue of \$2,000,000 or less from insulin sales in this State.

D. "Urgent need of insulin" means having readily available for use less than a 7-day supply of insulin and in need of insulin in order to avoid the likelihood of suffering significant health consequences.

2. Insulin Safety Net Program established. The board shall establish the Insulin Safety Net Program, referred to in this section as "the program," in accordance with the requirements of this section. Under the program, by March 1, 2022, each manufacturer shall establish procedures to make insulin available in accordance with this section and as required under subsections 3 and 4 to pharmacies for dispensing to eligible individuals who are in urgent need of insulin or who need access to an affordable insulin supply.

3. Urgent need safety net. A pharmacy shall dispense a 30-day supply of insulin, as permitted under section 13786-D, to an eligible individual in urgent need of insulin in accordance with this subsection.

A. To be eligible, an individual must demonstrate on an application form developed by the board that the individual:

- (1) Is a resident of this State;
- (2) Is not enrolled in MaineCare or any other health coverage or prescription drug coverage that limits the total amount of cost-sharing that the enrollee is required to pay for a 30-day supply of insulin, including copayments, deductibles or coinsurance, to \$75 or less, regardless of the type or amount of insulin prescribed;
- (3) Has not received an urgent-need supply of insulin through the program within the previous 12 months; and
- (4) Has an urgent need of insulin.

B. The board shall make the application form accessible through the board's publicly accessible website and make the form available to pharmacies and health care providers who prescribe or dispense insulin, hospital emergency departments, urgent care clinics and community health clinics.

C. In addition to a completed, signed and dated application, an individual shall also present to a pharmacy a valid insulin prescription and identification indicating residency in the form of a valid Maine identification card, driver's license or permit. If the individual in urgent need of insulin is under the age of 18, the individual's parent or legal guardian shall provide the pharmacy with proof of

residency. Upon receipt of the information required by this paragraph, the pharmacist shall dispense the prescribed insulin in an amount that will provide the individual a 30-day supply. If an individual does not have a valid prescription, a pharmacist may dispense an emergency refill of insulin pursuant to section 13786-D.

D. The pharmacy shall notify the health care practitioner who issued the prescription order presented under paragraph C no later than 72 hours after the insulin is dispensed.

E. The pharmacy may submit to the manufacturer of the dispensed insulin product or to the manufacturer's vendor a claim for payment for insulin dispensed under paragraph C that is in accordance with the standards developed by a national council for prescription drug programs for electronic claims processing, unless the manufacturer agrees to send to the pharmacy a replacement supply of the same insulin as dispensed in the amount dispensed. If the pharmacy submits an electronic claim to the manufacturer or the manufacturer's vendor, the manufacturer or vendor shall reimburse the pharmacy in an amount that covers the pharmacy's acquisition cost.

F. The pharmacy may collect an insulin copayment from the eligible individual to cover the pharmacy's costs of processing and dispensing in an amount not to exceed \$35 for the 30-day supply of insulin dispensed under paragraph C.

G. The pharmacy shall provide each eligible individual an information sheet provided by the board with contact information for the Health Insurance Consumer Assistance Program established in Title 24-A, chapter 56-A, subchapter 2-A, including the program's publicly accessible website, toll-free telephone number and e-mail address, so that the individual may access additional information and assistance related to ongoing insulin coverage options, including assistance in: applying for MaineCare; applying for a qualified health plan offered through the federally facilitated marketplace, subject to open and special enrollment periods; accessing information on providers who participate in prescription drug discount programs, including providers who are authorized to participate in the federal program under section 340b of the federal Public Health Service Act, United States Code, Title 42, section 256b; and accessing insulin manufacturers' patient assistance programs and other assistance programs through nonprofit organizations.

H. The pharmacy shall retain a copy of the application form submitted by the individual under paragraph A to the pharmacy for reporting and compliance purposes.

4. Manufacturer's patient assistance. A manufacturer shall establish a patient assistance program to provide access to insulin to any eligible individual who meets the requirements of this subsection and who demonstrates a continued need for insulin. Each manufacturer's patient assistance program must meet the requirements of this subsection.

A. Each manufacturer shall provide the Health Insurance Consumer Assistance Program established in Title 24-A, chapter 56-A, subchapter 2-A information regarding the manufacturer's patient assistance program, including contact information for individuals to call for assistance in accessing the patient assistance program.

B. To be eligible to participate in a manufacturer's patient assistance program, an individual must:

(1) Be a Maine resident with a valid identification card that indicates Maine residency in the form of a Maine identification card or driver's license or permit. If the individual is under the age of 18, the individual's parent or legal guardian shall provide proof of residency;

(2) Have a family income that is equal to or less than 400 percent of the federal poverty guidelines; and

(3) Not be enrolled in MaineCare or eligible to receive health care coverage through a federally funded program or to receive prescription drug benefits through the United States Department of Veterans Affairs or not be enrolled in prescription drug coverage through an individual or group health plan that limits the total amount of cost-sharing that an enrollee is required to pay for a 30-day supply of insulin, including copayments, deductibles or coinsurance, to \$75 or less, regardless of the type or amount of insulin needed.

Notwithstanding the requirement in this paragraph, an individual who is enrolled in Medicare Part D is eligible for a manufacturer's patient assistance program if the individual has spent \$1,000 on prescription drugs in the current calendar year and meets the eligibility requirements in subparagraphs (1) and (2).

C. An individual who is interested in participating in a manufacturer's patient assistance program may apply directly to the manufacturer or through the individual's health care practitioner, if the practitioner participates in the manufacturer's patient assistance program.

D. Upon receipt of an application for the manufacturer's patient assistance program, the manufacturer shall process the application and determine eligibility. The manufacturer shall notify the applicant of the determination within 10 business days

of receipt of the application. If necessary, the manufacturer may request additional information from the applicant. If additional information is needed, the manufacturer shall notify the applicant within 5 business days of receipt of the application as to what information is being requested. Within 3 business days of receipt of the requested information, the manufacturer shall determine eligibility and notify the applicant of the determination. If the individual has been determined to be not eligible, the manufacturer shall include the reasons for denying eligibility in the notification. The individual may seek an appeal of the determination in accordance with this section. If the individual is determined to be eligible, the manufacturer shall provide the individual with an eligibility statement or other indication that the individual has been determined eligible for the manufacturer's patient assistance program. An individual's eligibility is valid for 12 months and is renewable upon a re-determination of eligibility.

E. If the eligible individual has prescription drug coverage through an individual or group health plan, the manufacturer may determine that the individual's insulin needs are better addressed by providing financial assistance for copayments and other cost-sharing requirements of the individual's individual or group health plan. The manufacturer shall establish a copayment assistance program to provide such financial assistance. The manufacturer shall inform the individual and provide the individual with the necessary coupons to submit to a pharmacy. Under the manufacturer's copayment assistance program, an eligible individual may not be required to pay more than a copayment of \$35 for a 30-day supply of insulin.

F. The eligible individual shall submit to a pharmacy the eligibility statement provided by the manufacturer under paragraph D. Upon receipt of an individual's eligibility status, the pharmacy shall dispense insulin in accordance with this paragraph.

(1) The pharmacy shall submit an order containing the name of the insulin product and the daily dosage amount as contained in a valid prescription to the product's manufacturer. The pharmacy shall include with the order to the manufacturer the following information: the pharmacy's name and shipping address; office telephone number, fax number, e-mail address and contact name; and any specific days or times when deliveries are not accepted by the pharmacy.

(2) Upon receipt of an order from a pharmacy and the information described in this paragraph, the manufacturer shall send to the pharmacy a 90-day supply of insulin as ordered, unless a lesser amount is requested in the

order, at no charge to the individual or pharmacy. Except as authorized under paragraph E, the pharmacy shall provide the insulin to the individual at no charge to the individual. The pharmacy may not provide insulin received from the manufacturer to any individual other than the individual associated with the specific order.

(3) The pharmacy may not seek reimbursement for the insulin received from the manufacturer or from any 3rd-party payor. The pharmacy may collect a copayment from the individual to cover the pharmacy's costs for processing and dispensing in an amount not to exceed \$50 for each 90-day supply if the insulin is sent to the pharmacy.

(4) The pharmacy may submit to a manufacturer a reorder for an individual if the individual's eligibility statement under paragraph D has not expired. Upon receipt of a reorder from a pharmacy, the manufacturer shall send to the pharmacy an additional 90-day supply of the product, unless a lesser amount is requested, at no charge to the individual or pharmacy if the individual's eligibility statement has not expired.

(5) Notwithstanding subparagraph (2), a manufacturer may send the insulin as ordered directly to the individual if the manufacturer provides a mail order service option.

G. If an individual disagrees with a manufacturer's determination of eligibility under this subsection, the individual may contact the board to request a review of eligibility. The review of eligibility must be conducted by the board administrator, in consultation with a board member. The individual requesting the review shall submit to the board, with the request, all documents submitted by the individual to the manufacturer. The board shall provide the reviewer or reviewers with the documents submitted by the individual. The review of eligibility must be completed within 10 business days of receipt of all the necessary documents from the individual. The review decision is final. If the review determines that the individual is eligible for the manufacturer's patient assistance program, the manufacturer shall provide the individual with an eligibility statement in accordance with this subsection.

5. Additional 30-day urgent-need insulin supply pending eligibility for other coverage or assistance.
If an individual has applied for MaineCare coverage but has not been determined eligible or has been determined eligible but MaineCare coverage has not become effective or if the individual has been determined ineligible for the manufacturer's patient assistance program by the manufacturer and the individual has requested a review

pursuant to subsection 4, paragraph G but the reviewer has not rendered a decision, the individual is entitled to access insulin under the provisions of subsection 3 if the individual has an urgent need of insulin. To access insulin under this subsection, the individual must attest to the pharmacy that the individual meets the requirements of subsection 2.

6. Dissemination of information about program.
In consultation with the Health Insurance Consumer Assistance Program, established in Title 24-A, chapter 56-A, subchapter 2-A, the board shall develop an information sheet to post on its publicly accessible website and provide a link to the information sheet on the website to be used by pharmacies, health care practitioners, hospital emergency departments, urgent care clinics and community health clinics. The information sheet must contain: a description of the urgent need insulin safety net, including how to apply for the benefits of the program; a description of each insulin manufacturer's patient assistance program, including contact information for accessing the assistance programs for each manufacturer; information on how to contact the Health Insurance Consumer Assistance Program, established in Title 24-A, chapter 56-A, subchapter 2-A; and information on how to contact the board if a manufacturer determines that an individual is not eligible for the manufacturer's patient assistance program.

7. Enforcement; penalty for noncompliance.
A person who violates this chapter is subject to enforcement action by the board through any board action authorized in accordance with section 13731 or any civil penalty or criminal or civil action authorized in section 13731.

8. Confidential information.
Any health information or records provided to the board under this section are confidential if the information or records identify or permit the identification of an individual who is seeking to access urgently needed insulin under subsection 3 or to participate in a manufacturer's patient assistance program under this section. A manufacturer shall maintain the confidentiality of any information received from any individual applying for the manufacturer's patient assistance program under this section and is prohibited from selling, sharing or disseminating data received under this section unless required to under this section or unless the individual has provided the manufacturer with a signed authorization.

9. Reports.
Beginning February 15, 2023 and annually thereafter, each manufacturer shall report to the board on the number of Maine residents who accessed and received insulin on an urgent-need basis in the preceding calendar year; the number of Maine residents participating in the manufacturer's patient assistance program in the preceding calendar year, including the number of Maine residents who the manufacturer determined were ineligible for its patient assistance program; and the total value of the insulin, determined by the

wholesale acquisition cost of the insulin, provided by the manufacturer in the preceding calendar year. Beginning April 15, 2023 and annually thereafter, the board shall submit a report of the aggregate information reported by manufacturers pursuant to this subsection to the joint standing committee of the Legislature having jurisdiction over health coverage, insurance and financial services matters.

10. Repeal. This section is repealed January 1, 2027.

Sec. 2. 32 MRSA §13742-A, sub-§1, ¶E, as amended by PL 2019, c. 165, §28, is further amended to read:

E. Failing to comply with section 13800; or

Sec. 3. 32 MRSA §13742-A, sub-§1, ¶F, as enacted by PL 2019, c. 165, §29, is amended to read:

F. A violation of section 13800-B; or

Sec. 4. 32 MRSA §13742-A, sub-§1, ¶G is enacted to read:

G. A violation of section 13725.

Sec. 5. 32 MRSA §13800-D is enacted to read:

§13800-D. Insulin product registration fee

This section governs insulin product registration fees. As used in this section, "unit of insulin" means the lowest identifiable quantity of insulin that is dispensed.

1. Registration fee. Except as provided in subsection 2, a manufacturer that produces insulin that is sold, delivered or distributed in this State shall pay an annual registration fee of \$75,000 to the board on December 31st of each year in addition to any license renewal fee required to be paid by the manufacturer under this chapter.

2. Exception. A manufacturer whose aggregate total of insulin sold, delivered or distributed in this State does not exceed 500,000 units of insulin in the year in which a registration fee under subsection 1 is due is not required to pay the registration fee. To qualify for the exception under this subsection, a manufacturer must demonstrate to the board, by January 31st of the year following the year in which the registration fee is due, in a manner determined by the board, that the aggregate total of insulin produced by the manufacturer that was sold, delivered or distributed within this State in the year in which the manufacturer seeks to claim the exception did not exceed 500,000 units. The board may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

This section is repealed January 1, 2027.

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Administrative Services - Professional and Financial Regulation 0094

Initiative: Allocates funds for technology-related costs associated with establishing one Comprehensive Health Planner position to manage the Insulin Safety Net Program.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$2,729	\$3,347
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,729	\$3,347

Licensing and Enforcement 0352

Initiative: Allocates funds for the per diem costs for one member of the Maine Board of Pharmacy to review a manufacturer's determination of eligibility for the manufacturer's patient assistance program.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$630	\$840
OTHER SPECIAL REVENUE FUNDS TOTAL	\$630	\$840

Licensing and Enforcement 0352

Initiative: Allocates funds for one Comprehensive Health Planner position and related All Other costs to manage the Insulin Safety Net Program.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$72,628	\$101,474
All Other	\$9,278	\$4,477
OTHER SPECIAL REVENUE FUNDS TOTAL	\$81,906	\$105,951

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS	\$85,265	\$110,138
DEPARTMENT TOTAL - ALL FUNDS	\$85,265	\$110,138

See title page for effective date.

CHAPTER 304
S.P. 271 - L.D. 683

An Act To Allow Maine
Nonprofit Corporations To
Hold Meetings Electronically

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

Sec. 1. 13-B MRSA §602, sub-§1, as enacted
by PL 1977, c. 525, §13, is amended to read:

1. **Where held; remote communication.** Meetings of members, if any, may be held at such place, either within or without this State, as may be provided in the bylaws or at such place reasonably convenient to members, as determined by the board of directors. In the absence of any such provision, all meetings ~~shall~~ must be held at the registered office of the corporation in this State or, in the discretion of the board of directors, a meeting may be held entirely through means of remote communication without a specific site for the meeting or partially through means of remote communication with those members attending in person at the location provided in the meeting notice. The board of directors may, in its discretion, adopt guidelines and procedures authorizing members who are not physically present at a meeting of members to, by means of remote communication:

- A. Participate in a meeting of members; and
- B. Be deemed present in person for quorum purposes and vote at a meeting of members, whether such meeting is to be held at a designated place or entirely or partially through means of remote communication, only if:
 - (1) The corporation has implemented reasonable measures to verify each person participating remotely is a member or proxy holder of a member;
 - (2) The corporation has implemented procedures to accommodate remote communication; and
 - (3) If any member or proxy holder votes or takes other action at the meeting by means of remote communication, a record of such vote or other action is maintained by the corporation.

For the purposes of this chapter, "remote communication" means reasonable measures that provide the members or their proxy holders a reasonable opportunity to participate in the meeting and to vote on matters submitted to the members, including an opportunity to communicate and to read or hear the proceedings of the meeting, substantially concurrently with the proceedings, when not attending in person.

Sec. 2. 13-B MRSA §604, sub-§5, as enacted
by PL 2019, c. 200, §2, is amended to read:

5. **Voting by electronic transmission; voting remotely.** The bylaws may provide, or the board of directors or members may determine, that some or all votes by members, as well as actions taken in accordance with section 606, may be conducted by electronic transmission under procedures established by the corporation. If the board of directors adopts guidelines and procedures under section 602, subsection 1 authorizing members to vote by means of remote communication, votes may be conducted remotely. A vote conducted by electronic transmission or remotely must be filed with the minutes of members' meetings and has the same effect as an in-person vote or a vote by proxy, and votes conducted remotely must be counted for quorum purposes.

See title page for effective date.

CHAPTER 305
S.P. 274 - L.D. 686

An Act To Increase
Prescription Drug Pricing
Transparency

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

Sec. 1. 22 MRSA §8731, sub-§1-A is enacted
to read:

1-A. **Drug product family.** "Drug product family" means a group of one or more prescription drugs that share a unique generic drug description and drug form.

Sec. 2. 22 MRSA §8731, sub-§3, as enacted by
PL 2019, c. 470, §8, is amended to read:

3. **Manufacturer.** "Manufacturer" means a manufacturer of an entity that manufactures or repackages, and sets the wholesale acquisition cost for, prescription drugs that are distributed in the State.

Sec. 3. 22 MRSA §8731, sub-§3-A is enacted
to read:

3-A. **Prescription drug.** "Prescription drug" means a drug, as defined in 21 United States Code, Section 321(g) or a biological product as defined in 42 United States Code, Section 262(i)(1) that:

- A. Is intended for human use;
- B. Is not a device within the meaning of 21 United States Code, Section 321(h); and
- C. By federal or state law, can be lawfully dispensed or administered only on prescription by a licensed health care professional.

Sec. 4. 22 MRSA §8732, sub-§1, as enacted by PL 2019, c. 470, §8, is amended by enacting at the end a new blocked paragraph to read:

This subsection is repealed January 30, 2022.

Sec. 5. 22 MRSA §8732, sub-§1-A is enacted to read:

1-A. Public notice of substantial drug price change or introduction. No later than January 30, 2022 and annually thereafter, the organization shall produce and post on its publicly accessible website a list of prescription drugs for which the manufacturer has during the prior calendar year:

A. Increased the wholesale acquisition cost of a brand-name drug by more than 20% per pricing unit;

B. Increased the wholesale acquisition cost of a generic drug that costs at least \$10 per pricing unit by more than 20% per pricing unit; or

C. Introduced a new drug for distribution in this State when the wholesale acquisition cost is greater than the amount that would cause the drug to be considered a specialty drug under the Medicare Part D program. For the purposes of this paragraph, "Medicare Part D" has the same meaning as in section 254-D, subsection 1, paragraph F.

Sec. 6. 22 MRSA §8732, sub-§2, as enacted by PL 2019, c. 470, §8, is repealed and the following enacted in its place:

2. Disclosures by manufacturers, wholesale drug distributors and pharmacy benefits managers. The following disclosures apply to manufacturers, wholesale drug distributors and pharmacy benefits managers.

A. On or before February 15th of each year, the organization shall produce and post on its publicly accessible website a list of drug product families for which it intends to request pricing component data from manufacturers, wholesale drug distributors and pharmacy benefits managers. The organization shall base its inclusion of drug product families on any information the organization determines is relevant to providing greater consumer awareness of the factors contributing to the cost of prescription drugs in the State, and the organization shall consider drug product families that include prescription drugs:

(1) Included in the public notice of substantial drug price change or introduction under subsection 1-A; and

(2) For which the organization is required to produce an annual report pursuant to section 8712, subsection 5, including, but not limited to, the 25 costliest drugs, the 25 most frequently prescribed drugs in the State and the

25 drugs with the highest year-over-year cost increases.

B. Not sooner than 30 days after publicly posting the list of drug product families pursuant to paragraph A, the organization shall notify, via e-mail, manufacturers, wholesale drug distributors and pharmacy benefits managers pursuant to paragraph C.

C. Within 60 days from the date of a request from the organization relating to a specific prescription drug, a manufacturer, wholesale drug distributor or pharmacy benefits manager shall notify the organization of pricing component data per pricing unit of the prescription drug.

Sec. 7. 22 MRSA §8733, as enacted by PL 2019, c. 470, §8, is amended to read:

§8733. Confidentiality

Information provided to the organization as required by this subchapter by a manufacturer, wholesale drug distributor or pharmacy benefits manager is confidential and not a public record under Title 1, chapter 13, except that the organization may share information:

1. Bureau of Insurance. With the Department of Professional and Financial Regulation, Bureau of Insurance, to the extent necessary for the bureau to enforce the provisions of Title 24-A, as long as any information shared is kept confidential; ~~and~~

2. Aggregate. In the aggregate, as long as it is not released in a manner that allows the ~~identification of an individual drug or~~ determination of individual prescription drug pricing contract terms covering a manufacturer, wholesale drug distributor or pharmacy benefits manager; ~~and~~

3. Publicly available. That is available, for purchase or otherwise, to the public.

Sec. 8. 22 MRSA §8734, as enacted by PL 2019, c. 470, §8, is amended to read:

§8734. Registration requirements

Beginning January 1, 2020, ~~a manufacturer and manufacturers, wholesale drug distributor or distributors and pharmacy benefits managers~~ subject to this subchapter shall register annually with the organization in a manner prescribed by the organization.

Sec. 9. 22 MRSA §8736, as enacted by PL 2019, c. 470, §8, is amended to read:

§8736. Public report

Beginning November 1, 2020 and annually thereafter, the organization shall produce and post on its publicly accessible website an annual report, including information developed from the ~~notifications and~~ disclosures received pursuant to this subchapter on trends

in the cost of prescription drugs, analysis of manufacturer prices and price increases, the major components of prescription drug pricing along the supply chain and the impacts on insurance premiums and cost sharing and any other information the organization determines is relevant to providing greater consumer awareness of the factors contributing to the cost of prescription drugs in the State. The report may not disclose information attributable to any particular manufacturer, wholesale drug distributor or pharmacy benefits manager subject to this subchapter and may not make public any information that is confidential pursuant to section 8733. The organization shall submit the report required by this section to the joint standing committee of the Legislature having jurisdiction over health data reporting and prescription drug matters and the committee may report out legislation to the first regular or second regular session of the Legislature, depending on the year in which the report is submitted.

See title page for effective date.

**CHAPTER 306
H.P. 552 - L.D. 747**

**An Act Regarding Civil Mental
Health Evaluations of Former
Criminal Defendants**

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

Sec. 1. 15 MRSA §101-D, sub-§5, ¶A, as amended by PL 2013, c. 434, §1 and affected by §15, is further amended to read:

A. Commit the defendant to the custody of the Commissioner of Health and Human Services for placement in an appropriate program for observation, care and treatment of people with mental illness or persons with intellectual disabilities or autism. An appropriate program may be in an institution for the care and treatment of people with mental illness, an intermediate care facility for persons who have intellectual disabilities or autism, a crisis stabilization unit, a nursing home, a residential care facility, an assisted living facility, a hospice, a hospital, an intensive outpatient treatment program or any program specifically approved by the court. At the end of 30 days or sooner, and again in the event of recommitment, at the end of 60 days and 180 days, the State Forensic Service or other appropriate office of the Department of Health and Human Services shall forward a report to the Commissioner of Health and Human Services relative to the defendant's competence to stand trial and its reasons. The Commissioner of Health and Human Services shall without delay file the report with the court having jurisdiction of the case. The court shall hold a hearing on the question

of the defendant's competence to stand trial and receive all relevant testimony bearing on the question. If the State Forensic Service's report or the report of another appropriate office of the Department of Health and Human Services to the court states that the defendant is either now competent or not restorable, the court shall within 30 days hold a hearing. If the court determines that the defendant is not competent to stand trial, but there does exist a substantial probability that the defendant will be competent to stand trial in the foreseeable future, the court shall recommit the defendant to the custody of the Commissioner of Health and Human Services for placement in an appropriate program for observation, care and treatment of people with mental illness or persons with intellectual disabilities or autism. An appropriate program may be in an institution for the care and treatment of people with mental illness, an intermediate care facility for persons who have intellectual disabilities or autism, a crisis stabilization unit, a nursing home, a residential care facility, an assisted living facility, a hospice, a hospital, an intensive outpatient treatment program or any program specifically approved by the court. When a person who has been evaluated on behalf of the court by the State Forensic Service or other appropriate office of the Department of Health and Human Services is committed into the custody of the Commissioner of Health and Human Services under this paragraph, the court shall order that the State Forensic Service or other appropriate office of the Department of Health and Human Services share any information that it has collected or generated with respect to the person with the institution or residential program in which the person is placed. ~~If the defendant is charged with an offense under Title 17-A, chapter 9, 11 or 13 or Title 17-A, section 506-A, 802 or 803-A and the court determines that the defendant is not competent to stand trial and there does not exist a substantial probability that the defendant can be competent in the foreseeable future, the court shall dismiss all charges against the defendant and, unless the defendant is subject to an undischarged term of imprisonment, order the Commissioner of Health and Human Services to commence proceedings pursuant to Title 34-B, chapter 3, subchapter 4. If the defendant is charged with an offense other than an offense under Title 17-A, chapter 9, 11 or 13 or Title 17-A, section 506-A, 802 or 803-A and the court determines that the defendant is not competent to stand trial and there does not exist a substantial probability that the defendant can be competent in the foreseeable future, the court shall dismiss all charges against the defendant and, unless the defendant is subject to an undischarged term of imprisonment, notify the appropriate authorities who may institute civil commitment proceedings for the individual. If the~~

~~defendant is subject to an undischarged term of imprisonment, the court shall order the defendant into execution of that sentence and the correctional facility to which the defendant must be transported shall execute the court's order; or~~

Sec. 2. 15 MRSA §101-D, sub-§5-A is enacted to read:

5-A. Finding of nonrestorability. If the court determines that the defendant is not competent to stand trial and there does not exist a substantial probability that the defendant can be competent in the foreseeable future, the court shall dismiss all charges against the defendant and, unless the defendant is subject to an undischarged term of imprisonment, the court may notify the appropriate authorities who may institute civil commitment proceedings for the individual. If the defendant is subject to an undischarged term of imprisonment, the court shall order the defendant into execution of that sentence, and the correctional facility to which the defendant is transported shall execute the court's order.

See title page for effective date.

CHAPTER 307

H.P. 602 - L.D. 834

An Act To Ensure the Appropriate Allocation of Victim Restitution

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

Sec. 1. 17-A MRSA §2008, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

§2008. Deceased victims

An offender's obligation to pay restitution is not affected by the death of the victim to whom the restitution is due. The money collected as restitution must be forwarded to the estate of the victim. If an offender is an heir, beneficiary or recipient of the victim's estate, any restitution paid to the estate under this section may not benefit the offender but must be distributed to any other heir, beneficiary or recipient as if the distribution of the estate's assets did not include the offender or, if the victim's estate has no heir, beneficiary or recipient other than the offender, the restitution must be paid to the Victims' Compensation Fund under Title 5, chapter 316-A or the Victims' Property Compensation Fund under Title 5, chapter 316-C, determined by whether the restitution is for underlying injury or property damage.

See title page for effective date.

CHAPTER 308
H.P. 609 - L.D. 841

An Act Regarding Deferred Disposition

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

Sec. 1. 17-A MRSA §1901, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

§1901. Eligibility for deferred disposition

A person who has pleaded guilty to a Class B crime under chapter 45 or a Class C, Class D or Class E crime and who consents to a deferred disposition in writing is eligible for a deferred disposition.

See title page for effective date.

CHAPTER 309
H.P. 623 - L.D. 855

An Act Regarding the Issuance of a Birth Certificate Following a Gender Marker Change

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

Sec. 1. 22 MRSA §2705, sub-§5, as amended by PL 1989, c. 818, §3, is further amended to read:

5. Amendment following adoption ~~or~~ legitimization or gender marker change. Amendment of a certificate following adoption ~~or~~ legitimization or gender marker change is governed by section 2765, ~~subsection~~ subsections 2-A and 2-B.

Sec. 2. 22 MRSA §2765, as amended by PL 2017, c. 402, Pt. C, §§47 and 48 and affected by PL 2019, c. 417, Pt. B, §14, is further amended by amending the section headnote to read:

§2765. New certificate of birth following adoption ~~or~~ legitimization or gender marker change

Sec. 3. 22 MRSA §2765, sub-§1, ¶B, as amended by PL 1993, c. 686, §6 and affected by §13, is further amended to read:

B. A request that a new certificate be established and such evidence as the department may require by rule proving that the person has been legitimated; and

Sec. 4. 22 MRSA §2765, sub-§1, ¶C is enacted to read:

C. An application for gender marker change.

Sec. 5. 22 MRSA §2765, sub-§2-A, as amended by PL 2009, c. 601, §20, is further amended to read:

2-A. Certificate after adoption or legitimization or gender marker change. This subsection governs birth certificates after adoption or legitimization or gender marker change.

A. When a new birth certificate is established after adoption pursuant to subsection 1, paragraph A, or subsection 1-A, the actual place and date of birth, the names and personal data of the adoptive parents at the time of the child's birth and the name of the child after adoption must be entered on the new birth certificate.

(1) At the request of an adopted person who is at least 18 years of age or of the adoptive parents of an adopted child under 18 years of age, the new certificate must carry a notation that it has been amended, all items that have been revised pursuant to the adoption decree must be identified, and the notation "court action" and the date of the adoption decree must be shown on the new certificate.

(2) If the birth certificate has been annotated pursuant to subparagraph (1), the annotation may be deleted in accordance with department regulations at the request of an adopted person who is at least 18 years of age or of the adoptive parents of an adopted child under 18 years of age.

B. When a new certificate is established after legitimization pursuant to subsection 1, paragraph B, the actual place and date of birth, the name of the child and the names and personal data of both parents at the time of birth must be shown. Notwithstanding section 2705, the new certificate may not be marked "amended." The new certificate must be filed with all other birth certificates and is not subject to the provisions of section 2761, subsection 4.

C. When a new certificate of birth is established following adoption or legitimization or gender marker change, it must be substituted for the original certificate of birth. After that substitution, the original certificate of birth and the evidence of adoption or application for gender marker change are not subject to inspection except upon order of the Probate Court or the Superior Court or pursuant to section 2768. The application for legitimization may be released to persons listed on the original birth certificate upon completion of written application to the State Registrar of Vital Statistics or the registrar's designee.

Sec. 6. 22 MRSA §2765, sub-§2-B is enacted to read:

2-B. Certificate after gender marker change. When a new birth certificate is established after changes are made to the gender marker pursuant to subsection 1, paragraph C or subsection 2-A, the requested gender marker and, if requested at the same time, the first and

middle names as they appear on the application must be entered on the new birth certificate. A new birth certificate may be requested by a parent on behalf of a minor.

The new birth certificate may not be marked "amended." The new birth certificate must be filed with all other birth certificates.

Additional requirements may be specified in rules adopted by the department.

See title page for effective date.

CHAPTER 310

H.P. 672 - L.D. 916

An Act To Protect Data Privacy and Security in Elections

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

Sec. 1. 21-A MRSA §196-A, sub-§1, ¶B, as amended by PL 2015, c. 447, §7, is further amended to read:

B. A political party, or an individual or organization engaged in so-called "get out the vote" efforts directly related to a campaign or other activities directly related to a campaign, or an individual who has been elected or appointed to and is currently serving in a municipal, county, state or federal office, may purchase a list or report of certain voter information from the central voter registration system by making a request to the Secretary of State or to a registrar if the information requested concerns voters in that municipality. The Secretary of State or the registrar shall make available the following voter record information, subject to the fees set forth in subsection 2: the voter's name, residence address, mailing address, year of birth, enrollment status, electoral districts, voter status, date of registration, date of change of the voter record if applicable, voter participation history, voter record number and any special designations indicating uniformed service voters, overseas voters or township voters. ~~Any person obtaining, either directly or indirectly, information from the central voter registration system under this paragraph may not sell, distribute or use the data for any purpose that is not directly related to activities of a political party, "get out the vote" efforts directly related to a campaign or other activities directly related to a campaign. This paragraph does not prohibit political parties, party committees, candidate committees, political action committees or any other organizations that have purchased information from the central voter registration system from providing access to such information to their members for purposes directly related to party activities,~~

"get out the vote" efforts or a campaign. For purposes of this paragraph, "campaign" has the same meaning as in section 1052, subsection 1. A person obtaining, either directly or indirectly, information from the central voter registration system under this paragraph may not:

- (1) Sell, transfer to another person or use the voter information or any part of the voter information for any purpose that is not directly related to activities of a political party, "get out the vote" efforts directly related to a campaign or other activities directly related to a campaign; or
- (2) Cause the voter information or any part of the voter information that identifies, or that could be used with other information to identify, a specific voter, including but not limited to a voter's name, residence address or street address, to be made accessible by the general public on the Internet or through other means.

This paragraph does not prohibit a political party, party committee, candidate committee, political action committee or any other organization that purchased voter information from the central voter registration system from providing access to such information to its members, volunteers or employees for purposes directly related to party activities, "get out the vote" efforts or a campaign. For purposes of this paragraph, "campaign" has the same meaning as in section 1052, subsection 1.

Sec. 2. 21-A MRSA §196-A, sub-§1, ¶J is enacted to read:

J. An individual or organization that is evaluating the State's compliance with its voter list maintenance obligations may, consistent with the National Voter Registration Act of 1993, 52 United States Code, Section 20507(i) (2021), purchase a list or report of the voter information described in paragraph B from the central voter registration system by making a request to the Secretary of State and paying the fee set forth in subsection 2. A person obtaining, either directly or indirectly, voter information from the central voter registration system under this paragraph may not:

- (1) Sell, transfer to another person or use the voter information or any part of the information for any purpose that is not directly related to evaluating the State's compliance with its voter list maintenance obligations; or
- (2) Cause the voter information or any part of the voter information that identifies, or that could be used with other information to identify, a specific voter, including but not limited to a voter's name, residence address or street address, to be made accessible by the general public on the Internet or through other means.

Sec. 3. 21-A MRSA §196-A, sub-§4 is enacted to read:

4. Discrimination prohibited. An individual or organization that accesses or obtains voter information from the central voter registration system may not use that information or any part of that information to engage in discrimination on the basis of physical or mental disability, race, color, age, sex, sexual orientation, religion, ancestry or national origin, including but not limited to discrimination prohibited by the Maine Human Rights Act and federal civil rights laws. For purposes of this paragraph, "federal civil rights laws" means the following federal laws and statutes, as amended, and the regulations promulgated under those laws and statutes, as amended, as of January 1, 2021:

- A. Title II of the federal Americans with Disabilities Act of 1990, 42 United States Code, Sections 12131 to 12165;
- B. Section 504 of the federal Rehabilitation Act of 1973, 29 United States Code, Section 794;
- C. Title VI of the federal Civil Rights Act of 1964, 42 United States Code, Sections 2000d to 2000d-7;
- D. The federal Older Americans Amendments of 1975, 42 United States Code, Sections 6101 to 6107; and
- E. Title IX of the federal Education Amendments of 1972, 20 United States Code, Sections 1681 to 1688.

Sec. 4. 21-A MRSA §196-A, sub-§5 is enacted to read:

5. Penalty. A person who:

- A. Violates subsection 1 or subsection 4 commits a civil violation for which a fine of not more than \$1,000 may be adjudged; and
- B. Violates subsection 1 or subsection 4 after having previously violated either subsection 1 or subsection 4 commits a civil violation for which a fine of not more than \$5,000 may be adjudged.

For purposes of this subsection, each voter's information that a person causes to be made accessible to the general public in violation of subsection 1, paragraph B or J constitutes a separate offense.

See title page for effective date.

CHAPTER 311
H.P. 701 - L.D. 945

An Act Regarding Notice by
Health Insurance Carriers of
Policy Changes

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

Sec. 1. 24-A MRSA §4303, sub-§9, as amended by PL 2007, c. 199, Pt. B, §11, is further amended to read:

9. Notice of amendments to provider agreements. A carrier offering or renewing a health plan in this State shall notify a participating provider of a proposed amendment to a provider agreement at least 60 days prior to the amendment's proposed effective date. If an amendment that has substantial impact on the rights and obligations of providers is made to a manual, policy or procedure document referenced in the provider agreement, such as material changes to fee schedules or material changes to procedural coding rules specified in the manual, policy or procedure document, the carrier shall provide 60 days' notice to the provider. After the 60-day notice period has expired, the amendment to a manual, policy or procedure document becomes effective and binding on both the carrier and the provider subject to any applicable termination provisions in the provider agreement, except that the carrier and provider may mutually agree to waive the 60-day notice requirement. This subsection may not be construed to limit the ability of a carrier and provider to mutually agree to the proposed change at any time after the provider has received notice of the proposed amendment. If the notice required by this subsection is provided by electronic communication, the subject line of the electronic communication must indicate that notice of an amendment to a provider agreement or manual, policy or procedure document is included in the communication and the notice of the amendment must be provided as an attachment to the communication, as a separate document.

Sec. 2. Application. This Act applies to any proposed amendment to a provider agreement or manual, policy or procedure document made by a carrier on or after January 1, 2022.

See title page for effective date.

CHAPTER 312
H.P. 967 - L.D. 1311

An Act Regarding the State
Employee Health Commission

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

Sec. 1. 5 MRSA §285, sub-§1-A, ¶D, as enacted by PL 1997, c. 652, §2 and affected by §4 and amended by PL 2007, c. 58, §3, is further amended to read:

D. If terminating employment but not retiring at that time, have 25 years of creditable service under chapter 423, subchapter ~~4~~ 4 and remain a member of the Maine Public Employees Retirement System, make a one-time election to continue coverage from the date of termination until retirement and pay the cost of the coverage plus the cost incurred by the ~~Division Office~~ of State Employee Health Insurance and Wellness in administering coverage under the plan. If a terminated employee who elects coverage under this paragraph fails to pay the cost of coverage and any administrative costs in the amount and manner determined by the ~~division office~~, the coverage may be cancelled in accordance with the requirements of Title 24 and Title 24-A. Regardless of election of coverage or cancellation of coverage under this paragraph, an employee terminating employment as provided in this paragraph may elect coverage upon retirement under paragraph E; or

Sec. 2. 5 MRSA §285-A, sub-§1, as amended by PL 1991, c. 780, Pt. Y, §25, is further amended to read:

1. Establishment. The State Employee Health Commission is established to serve as trustee of the group health plan in this subchapter and to ~~advise~~ provide counsel to the Executive Director of Employee Health Insurance and Wellness and the Director of the Bureau of Human Resources on health and dental insurance issues, the state living resources program and ~~the Director of the Bureau of Human Resources on other issues concerning employee health and wellness and the State Employee Assistance Program.~~

Sec. 3. 5 MRSA §285-A, sub-§2, ¶F, as amended by PL 1995, c. 97, §1, is further amended to read:

F. The Executive Director of Employee Health Insurance and Wellness, ex officio;

Sec. 4. 5 MRSA §286, first ¶, as amended by PL 1991, c. 780, Pt. Y, §26, is further amended to read:

The Commissioner of Administrative and Financial Services has responsibility for the state employee health insurance program through the ~~Division Office~~ of State Employee Health Insurance and Wellness that is established as part of the organization of the Bureau of Human Resources. The ~~division office~~ is headed by the Executive Director of Employee Health Insurance and Wellness. The executive director has responsibility for the daily operation of this program and for the development and maintenance of programs that promote the health and safety of the state employees. Program services must be administered through offices,

systems, consultants and staff necessary to provide cost-effective, accessible and responsive services to eligible employees and retirees. Administration of the program must be consistent with rules adopted by the State Employee Health Commission. The executive director and the staff of the state employee health insurance program are appointed in accordance with the Civil Service Law.

Sec. 5. 5 MRSA §286, 6th ¶, as amended by PL 1991, c. 780, Pt. Y, §27, is further amended to read:

A reserve fund, administered by the Executive Director of Employee Health Insurance and Wellness and the Director of the Bureau of Human Resources with approval of the Commissioner of Administrative and Financial Services, is created to protect the program from unexpected losses and self-insured losses and related expenses incurred in the provision of health and dental benefits for the eligible participants. The fund is a continuing fund and may not lapse. The Treasurer of State shall invest the fund. All proceeds of these investments accrue to the fund.

Sec. 6. 5 MRSA §286-M, sub-§2, ¶C, as enacted by PL 2005, c. 636, Pt. A, §3, is amended to read:

C. "Division" means the Department of Administrative and Financial Services, Division Office of State Employee Health Insurance and Wellness.

Sec. 7. 20-A MRSA §13451, sub-§3, as amended by PL 2013, c. 368, Pt. H, §3, is further amended by amending the last blocked paragraph to read:

For the fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014 and June 30, 2015, the State's total cost for retired teachers' health insurance premiums is budgeted at the fiscal year 2010-11 funding level adjusted for projected membership growth. The increase in the State's total cost for retired teachers' health insurance premiums for fiscal years ending after June 30, 2015 is budgeted at no more than any percentage increase in the Consumer Price Index as defined in Title 5, section 17001, subsection 9 plus 3%. A provider of a health insurance benefit plan for retired teachers must make available data related to the provider's premium costs and any related data as requested by the Executive Director of Employee Health Insurance and Wellness within the Department of Administrative and Financial Services.

See title page for effective date.

CHAPTER 313 H.P. 996 - L.D. 1345

An Act To Implement the Recommendations of the Right To Know Advisory Committee

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Sec. 1. 1 MRSA §408-A, sub-§8, ¶A, as enacted by PL 2011, c. 662, §5, is amended to read:

A. The agency or official may charge a reasonable fee to cover the cost of copying. A reasonable fee to cover the cost of copying is no more than 10¢ per page for a standard 8 1/2 inches by 11 inches black and white copy of a record. A per-page copy fee may not be charged for records provided electronically.

Sec. 2. 1 MRSA §411, sub-§2, ¶M, as amended by PL 2015, c. 250, Pt. A, §1, is further amended to read:

M. The Attorney General or the Attorney General's designee; ~~and~~

Sec. 3. 1 MRSA §411, sub-§2, ¶N, as enacted by PL 2015, c. 250, Pt. A, §2, is amended to read:

N. One member with broad experience in and understanding of issues and costs in multiple areas of information technology, including practical applications concerning creation, storage, retrieval and accessibility of electronic records; use of communication technologies to support meetings, including teleconferencing and Internet-based conferencing; databases for records management and reporting; and information technology system development and support, appointed by the Governor; ~~and~~

Sec. 4. 1 MRSA §411, sub-§2, ¶O is enacted to read:

O. One representative having legal or professional expertise in the field of data and personal privacy, appointed by the Governor.

Sec. 5. 1 MRSA §412, sub-§1, as amended by PL 2019, c. 300, §1, is further amended to read:

1. Training required. A public access officer and an official subject to this section shall complete a course of training on the requirements of this chapter relating

to public records and proceedings. The official or public access officer shall complete the training not later than the 120th day after the date the official ~~takes the oath of office to assume~~ assumes the person's duties as an official or the person is designated as a public access officer pursuant to section 413, subsection 1.

Sec. 6. 1 MRSA §412, sub-§4, ¶F, as enacted by PL 2007, c. 576, §2, is amended to read:

F. Municipal officers; municipal clerks, treasurers, managers or administrators, assessors and code enforcement officers and deputies for those positions; and planning board members and budget committee members of municipal governments;

Sec. 7. 1 MRSA §412, sub-§4, ¶G, as amended by PL 2011, c. 662, §7, is further amended to read:

G. ~~Officials~~ Superintendents, assistant superintendents and school board members of school administrative units; and

Sec. 8. 1 MRSA §432, sub-§2, ¶G-1 is enacted to read:

G-1. Whether public access to the record ensures or would ensure that members of the public are able to make informed health and safety decisions;

Sec. 9. 1 MRSA §434, sub-§2, ¶G-1 is enacted to read:

G-1. Whether public access to the record ensures or would ensure that members of the public are able to make informed health and safety decisions;

See title page for effective date.

CHAPTER 314

H.P. 1050 - L.D. 1434

An Act Regarding Controlled Entry Areas within Retail Marijuana Stores

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

Sec. 1. 28-B MRSA §504, sub-§4-A is enacted to read:

4-A. Controlled, indoor entry area. A marijuana store may have a controlled, indoor entry area directly inside the marijuana store in which an employee of the marijuana store licensee may verify the identification and age of persons and persons may await entry into the sales area of the marijuana store. A controlled, indoor entry area under this subsection must be physically separated from the sales area of the marijuana store.

Sec. 2. 28-B MRSA §507, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

§507. Entry into marijuana establishment by persons under 21 years of age prohibited

A person under 21 years of age may not enter the licensed premises of a marijuana establishment. A licensee shall ensure that persons under 21 years of age do not enter its licensed premises, except that a marijuana store licensee may use a controlled, indoor entry area, in accordance with section 504, subsection 4-A, in a marijuana store to verify the identification and age of persons before allowing entry into the sales area of the marijuana store.

See title page for effective date.

CHAPTER 315

H.P. 1071 - L.D. 1455

An Act To Support Survivors of Sex Trafficking and Exploitation

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

Sec. 1. 17-A MRSA §853-A, sub-§4, as enacted by PL 2013, c. 537, §5, is amended to read:

4. It is ~~an affirmative~~ a defense to prosecution under this section that the person engaged in prostitution because the person was compelled to do so as described in section 852, subsection 2.

Sec. 2. 17-A MRSA §853-A, sub-§5 is enacted to read:

5. It is a defense to prosecution under this section that the person engaged in prostitution to prevent bodily injury, serious economic hardship or another threat to the person or another person.

See title page for effective date.

CHAPTER 316

S.P. 485 - L.D. 1508

An Act To Reduce Homelessness by Reducing Evictions

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

Sec. 1. 14 MRSA §6004, as amended by PL 2015, c. 22, §1, is repealed and the following enacted in its place:

§6004. Commencement of action

1. Summons and complaint; service. The process of forcible entry and detainer must be commenced and service made in the same manner as other civil

actions, except that if at least 3 good faith efforts on 3 different days have been made to serve the defendant, service may be accomplished by both mailing the summons and complaint by first-class mail to the defendant's last known address and leaving the summons and complaint at the defendant's last and usual place of abode. If service has been made by mailing and posting the summons and complaint, the plaintiff shall file with the court an affidavit demonstrating that compliance with the requirement of service has occurred. When the plaintiff lives out of the State and a recognizance is required of the plaintiff, any person may recognize in the plaintiff's behalf and is personally liable.

2. Form notice. If the defendant is a residential tenant, the plaintiff shall attach to the summons and complaint that is served on the defendant as provided in subsection 1 a one-page to 2-page form notice provided by the judicial branch in consultation with other resources and posted on the publicly accessible website of the judicial branch, written in language that is plain and readily understandable by the general public, that contains at a minimum the following:

- A. A description of the court procedure to be followed in the case, including a clear explanation of the process that must be followed before a tenant is required to vacate a rental unit;
- B. A statement that failure to appear at any scheduled status conference or hearing may result in the entry of judgment in favor of the landlord, which would require the tenant to leave the rental unit;
- C. A list of rental assistance programs available to residential tenants;
- D. A list of resources that provide legal information and representation available to residential tenants;
- E. A list of resources that provide housing counseling available to residential tenants;
- F. A statement that either party may request, or the court may at any time refer the parties to, mediation on any issue; and
- G. A court-approved form to request mediation.

See title page for effective date.

CHAPTER 317

H.P. 1195 - L.D. 1606

An Act To Expand Tenant Representation on Boards of Directors of Nonprofit Housing Corporations

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

Sec. 1. 13-B MRSA §701-A is enacted to read:

§701-A. Board of directors of a nonprofit housing corporation

A corporation organized under this Title that has an ownership interest in any multifamily rental housing shall include on its board of directors, at a minimum, one current tenant of such housing. If the corporation is unable to find a tenant to serve as a director, it shall advertise the position to current tenants on an annual basis. The name and contact information of the tenant director must be posted in a public location in each building in which the corporation has an interest. This section does not apply to a corporation that only provides emergency shelter or short-term transitional housing.

See title page for effective date.

CHAPTER 318

H.P. 172 - L.D. 251

An Act Regarding Public Utility Assessments, Fees and Penalties

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

Sec. 1. 35-A MRSA §116, sub-§1, as amended by PL 2013, c. 600, §1, is further amended to read:

1. Entities subject to assessments. Every transmission and distribution, gas, telephone and water utility and ferry subject to regulation by the commission and every qualified telecommunications provider is subject to an assessment on its intrastate gross operating revenues to produce sufficient revenue for expenditures allocated by the Legislature for the Public Utilities Commission Regulatory Fund established pursuant to this section. The budget for the Public Utilities Commission Regulatory Fund is subject to legislative review and approval in accordance with subsection 2. The portion of the total assessment applicable to each category of public utility or qualified telecommunications provider is based on an accounting by the commission of the portion of the commission's resources devoted to matters related to each category. The commission shall develop a reasonable and practicable method of accounting for resources devoted by the commission to matters related to each category of public utility or qualified telecommunications provider. Assessments on each public utility or qualified telecommunications provider within each category must be based on the utility's or qualified telecommunications provider's gross intrastate operating revenues. Within each category of public utility, the assessment must be apportioned and applied separately to investor-owned utilities and consumer-owned utilities. The portion of the assessment applicable to investor-owned utilities and

consumer-owned utilities within each category must be determined based on an accounting by the commission of the portion of the commission's resources devoted to matters related to investor-owned utilities and the portion devoted to matters related to consumer-owned utilities. The commission shall determine the assessments annually prior to May 1st and assess each utility or qualified telecommunications provider for its pro rata share for expenditure during the fiscal year beginning July 1st. Each utility or qualified telecommunications provider shall pay the assessment charged to the utility or qualified telecommunications provider on or before July 1st of each year. Any increase in the assessment that becomes effective subsequent to May 1st may be billed on the effective date of the act authorizing the increase.

A. The assessments charged to utilities and qualified telecommunications providers under this section are just and reasonable operating costs for rate-making purposes.

B. For the purposes of this section, "intrastate gross operating revenues" means:

(1) In the case of all utilities except telephone utilities, revenues derived from filed rates except revenues derived from sales for resale;

(2) In the case of a telephone utility, all intrastate revenues, except revenues derived from sales for resale, whether or not the rates from which those revenues are derived are required to be filed pursuant to this Title; and

(3) In the case of a qualified telecommunications provider, all intrastate revenues except revenues derived from sales for resale.

C. Gas utilities subject to the jurisdiction of the commission solely with respect to safety are not subject to any assessment.

D. The commission may correct any errors in the assessments by means of a credit or debit to the following year's assessment rather than reassessing all utilities or qualified telecommunications providers in the current year.

E. The commission may exempt utilities or qualified telecommunications providers with annual intrastate gross operating revenues under \$50,000 from assessments under this section.

F. The portion of the assessment applicable to investor-owned utilities and consumer-owned utilities within each category of public utility, as determined by the commission under this subsection, must be allocated to each utility based on a 3-year rolling average of revenue reported by the utility.

For purposes of this section, "qualified telecommunications provider" means a provider of interconnected voice over Internet protocol service that paid any

assessment under this subsection, whether voluntarily, by agreement with the commission or otherwise, prior to March 1, 2012.

Sec. 2. 35-A MRSA §116, sub-§8, as amended by PL 2019, c. 226, §1, is further amended to read:

8. Public Advocate assessment. Every utility or qualified telecommunications provider subject to assessment under this section is subject to an additional annual assessment on its intrastate gross operating revenues to produce sufficient revenue for expenditures allocated by the Legislature for operating the Office of the Public Advocate. The portion of this assessment applicable to each category of public utility or qualified telecommunications provider is based on an accounting by the Public Advocate of resources devoted to matters related to each category. The Public Advocate shall develop a reasonable and practicable method of accounting for resources devoted by the Public Advocate to matters related to each category of public utility or qualified telecommunications provider. Assessments on each public utility or qualified telecommunications provider within each category must be based on the utility's or qualified telecommunications provider's gross intrastate operating revenues. Within each category of public utility, the assessment must be apportioned and applied separately to investor-owned utilities and consumer-owned utilities. The portion of the assessment applicable to investor-owned utilities and to consumer-owned utilities within each category must be determined based on an accounting by the Public Advocate of the portion of the resources of the Office of the Public Advocate devoted to matters related to investor-owned utilities and the portion devoted to matters related to consumer-owned utilities. The revenues produced from this assessment are transferred to the Public Advocate Regulatory Fund and may ~~only~~ be used only to fulfill the duties specified in chapter 17. The assessments charged to utilities and qualified telecommunications providers under this subsection are considered just and reasonable operating costs for rate-making purposes. The Public Advocate shall develop a method of accounting for staff time within the Office of the Public Advocate. All professional and support staff shall account for their time in such a way as to identify the percentage of time devoted to public utility and qualified telecommunications provider regulation and the percentage of time devoted to other duties that may be required by law.

A. The Public Advocate shall submit its budget recommendations, using a zero-based budgeting process or other process or method directed by the State Budget Officer, as part of the unified current services budget legislation in accordance with Title 5, sections 1663 to 1666. The assessments and expenditures provided in this section are subject to legislative approval. The Public Advocate shall make an annual report of its planned expenditures for the year and on its use of funds in the previous

year. The Public Advocate may also receive other funds as appropriated by the Legislature.

B. The Public Advocate may use the revenues provided in accordance with this section to fund the Public Advocate and 10 employees and to defray the costs incurred by the Public Advocate pursuant to this Title, including administrative expenses, general expenses, consulting fees and all other reasonable costs incurred to administer this Title.

C-1. Funds that are not expended at the end of a fiscal year do not lapse but must be carried forward to be expended for the purposes specified in this section in succeeding fiscal years.

E. The portion of the assessment applicable to investor-owned utilities and consumer-owned utilities within each category of public utility, as determined by the Public Advocate under this subsection, must be allocated to each utility based on a 3-year rolling average of revenue reported by the utility.

Sec. 3. 35-A MRSA §120, sub-§2-A is enacted to read:

2-A. Filing fees and penalties; legislation. Any filing fees or penalties collected in the previous year under this Title that have not been adjusted in the previous 5 years. For filing fees or penalties reported pursuant to this subsection, the commission shall submit, along with the annual report, information regarding the dollar value of the filing fee or penalty adjusted for inflation based on the Consumer Price Index, as defined in Title 5, section 17001, subsection 9. After receiving the annual report, the committee may report out a bill to adjust for inflation any filing fee or penalty provided in the report;

Sec. 4. 35-A MRSA §120, sub-§2-B is enacted to read:

2-B. Commission expenses; investor-owned and consumer-owned utilities. Beginning in 2022, for each category of public utility listed in section 116, subsection 1:

A. The portion of commission resources devoted to matters related to investor-owned utilities and the portion of commission resources devoted to matters related to consumer-owned utilities; and

B. The commission's expenses per dollar of intrastate gross operating revenue for investor-owned utilities and for consumer-owned utilities;

Sec. 5. 35-A MRSA §708, sub-§4, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

4. Filing fee. Within 30 days after the application for approval of a reorganization is filed pursuant to subsection 2, the commission may order the applicant to pay a filing fee not to exceed ~~\$50,000~~, 5/100 of 1% of the transaction value as determined by the commission

if the commission determines that the application may involve issues ~~which will that would~~ necessitate significant additional costs to the commission, except that, if a reorganization would result in the transfer of ownership and control of a public utility or the parent company of a public utility, the commission shall order the applicant to pay to the commission a filing fee in an amount equal to 5/100 of 1% of the transaction value as determined by the commission. The applicant may request the commission to waive all or a portion of the filing fee. The commission shall rule on the request for waiver within 30 days. Notwithstanding any other provision of law, filing fees paid as required in this subsection ~~shall~~ must be segregated, apportioned and expended by the commission for the purposes of processing the application. Any portion of the filing fee that is received from an applicant and is not expended by the commission to process the application ~~shall~~ must be returned to the applicant.

Sec. 6. 35-A MRSA §759, first ¶, as enacted by PL 1995, c. 348, §1, is amended to read:

The provisions of this chapter are considered safety and health standards of the State. A person who causes, permits or allows work or other activity in violation of the provisions of this chapter may be assessed a civil penalty not exceeding ~~\$1,000~~ \$1,700 for each day the violation continues.

Sec. 7. 35-A MRSA §1508-A, sub-§1, as amended by PL 2011, c. 623, Pt. B, §5, is further amended to read:

1. Penalty. Unless otherwise specified in law, the commission may, in an adjudicatory proceeding, impose an administrative penalty as specified in this section.

A. For willful violations of this Title, a commission rule or a commission order by a public utility, voice service provider, dark fiber provider, wholesale competitive local exchange carrier or a competitive electricity provider, the commission may impose an administrative penalty for each violation in an amount that does not exceed ~~\$5,000~~ \$5,800 or .25% of the annual gross revenue that the public utility, voice service provider, dark fiber provider, wholesale competitive local exchange carrier or the competitive electricity provider received from sales in the State, whichever amount is lower. Each day a violation continues constitutes a separate offense. The maximum administrative penalty for any related series of violations may not exceed ~~\$500,000~~ \$575,000 or 5% of the annual gross revenue that the public utility, voice service provider, dark fiber provider, wholesale competitive local exchange carrier or ~~the~~ competitive electricity provider received from sales in the State, whichever amount is lower.

B. For a violation in which a public utility, voice service provider, dark fiber provider, wholesale competitive local exchange carrier or a competitive electricity provider was explicitly notified by the commission that it was not in compliance with the requirements of this Title, a commission rule or a commission order and that failure to comply could result in the imposition of administrative penalties, the commission may impose an administrative penalty that does not exceed ~~\$500,000~~ \$575,000.

C. The commission may impose an administrative penalty in an amount that does not exceed ~~\$1,000~~ \$1,200 on any person that is not a public utility, voice service provider, dark fiber provider, wholesale competitive local exchange carrier or a competitive electricity provider and that violates this Title, a commission rule or a commission order. Each day a violation continues constitutes a separate offense. The administrative penalty may not exceed ~~\$25,000~~ \$29,000 for any related series of violations.

D. In addition to the administrative penalties authorized by this subsection, the commission may require disgorgement of profits or revenues realized as a result of a violation of this Title, a commission rule or a commission order.

Sec. 8. 35-A MRSA §1702, sub-§6, ¶A is enacted to read:

A. Beginning in 2022, the annual report must include, for each category of public utility listed in section 116, subsection 1, an accounting of:

(1) The portion of the Public Advocate's resources devoted to matters related to investor-owned utilities and the portion of resources devoted to matters related to consumer-owned utilities; and

(2) The Public Advocate's expenses per dollar of intrastate gross operating revenue for investor-owned utilities and for consumer-owned utilities.

Sec. 9. 35-A MRSA §2706, sub-§3, as enacted by PL 2007, c. 553, §2, is amended to read:

3. Civil penalty. A civil penalty not to exceed ~~\$2,500~~ \$3,000 due and payable to the utility for each violation of this section.

Sec. 10. 35-A MRSA §2707, sub-§3, as enacted by PL 2007, c. 553, §3, is amended to read:

3. Civil penalty. A civil penalty not to exceed ~~\$2,500~~ \$3,000 due and payable to the utility for each violation of this section.

Sec. 11. 35-A MRSA §2708, sub-§3, as enacted by PL 2007, c. 553, §4, is amended to read:

3. Civil penalty. A civil penalty not to exceed ~~\$2,500~~ \$3,000 due and payable to the utility for each violation of this section.

Sec. 12. 35-A MRSA §3206-A, sub-§1, as amended by PL 2003, c. 505, §30, is further amended by amending the first blocked paragraph to read:

The commission may impose administrative penalties of up to ~~\$100,000~~ \$143,000 for a violation of section 3205 or section 3206 or any rule adopted by the commission pursuant to those sections. Each day of a violation constitutes a separate offense. In addition, the commission may require disgorgement of profits or revenues realized as a result of a violation of section 3205 or section 3206 or any rule adopted by the commission pursuant to those sections.

Sec. 13. 35-A MRSA §3306, sub-§6, as amended by PL 1999, c. 398, Pt. A, §80 and affected by §§104 and 105, is further amended to read:

6. Filing fee. The petitioner or petitioners requesting commission intercession shall pay to the commission an amount equal to ~~\$1,000~~ \$1,600 per megawatt of capacity of the facility in issue. The petitioner or petitioners may request the commission to waive all or part of the filing fee. The commission shall rule on the request for waiver within 30 days. Filing fees paid as required in this subsection must be segregated, apportioned and expended by the commission for the purposes of this section. Any portion of the filing fee that is received from any petitioner or petitioners and is not expended by the commission to process the request for intercession must be returned to the petitioner or petitioners.

Sec. 14. 35-A MRSA §4358, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

§4358. Cost of review

The licensee shall submit to the commission, with the initial filing or upon a subsequent formal review of a decommissioning financing plan under this subchapter, a filing fee as determined by the commission, but not to exceed ~~\$50,000~~ \$115,000, in order to assist in covering the cost of review by the commission. Within one year after establishment of a decommissioning fund under this subchapter, the licensee may recover the licensing fee from the fund. Money received from the filing fee ~~shall~~ must be segregated, apportioned and expended by the commission for the purposes stated in this section, with a report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. Any unexpended funds from the filing fee ~~shall~~ must be transferred to the decommissioning trust fund after approval of the plan.

Sec. 15. 35-A MRSA §4516-A, sub-§1, as amended by PL 2013, c. 495, §1, is further amended to read:

1. Violation of this Title. The commission may impose an administrative penalty on a natural gas pipeline utility that violates any provision of this Title relating to safety of pipeline facilities or transportation of gas or any rule issued under this Title in an amount not to exceed ~~\$200,000~~ \$223,000 for each violation. Each day of violation constitutes a separate offense.

Sec. 16. 35-A MRSA §4516-A, sub-§2, as amended by PL 2013, c. 495, §1, is further amended to read:

2. Maximum administrative penalty. The maximum administrative penalty may not exceed ~~\$2,000,000~~ \$2,227,000 for any related series of violations.

Sec. 17. 35-A MRSA §4702-A, sub-§2, ¶C, as enacted by PL 2011, c. 197, §2, is amended by amending subparagraph (2) to read:

(2) Require jurisdictional systems to be registered with the commission. The commission may not impose an administrative penalty under section 1508-A that exceeds ~~\$5,000~~ \$5,800 for failure to register a jurisdictional system;

Sec. 18. 35-A MRSA §4705-A, sub-§1, as amended by PL 2013, c. 495, §2, is further amended to read:

1. Violation of this Title. The commission may impose an administrative penalty on a gas utility that violates any provision of this Title relating to safety of gas facilities or any rule issued under this Title in an amount not to exceed ~~\$200,000~~ \$223,000 for each violation. Each day of violation constitutes a separate offense.

Sec. 19. 35-A MRSA §4705-A, sub-§2, as amended by PL 2013, c. 495, §2, is further amended to read:

2. Maximum administrative penalty. The maximum administrative penalty may not exceed ~~\$2,000,000~~ \$2,227,000 for any related series of violations.

Sec. 20. 35-A MRSA §7106, sub-§2, ¶A, as amended by PL 2003, c. 505, §40, is further amended to read:

A. The commission may impose an administrative penalty against any person who violates this section or any rule or order adopted pursuant to this section. In determining whether to impose a penalty, the commission may consider whether the violation was intentional. The penalty for a violation may be in an amount not to exceed ~~\$5,000~~ \$7,200 for each day the violation continues, up to a maximum of ~~\$40,000~~ \$57,000 for a first offense

and a maximum of ~~\$110,000~~ \$157,000 for subsequent offenses. The amount of the penalty must be based on:

- (1) The severity of the violation, including the intent of the violator, the nature, circumstances, extent and gravity of any prohibited acts;
- (2) The history of previous violations;
- (3) The amount necessary to deter future violations;
- (4) Good faith attempts to comply after notification of a violation; and
- (5) Such other matters as justice requires.

Sec. 21. 35-A MRSA §7107, sub-§5, ¶B, as amended by PL 2003, c. 505, §45, is further amended to read:

B. The amount of any administrative penalty imposed under paragraph A may not exceed ~~\$1,000~~ \$1,400 per violator for violations arising out of the same incident or complaint and must be based on:

- (1) The severity of the violation, including the intent of the violator, the nature, circumstances, extent and gravity of any prohibited acts;
- (2) The history of previous violations;
- (3) The amount necessary to deter future violations;
- (4) Good faith attempts to comply after notification of a violation; and
- (5) Such other matters as justice requires.

Sec. 22. Public Utilities Commission assessments; initial calculations. By January 15, 2022, the Public Utilities Commission shall submit to the Joint Standing Committee on Energy, Utilities and Technology initial calculations related to the amendments in this Act to the Maine Revised Statutes, Title 35-A, section 116, subsection 1. The committee may report out a bill to the Second Regular Session of the 130th Legislature based on the information submitted.

Sec. 23. Public Advocate assessments; initial calculations. By January 15, 2022, the Public Advocate shall submit to the Joint Standing Committee on Energy, Utilities and Technology initial calculations related to the amendments in this Act to the Maine Revised Statutes, Title 35-A, section 116, subsection 8. The committee may report out a bill to the Second Regular Session of the 130th Legislature based on the information submitted.

Sec. 24. Effective date. Those sections of this Act that amend the Maine Revised Statutes, Title 35-A,

section 116, subsections 1 and 8 take effect August 1, 2022.

See title page for effective date, unless otherwise indicated.

**CHAPTER 319
H.P. 625 - L.D. 857**

An Act To Create a Municipal Grant Program To Promote Sustainable Economic Development

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

Sec. 1. 5 MRSA §13073-C is enacted to read:

§13073-C. Municipal Grant Fund

The Municipal Grant Fund is established as a nonlapsing fund within the Office of Community Development. The Director of the Office of Community Development shall administer the Municipal Grant Fund, referred to in this section as "the fund." The fund may receive appropriations, allocations, grants or gifts from any federal agency or governmental subdivision or the State or its agencies.

1. Fund purpose. The purpose of the fund is to provide funding for municipalities for projects that further the goals of sustainable economic development as outlined by the Maine Economic Growth Council, established in Title 10, section 929-A and referred to in this section as "the council," in the council's annual "Measures of Growth" report, or successor report, and by the "Maine Economic Development Strategy 2020-2029," or successor economic development strategy for the State, as administered by the department.

2. Application process. The department shall adopt rules establishing an application process for municipalities for fund grants for the purposes set forth in this section.

3. Competitive procedure. Funds must be dispersed in accordance with a competitive, quality-based selection procedure as established and administered by the department.

4. Maximum award. A grantee may not be awarded a total amount in excess of \$50,000 in a legislative biennium.

5. Rules. The department shall adopt rules necessary to carry out this section. Rules adopted pursuant to this section are routine technical rules as defined in chapter 375, subchapter 2-A.

Sec. 2. Source of funding. The Legislature shall allocate to the Municipal Grant Fund established in the Maine Revised Statutes, Title 5, section 13073-C

funds derived from the Federal Government through stimulus or relief funds to counter the effects of the pandemic related to coronavirus disease 2019, or COVID-19, that are received by the State in calendar year 2021 and are eligible to be used for the purposes of the Municipal Grant Fund.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

**ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF
Municipal Grant Fund N389**

Initiative: Provides base allocations to authorize the expenditure of funds received from federal or private sources to provide funding for municipalities for projects that further the goals of sustainable economic development.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

See title page for effective date.

**CHAPTER 320
H.P. 1067 - L.D. 1451**

An Act To Align the Expulsion Process with School Disciplinary Policies

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

Sec. 1. 20-A MRSA §1001, sub-§8-A, as enacted by PL 2011, c. 614, §3, is amended to read:

8-A. Due process standards for expulsion proceedings. Following a proper investigation of a student's behavior and in accordance with the districtwide disciplinary policies adopted by the school board pursuant to subsection 15-A, a school board that intends to consider expulsion shall ensure proceedings include the following due process provisions.

A. Before a hearing on the expulsion, the superintendent shall:

- (1) Provide written notice to the parents and the student of:

- (a) The date, time and location of the hearing;
- (b) A description of the incident or incidents that occasioned the expulsion hearing;
- (c) The student's and parents' right to review the school records prior to the hearing;
- (d) A description of the hearing process; and
- (e) An explanation of the consequences of an expulsion; and

(2) Invite the parents and student to a meeting prior to the expulsion hearing to discuss the procedures of the hearing.

B. At a hearing on the expulsion:

- (1) The student has the right to present and cross-examine witnesses;
- (2) The student has the right to an attorney or other representation; and
- (3) Witnesses must be sworn in and the chair of the hearing has the authority to swear in witnesses.

C. After a hearing on the expulsion, the school board shall provide written notice of its decision to the parents and the student by certified mail. The notice of the school board's written decision may include a reentry plan developed in accordance with subsection 9-C.

Sec. 2. 20-A MRSA §1001, sub-§9, as amended by PL 2017, c. 407, Pt. A, §57, is further amended by amending the first blocked paragraph to read:

A student may be readmitted on satisfactory evidence that the behavior that was the cause of the student being expelled will not likely recur. The school board may authorize the principal to suspend students up to a maximum of 10 days for infractions of school rules. The school board may authorize the superintendent or principal to modify, in writing, the requirement for expulsion of a student on a case-by-case basis. In addition to other powers and duties under this subsection, the school board may develop a policy requiring a student who is in violation of school substance use or possession rules to participate in substance use disorder services as provided in section 6606. Nothing in this subsection or subsection 9-C prevents a school board from providing educational services in an alternative setting to a student who has been expelled.

Sec. 3. 20-A MRSA §1001, sub-§9-A, ¶A, as amended by PL 2009, c. 614, §1, is further amended to read:

A. A student who is determined to have brought a firearm to school or to have possessed a firearm at school under this subsection must be expelled from school for a period of not less than one year, except that the school board may authorize the superintendent to modify in writing the requirement for expulsion of a student on a case-by-case basis. A decision to change the placement of a student with a disability must be made in accordance with the federal Individuals With Disabilities Education Act, 20 United States Code, Section 1400 et seq.

Sec. 4. 20-A MRSA §6555, sub-§2, ¶D, as enacted by PL 2019, c. 458, §1, is amended to read:

D. Restorative practices and restorative interventions as defined in section 1001, subsection 15-A, paragraph B;

See title page for effective date.

CHAPTER 321

H.P. 1104 - L.D. 1490

An Act To Improve Home and Community-based Services for Adults with Intellectual Disabilities, Autism, Brain Injury and Other Related Conditions

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

Sec. 1. 34-B MRSA §5003-A, sub-§1, as amended by PL 2011, c. 542, Pt. A, §83, is further amended to read:

1. System of ~~care~~ services and support. The Legislature declares that the system of care services and support through which the State provides services to and programs for persons with intellectual disabilities or autism must be designed to protect the integrity of the legal and human rights of these persons and to meet their needs consistent with the principles guiding delivery of services as set forth in section 5610.

Sec. 2. 34-B MRSA §5003-A, sub-§2, ¶E, as amended by PL 2011, c. 542, Pt. A, §83, is further amended to read:

E. Eliminate the department's own duplicative and unnecessary administrative procedures and practices in the system of care services and support for persons with intellectual disabilities or autism, encourage other departments to do the same and clearly define areas of responsibility in order to use present resources economically;

Sec. 3. 34-B MRSA §5003-A, sub-§2, ¶F, as amended by PL 2011, c. 542, Pt. A, §83, is further amended to read:

F. Strive toward having a sufficient number of personnel who are qualified and experienced to provide treatment that is beneficial to persons with intellectual disabilities or autism; ~~and~~

Sec. 4. 34-B MRSA §5003-A, sub-§2, ¶G, as amended by PL 2011, c. 542, Pt. A, §83, is further amended by amending subparagraph (3) to read:

(3) The commissioner shall inform the joint standing committee of the Legislature having jurisdiction over human resources matters about areas where increased cooperation by other departments is necessary in order to improve the delivery of services to persons with intellectual disabilities or autism; ~~and~~

Sec. 5. 34-B MRSA §5003-A, sub-§2, ¶H is enacted to read:

H. Post quarterly reports on the department's publicly accessible website, for each home and community-based services waiver from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services in which the State participates, data on how many persons were served and how many were on the waiting list for services. The department shall post this information by prioritization category when applicable and shall include one or more indicators of the length of time that persons are on the waiting list.

Sec. 6. 34-B MRSA §5003-A, sub-§3, ¶H, as amended by PL 2011, c. 542, Pt. A, §83, is further amended to read:

H. The commissioner ~~must~~ shall ensure that the development of the plan includes the participation of persons with intellectual disabilities, autism, brain injury and other related conditions; community intellectual disability and autism service providers; consumer and family groups; and other interested persons or groups in annual statewide hearings, as well as informal meetings and work sessions. The commissioner shall ensure the participation of persons reflecting a diversity of ethnicity, race and gender.

Sec. 7. 34-B MRSA §5003-A, sub-§6, ¶A, as enacted by PL 2007, c. 356, §16 and affected by §31, is amended by amending subparagraph (4) to read:

(4) The system of ~~care~~ services and support under this section is efficient and effective.

Sec. 8. 34-B MRSA §5003-A, sub-§7 is enacted to read:

7. Committee authorized to introduce legislation. The joint standing committee of the Legislature having jurisdiction over health and human services matters is authorized to introduce a bill in each first regular

session of the Legislature and a bill in each second regular session of the Legislature to address the system of services and support for persons with intellectual disabilities or autism.

See title page for effective date.

CHAPTER 322

H.P. 1151 - L.D. 1546

An Act Directing the Maine State Housing Authority To Report on Emergency Rental Assistance Programs

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

Sec. 1. 30-A MRSA §4722, sub-§1, ¶FF, as amended by PL 2019, c. 555, §2, is further amended to read:

FF. Provide grants to eligible homeowners who are served by private well water that shows evidence of high levels of arsenic contamination. For purposes of this paragraph, "homeowner" includes an individual who occupies a single-family dwelling that is located on land that is owned by a member of that individual's immediate family and "immediate family" means a spouse, parent, child, sibling, stepchild, stepparent and grandparent; ~~and~~

Sec. 2. 30-A MRSA §4722, sub-§1, ¶GG, as enacted by PL 2019, c. 555, §3, is amended by amending subparagraph (3) to read:

(3) Perform other functions and duties necessary for the proper administration of the credit, including providing any necessary certifications and notices to taxpayers and to the Department of Administrative and Financial Services, Bureau of Revenue Services containing information required by the State Tax Assessor necessary for determining eligibility and the amount of the credit for each taxable year; ~~and~~

Sec. 3. 30-A MRSA §4722, sub-§1, ¶HH is enacted to read:

HH. Provide the joint standing committee of the Legislature having jurisdiction over housing matters copies of any reports required to be submitted to the United States Department of the Treasury or the Governor regarding the administration of the emergency rental assistance programs established by Section 501 of Division N of the federal Consolidated Appropriations Act, 2021 and Section 3201(a) of the federal American Rescue Plan Act of 2021. Copies of any reports required to be submitted to the United States Department of the Treasury or the Governor must be submitted to the

joint standing committee of the Legislature having jurisdiction over housing matters no later than 7 days after the reports are submitted to the United States Department of the Treasury or the Governor. If no such reports are required to be submitted to the United States Department of the Treasury or the Governor, the Maine State Housing Authority shall submit, beginning January 15, 2022 and annually thereafter, to the joint standing committee of the Legislature having jurisdiction over housing matters a report on any rental assistance distributed by the Maine State Housing Authority.

See title page for effective date.

CHAPTER 323

H.P. 639 - L.D. 871

An Act To Clarify Certain Provisions Regarding the Marijuana Excise Tax

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 Department of Administrative and Financial Services began in September 2020 to issue licenses to authorize the cultivation, manufacturing, testing and sale of adult use marijuana and adult use marijuana products; and

Whereas, licenses issued to cultivation facilities may authorize the transfer of, and payment of excise taxes on, the items included in this legislation; and

Whereas, the department has issued rules to clarify currently ambiguous portions of the excise tax laws clarified in this legislation; and

Whereas, predictability and simplicity in the enforcement of tax laws is critical to ensuring compliance with tax laws; and

Whereas, the changes to the adult use marijuana and tax laws proposed in this legislation are critical to sustainability and growth of a critical source of revenue in the midst of an ongoing economic crisis; 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:

Sec. 1. 36 MRSA §4921, sub-§13 is enacted to read:

13. Wet marijuana flower. "Wet marijuana flower" means marijuana flower that is not dried, cured or otherwise prepared in any manner to reduce or eliminate any water weight.

Sec. 2. 36 MRSA §4921, sub-§14 is enacted to read:

14. Wet marijuana trim. "Wet marijuana trim" means marijuana trim that is not dried, cured or otherwise prepared in any manner to reduce or eliminate any water weight.

Sec. 3. 36 MRSA §4923, sub-§1, as enacted by PL 2019, c. 231, Pt. B, §7, is amended to read:

1. Excise tax on marijuana flower and ~~mature marijuana plants.~~ A cultivation facility licensee shall pay an excise tax of \$335 per pound or fraction thereof of marijuana flower ~~or mature marijuana plants~~ sold to other licensees in the State.

Sec. 4. 36 MRSA §4923, sub-§3-A is enacted to read:

3-A. Excise tax on mature marijuana plants. Beginning July 1, 2021, a cultivation facility licensee shall pay an excise tax of \$35 per mature marijuana plant sold to other licensees in the State.

Sec. 5. 36 MRSA §4923-A is enacted to read:

§4923-A. Calculation of excise tax imposed on wet marijuana flower and wet marijuana trim

For purposes of the excise tax imposed pursuant to section 4923 on wet marijuana flower or wet marijuana trim, a cultivation facility licensee shall calculate the taxable weight by reducing the total weight of the wet marijuana flower or wet marijuana trim by 75% before applying the excise tax.

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

Effective June 22, 2021.

CHAPTER 324

S.P. 39 - L.D. 31

An Act To Adopt the Occupational Therapy Licensure Compact

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

Sec. 1. 32 MRSA c. 32, sub-c. 1 is enacted by adding before section 2271 the following to read:

SUBCHAPTER 1

GENERAL LICENSING PROVISIONS

Sec. 2. 32 MRSA c. 32, sub-c. 2 is enacted to read:

**SUBCHAPTER 2
OCCUPATIONAL THERAPY LICENSURE
COMPACT**

§2287. Short title; findings and declaration of purpose

1. Short title. This chapter may be known and cited as "the Occupational Therapy Licensure Compact" or "compact."

2. Legislative intent. This compact is the Maine enactment of the Occupational Therapy Licensure Compact. The form, format and text of the compact have been changed minimally so as to conform to Maine statutory conventions. The changes are technical in nature, and it is the intent of the Legislature that this Act be interpreted as substantively the same as the Occupational Therapy Licensure Compact that is enacted by other compact states.

3. Purposes. The general purposes of this compact are to:

- A. Increase public access to occupational therapy services by providing for the mutual recognition of other member state licenses;
- B. Enhance the member states' ability to protect the public's health and safety;
- C. Encourage the cooperation of member states in regulating multistate occupational therapy practice;
- D. Support spouses of relocating military members;
- E. Enhance the exchange of licensure, investigative and disciplinary information among member states;
- F. Allow a remote state to hold a provider of services with a compact privilege in that state accountable to that state's practice standards; and
- G. Facilitate the use of telehealth technology in order to increase access to occupational therapy services.

§2288. Definitions

As used in this compact, unless the context otherwise indicates, the following terms have the following meanings.

1. Active duty military. "Active duty military" means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 United States Code, Chapter 1209 and 10 United States Code, Chapter 1211.

2. Adverse action. "Adverse action" means any administrative, civil, equitable or criminal action permitted by a state's laws that is imposed by a licensing board or other authority against an occupational therapist or occupational therapy assistant, including actions against an individual's license or compact privilege such as censure, revocation, suspension, probation, monitoring of the licensee or restriction on the licensee's practice.

3. Alternative program. "Alternative program" means a nondisciplinary monitoring process approved by an occupational therapy licensing board.

4. Compact privilege. "Compact privilege" means the authorization, which is equivalent to a license, granted by a remote state to allow a licensee from another member state to practice as an occupational therapist or practice as an occupational therapy assistant in the remote state under its laws and rules. The practice of occupational therapy occurs in the member state where the patient is located at the time of the patient encounter.

5. Continuing education. "Continuing education" means a requirement, as a condition of license renewal, to provide evidence of participation in, or completion of, educational and professional activities relevant to practice or area of work.

6. Current significant investigative information. "Current significant investigative information" means investigative information that a licensing board, after an inquiry or investigation that includes notification and an opportunity for the occupational therapist or occupational therapy assistant to respond, if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction.

7. Data system. "Data system" means a repository of information about licensees, including, but not limited to, license status, investigative information, compact privileges and adverse actions.

8. Encumbered license. "Encumbered license" means a license with respect to which an adverse action restricts the practice of occupational therapy by the licensee or the adverse action has been reported to the National Practitioner Data Bank operated by the United States Department of Health and Human Services.

9. Executive committee. "Executive committee" means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission.

10. Home state. "Home state" means the member state that is the licensee's primary state of residence.

11. Investigative information. "Investigative information" means information, records and documents received or generated by an occupational therapy licensing board pursuant to an investigation.

12. Jurisprudence requirement. "Jurisprudence requirement" means the assessment of an individual's knowledge of the laws and rules governing the practice of occupational therapy in a state.

13. Licensee. "Licensee" means an individual who currently holds an authorization from the State to practice as an occupational therapist or as an occupational therapy assistant.

14. Member state. "Member state" means a state that has enacted the compact.

15. Occupational therapist. "Occupational therapist" means an individual who is licensed by a state to practice occupational therapy.

16. Occupational therapy assistant. "Occupational therapy assistant" means an individual who is licensed by a state to assist in the practice of occupational therapy.

17. Occupational therapy; occupational therapy practice; practice of occupational therapy. "Occupational therapy," "occupational therapy practice" or "practice of occupational therapy" means the care and services provided by an occupational therapist or an occupational therapy assistant as set forth in the member state's statutes and regulations.

18. Occupational therapy compact commission; commission. "Occupational therapy compact commission" or "commission" means the Occupational Therapy Compact Commission established in section 2294, whose membership consists of all states that have enacted the compact.

19. Occupational therapy licensing board; licensing board. "Occupational therapy licensing board" or "licensing board" means the agency of a state that is authorized to license and regulate occupational therapists and occupational therapy assistants.

20. Primary state of residence. "Primary state of residence" means the state, also known as the home state, in which an occupational therapist or occupational therapy assistant who is not active duty military declares a primary residence for legal purposes as verified by a driver's license, federal income tax return, lease, deed, mortgage, voter registration or other verifying documentation as further defined by commission rules.

21. Remote state. "Remote state" means a member state, other than the home state, where a licensee is exercising or seeking to exercise the compact privilege.

22. Rule. "Rule" means a regulation promulgated by the commission that has the force of law.

23. Single-state license. "Single-state license" means an occupational therapist or occupational therapy assistant license issued by a member state that authorizes practice only within the issuing state and does not include a compact privilege in any other member state.

24. State. "State" means any state, commonwealth, district or territory of the United States that regulates the practice of occupational therapy.

25. Telehealth. "Telehealth" means the application of telecommunications technology to deliver occupational therapy services for assessment, intervention or consultation.

§2289. State participation in compact

1. Participation in compact. To participate in the compact, a member state shall:

A. License occupational therapists and occupational therapy assistants;

B. Participate fully in the commission's data system, including, but not limited to, using the commission's unique identifier as defined in rules of the commission;

C. Have a mechanism in place for receiving and investigating complaints about licensees;

D. Notify the commission, in compliance with the terms of the compact and rules, of any adverse action or the availability of investigative information regarding a licensee;

E. Implement or use procedures for considering the criminal history records of applicants for an initial compact privilege. These procedures must include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant's criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records.

(1) A member state shall within a time frame established by the commission require a criminal background check for a licensee applying for a compact privilege whose primary state of residence is that member state, by receiving the results of the Federal Bureau of Investigation criminal record search, and shall use the results in making licensure decisions.

(2) Communication with the commission and among member states regarding the verification of eligibility for licensure through the compact may not include any information received from the Federal Bureau of Investigation relating to a federal criminal records check performed by a member state under the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriations Act, 1973, Title II, Public Law 92-544 (1972);

F. Comply with the rules of the commission;

G. Use only a recognized national examination as a requirement for licensure pursuant to the rules of the commission; and

H. Have continuing education requirements as a condition for license renewal.

2. Compact privilege. A member state shall grant the compact privilege to a licensee holding a valid unencumbered license in another member state in accordance with the terms of the compact and rules.

3. Fee. A member state may charge a fee for granting a compact privilege.

4. Delegate to commission. A member state shall provide for the state's delegate to attend all occupational therapy compact commission meetings.

5. Nonresidents. An individual not residing in a member state is able to apply for a member state's single-state license as provided under the laws of that member state. However, the single-state license granted to these individuals may not be recognized as granting the compact privilege in any other member state.

6. No effect on single-state license authority. Nothing in this compact affects the requirements established by a member state for the issuance of a single-state license.

§2290. Compact privilege

1. Exercise of compact privilege. To exercise the compact privilege under the terms and provisions of the compact, a licensee:

- A. Must hold a license in the home state;
- B. Must have a valid United States social security number or National Practitioner Data Bank identification number;
- C. May not have an encumbrance on any state license;
- D. Must be eligible for a compact privilege in any member state in accordance with subsections 4, 6, 7 and 8;
- E. Must have paid all fines and completed all requirements resulting from any adverse action against any license or compact privilege and 2 years must have elapsed from the date of completion;
- F. Must notify the commission that the licensee is seeking the compact privilege within a remote state;
- G. Must pay any applicable fees, including any state fee for the compact privilege;
- H. Must complete a criminal background check in accordance with section 2289, subsection 1, para-

graph E. The licensee is responsible for the payment of any fee associated with the completion of a criminal background check;

I. Must meet any jurisprudence requirements established by the remote state in which the licensee is seeking a compact privilege; and

J. Must report to the commission adverse action taken by any nonmember state within 30 days from the date the adverse action is taken.

2. Validity of compact privilege. The compact privilege is valid until the expiration date of the home state license. The licensee must comply with the requirements of subsection 1 to maintain the compact privilege in the remote state.

3. Exercising compact privilege in remote state. A licensee providing occupational therapy in a remote state under the compact privilege shall function within the laws and regulations of the remote state.

4. Supervision of occupational therapy assistant. An occupational therapy assistant practicing in a remote state must be supervised by an occupational therapist licensed or holding a compact privilege in that remote state.

5. Regulatory authority of remote state. A licensee providing occupational therapy in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's compact privilege in the remote state for a specific period of time, impose fines or take any other necessary actions to protect the health and safety of its citizens. The licensee may be ineligible for a compact privilege in any state until the specific time for removal has passed and all fines are paid.

6. Loss of compact privilege. If a home state license is encumbered, the licensee loses the compact privilege in any remote state until the following occur:

- A. The home state license is no longer encumbered; and
- B. Two years have elapsed from the date on which the home state license is no longer encumbered in accordance with paragraph A.

7. Restoration of compact privilege. Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of subsection 1 to obtain a compact privilege in any remote state.

8. Removal of compact privilege in remote state. If a licensee's compact privilege in any remote state is removed, the individual may lose the compact privilege in any other remote state until the following occur:

- A. The specific period of time for which the compact privilege was removed has ended;

B. All fines have been paid and all conditions have been met;

C. Two years have elapsed from the date of completing requirements for paragraphs A and B; and

D. The compact privileges are reinstated by the commission and the compact data system is updated to reflect reinstatement.

9. Error. If a licensee's compact privilege in any remote state is removed due to an erroneous charge, privileges must be restored through the compact data system.

10. Restoration of compact privilege. Once the requirements of subsection 8 have been met, the licensee must meet the requirements in subsection 1 to obtain a compact privilege in a remote state.

§2291. Obtaining new home state license by virtue of compact privilege

1. Home state license. An occupational therapist or occupational therapy assistant may hold a home state license, which allows for compact privileges in member states, in only one member state at a time.

2. Change of residence. If an occupational therapist or occupational therapy assistant changes the therapist's or the assistant's primary state of residence by moving between 2 member states, the following requirements apply.

A. The occupational therapist or occupational therapy assistant shall file an application for obtaining a new home state license by virtue of a compact privilege, pay all applicable fees and notify the current and the new home state in accordance with applicable rules adopted by the commission.

B. Upon receipt of an application for obtaining a new home state license by virtue of compact privilege, the new home state shall verify that the occupational therapist or occupational therapy assistant meets the pertinent criteria outlined in section 2290 via the data system, without need for primary source verification except for:

(1) A Federal Bureau of Investigation fingerprint-based criminal background check if not previously performed or updated pursuant to applicable rules adopted by the commission in accordance with the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriations Act, 1973, Title II, Public Law 92-544 (1972);

(2) Any other criminal background check as required by the new home state; and

(3) Submission of any requisite jurisprudence requirements of the new home state.

C. The former home state shall convert the former home state license into a compact privilege once

the new home state has activated the new home state license in accordance with applicable rules adopted by the commission.

D. Notwithstanding any other provision of this compact, if the occupational therapist or occupational therapy assistant cannot meet the criteria in section 2290, the new home state shall apply its requirements for issuing a new single-state license.

E. The occupational therapist or the occupational therapy assistant shall pay all applicable fees to the new home state in order to be issued a new home state license.

3. Criteria for single-state license. If an occupational therapist or occupational therapy assistant changes the therapist's or the assistant's primary state of residence by moving from a member state to a nonmember state, or from a nonmember state to a member state, the state criteria apply for issuance of a single-state license in the new state.

4. Ability to hold single-state license in more than one state. This compact does not interfere with a licensee's ability to hold a single-state license in multiple states; however, for the purposes of this compact, a licensee may have only one home state license.

5. Requirements for single-state license. This compact does not affect the requirements established by a member state for the issuance of a single-state license.

§2292. Active duty military personnel or military spouses

An active duty military member or the military member's spouse shall designate a home state where the individual has a current license in good standing. The individual may retain the home state designation during the period the service member is on active duty. Subsequent to designating a home state, the individual may change the individual's home state only through application for licensure in the new state or through the process described in section 2291.

§2293. Adverse actions

1. Authority of home state. A home state has exclusive power to impose adverse action against an occupational therapist's or occupational therapy assistant's license issued by the home state.

2. Authority of remote state. In addition to the other powers conferred by state law, a remote state has the authority, in accordance with existing state due process law, to:

A. Take adverse action against an occupational therapist's or occupational therapy assistant's compact privilege within that member state; and

B. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. A

subpoena issued by a licensing board in a member state for the attendance and testimony of witnesses or the production of evidence from another member state may be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage and other fees required by the service statutes of the state in which the witnesses or evidence are located.

3. Application of law in home state. For the purposes of taking adverse action, the home state shall give the same priority and effect to reported conduct received from a member state as it would if the conduct had occurred within the home state and shall apply its own state laws to determine appropriate action.

4. Investigations. The home state shall complete any pending investigations of an occupational therapist or occupational therapy assistant who changes the therapist's or the assistant's primary state of residence during the course of the investigations. The home state where the investigations were initiated also has the authority to take appropriate action and shall promptly report the conclusions of the investigations to the data system. The data system administrator shall promptly notify the new home state of any adverse action.

5. Recovery of costs of investigations. A member state, if otherwise permitted by state law, may recover from the affected occupational therapist or occupational therapy assistant the costs of investigations and disposition of cases resulting from any adverse action taken against that occupational therapist or occupational therapy assistant.

6. Factual findings. A member state may take adverse action based on the factual findings of a remote state, as long as the member state follows its own procedures for taking the adverse action.

7. Joint investigations. The following requirements apply to joint investigations.

A. In addition to the authority granted to a member state by its respective state occupational therapy laws and regulations or other applicable state law, any member state may participate with other member states in joint investigations of licensees.

B. Member states shall share any investigative, litigation or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

8. Deactivation of compact privilege. If an adverse action is taken by the home state against an occupational therapist's or occupational therapy assistant's license, the occupational therapist's or occupational therapy assistant's compact privilege in all other member states must be deactivated until all encumbrances

have been removed from the state license. All home state disciplinary orders that impose adverse action against an occupational therapist's or occupational therapy assistant's license must include a statement that the occupational therapist's or occupational therapy assistant's compact privilege is deactivated in all member states during the pendency of the order.

9. Notice of adverse action. If a member state takes adverse action, it shall promptly notify the administrator of the data system. The administrator of the data system shall promptly notify the home state of any adverse actions by remote states.

10. Alternative program. This compact does not override a member state's decision that participation in an alternative program may be used in lieu of adverse action.

§2294. Establishment of Occupational Therapy Compact Commission

1. Commission established. The member states hereby create and establish a joint public agency known as the Occupational Therapy Compact Commission as follows.

A. The commission is an instrumentality of the compact states.

B. Venue is proper, and judicial proceedings by or against the commission must be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

C. This compact may not be construed to be a waiver of sovereign immunity.

2. Membership, voting and meetings. This subsection governs the membership, voting and meetings of the commission.

A. Each member state is limited to one delegate selected by that member state's licensing board.

- B. The delegate must be either:
- (1) A current member of the licensing board, who is an occupational therapist, occupational therapy assistant or public member; or
 - (2) An administrator of the licensing board.

C. A member state's delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed.

D. The member state's licensing board shall fill any vacancy occurring in the commission within 90 days.

E. Each delegate is entitled to one vote with regard to the promulgation of rules and creation of bylaws

and must otherwise have an opportunity to participate in the business and affairs of the commission. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

F. The commission shall meet at least once during each calendar year. Additional meetings may be held as set forth in the bylaws.

G. The commission shall establish by rule a term of office for delegates.

3. Powers and duties of commission. The commission has the following powers and duties:

A. Establish a code of ethics for the commission;

B. Establish the fiscal year of the commission;

C. Establish bylaws;

D. Maintain the commission's financial records in accordance with the bylaws;

E. Meet and take such actions as are consistent with the provisions of this compact and the bylaws;

F. Promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The rules have the force and effect of law and are binding in all member states;

G. Bring and prosecute legal proceedings or actions in the name of the commission, except that the standing of any occupational therapy licensing board to sue or be sued under applicable law is not affected;

H. Purchase and maintain insurance and bonds;

I. Borrow, accept or contract for services of personnel, including, but not limited to, employees of a member state;

J. Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel and other related personnel matters;

K. Accept any and all appropriate donations and grants of money, equipment, supplies, materials and services and receive, use and dispose of the same, as long as at all times the commission avoids any appearance of impropriety or conflict of interest;

L. Lease, purchase, accept appropriate gifts or donations of or otherwise own, hold, improve or use any property, real, personal or mixed, as long as at all times the commission avoids any appearance of impropriety;

M. Sell, convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose of any property, real, personal or mixed;

N. Establish a budget and make expenditures;

O. Borrow money;

P. Appoint committees, including standing committees, composed of members, state regulators, state legislators or their representatives and consumer representatives and such other interested persons as may be designated in this compact and the bylaws;

Q. Provide and receive information from, and cooperate with, law enforcement agencies;

R. Establish and elect an executive committee; and

S. Perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of occupational therapy licensure and practice.

4. Executive committee. The executive committee has the power to act on behalf of the commission according to the terms of this compact in accordance with this subsection.

A. The executive committee is composed of the following 9 members:

(1) Seven voting members who are elected by the commission from the current membership of the commission;

(2) One ex officio, nonvoting member from a recognized national occupational therapy professional association; and

(3) One ex officio, nonvoting member from a recognized national occupational therapy certification organization.

B. The ex officio members under paragraph A must be selected by their respective organizations.

C. The commission may remove any member of the executive committee as provided in the bylaws.

D. The executive committee shall meet at least annually.

E. The executive committee shall:

(1) Recommend to the entire commission changes to the rules or bylaws, changes to this compact, fees paid by member states such as annual dues and any commission compact fee charged to licensees for the compact privilege;

(2) Ensure compact administration services are appropriately provided, contractually or otherwise;

(3) Prepare and recommend the budget;

- (4) Maintain financial records on behalf of the commission;
- (5) Monitor compact compliance of member states and provide compliance reports to the commission;
- (6) Establish additional committees as necessary; and
- (7) Perform other duties as provided in the rules or bylaws.

5. Public and nonpublic meetings. This subsection governs the requirements for public and nonpublic meetings of the commission.

A. All meetings must be open to the public, and public notice of meetings must be given in the same manner as required under the rule-making provisions in section 2296.

B. The commission or the executive committee or other committees of the commission may convene in a closed, nonpublic meeting if the commission or executive committee or other committees of the commission must discuss:

- (1) Noncompliance of a member state with its obligations under the compact;
- (2) The employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;
- (3) Current, threatened or reasonably anticipated litigation;
- (4) Negotiation of contracts for the purchase, lease or sale of goods, services or real estate;
- (5) Accusing any person of a crime or formally censuring any person;
- (6) Disclosure of trade secrets or commercial or financial information that is privileged or confidential;
- (7) Disclosure of information of a personal nature if disclosure would constitute a clearly unwarranted invasion of personal privacy;
- (8) Disclosure of investigative records compiled for law enforcement purposes;
- (9) Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or
- (10) Matters specifically exempted from disclosure by federal or member state statute.

C. If a meeting, or portion of a meeting, is closed pursuant to this subsection, the commission's legal counsel or legal counsel's designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.

D. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons for those actions, including a description of the views expressed. All documents considered in connection with an action must be identified in the minutes. All minutes and documents of a closed meeting must remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

6. Financing of commission. This subsection governs the financial operations of the commission.

A. The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization and ongoing activities.

B. The commission may accept any and all appropriate revenue sources, donations and grants of money, equipment, supplies, materials and services.

C. The commission may levy on and collect from each member state an annual assessment or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved by the commission each year for which revenue is not provided by other sources. The aggregate annual assessment amount must be allocated based upon a formula to be determined by the commission, which shall promulgate a rule binding upon all member states.

D. The commission may not incur obligations of any kind prior to securing the funds adequate to meet the obligations, and the commission may not pledge the credit of any of the member states, except by and with the authority of the member state.

E. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission are subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission must be audited yearly by a certified or licensed public accountant, and the report of the audit must be included in and become part of the annual report of the commission.

7. Qualified immunity, defense and indemnification. This subsection governs immunity provisions

and defense and indemnification requirements of the commission.

A. The members, officers, executive director, employees and representatives of the commission are immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred, within the scope of commission employment, duties or responsibilities, except that nothing in this paragraph may be construed to protect any such person from suit or liability for any damage, loss, injury or liability caused by the intentional or willful or wanton misconduct of that person.

B. The commission shall defend any member, officer, executive director, employee or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error or omission that occurred within the scope of commission employment, duties or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities, as long as the actual or alleged act, error or omission did not result from that person's intentional or willful or wanton misconduct and except that nothing in this paragraph may be construed to prohibit that person from retaining that person's own counsel.

C. The commission shall indemnify and hold harmless any member, officer, executive director, employee or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of commission employment, duties or responsibilities, or that the person had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities, as long as the actual or alleged act, error or omission did not result from the intentional or willful or wanton misconduct of that person.

§2295. Data system

This subsection governs the requirements for the data system used by the commission.

1. Data system. The commission shall provide for the development, maintenance and utilization of a coordinated database and reporting system containing licensure, adverse action and investigative information on all licensed individuals in member states.

2. Uniform data set. A member state shall submit a uniform data set to the data system on all individuals

to whom this compact is applicable using a unique identifier as required by the rules of the commission, including:

A. Identifying information;

B. Licensure data;

C. Adverse actions against a license or compact privilege;

D. Nonconfidential information related to alternative program participation;

E. Any denial of application for licensure and the reason for the denial;

F. Other information that may facilitate the administration of this compact, as determined by the rules of the commission; and

G. Current significant investigative information.

3. Availability of investigative information.

Current significant investigative information and other investigative information pertaining to a licensee in any member state may be available only to other member states.

4. Notification of adverse action. The commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license. Adverse action information pertaining to a licensee in any member state must be available to any other member state.

5. Designation of nonpublic information. A member state contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing member state.

6. Expungement of information. Any information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information must be removed from the data system.

§2296. Rulemaking

1. Rule-making authority. The commission shall exercise its rule-making powers pursuant to the criteria set forth in this section and the rules adopted pursuant to this section. Rules and amendments become binding as of the date specified in each rule or amendment.

2. Adoption. The commission shall promulgate reasonable rules in order to effectively and efficiently achieve the purposes of the compact. If the commission exercises its rule-making authority in a manner that is beyond the scope of the purposes of the compact, or the powers granted in the compact, such an action by the commission is invalid and has no force and effect.

3. Rejection of rules. If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to

adopt the compact within 4 years of the date of adoption of the rule, the rule has no further force and effect in any member state.

4. Adoption at meeting. Rules or amendments to the rules must be adopted at a regular or special meeting of the commission.

5. Notice. Prior to promulgation and adoption of a final rule or rules by the commission, and at least 30 days in advance of the meeting at which the rule will be considered and voted upon, the commission shall file a notice of proposed rulemaking:

A. On the website of the commission or other publicly accessible platform; and

B. On the website of each member state occupational therapy licensing board or other publicly accessible platform or the publication in which each state would otherwise publish proposed rules.

6. Notice requirements. The notice of proposed rulemaking under subsection 5 must include:

A. The proposed time, date and location of the meeting at which the rule will be considered and voted upon;

B. The text of the proposed rule and the reason for the proposed rule;

C. A request for comments on the proposed rule from any interested person; and

D. The manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments.

7. Comments. Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions and arguments, which must be made available to the public.

8. Opportunity for public hearing. The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

A. At least 25 persons;

B. A state or federal governmental subdivision or agency; or

C. An association or organization having at least 25 members.

9. Notice of hearing. If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time and date of the scheduled public hearing. If the hearing is held via electronic means, the commission shall publish the mechanism for access to the electronic hearing.

A. A person wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of the person's desire to appear and testify at the hearing not less than 5 business days before the scheduled date of the hearing.

B. A hearing must be conducted in a manner that provides each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

C. All hearings must be recorded. A copy of the recording must be made available on request.

D. Nothing in this subsection may be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

10. Consideration of comments. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

11. No public hearing. If no written notice of intent to attend the public hearing by interested persons is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

12. Final action. The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rule-making record and the full text of the rule.

13. Emergency rules. Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment or hearing, as long as the usual rule-making procedures provided in the compact and in this section are retroactively applied to the rule as soon as reasonably possible, in no event later than 90 days after the effective date of the rule. For the purposes of this subsection, an emergency rule is a rule that must be adopted immediately in order to:

A. Meet an imminent threat to public health, safety or welfare;

B. Prevent a loss of commission or member state funds;

C. Meet a deadline for the promulgation of an administrative rule that is established by federal law or regulation; or

D. Protect public health and safety.

14. Revisions. The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency or grammatical errors. Public notice of

any revisions must be posted on the publicly accessible website of the commission. The revision is subject to challenge by any person for a period of 30 days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge must be made in writing and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision takes effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

§2297. Oversight, dispute resolution and enforcement

1. Oversight. This subsection governs enforcement and proceedings under the compact.

A. The executive, legislative and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated under this compact have standing as statutory law.

B. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this compact that may affect the powers, responsibilities or actions of the commission.

C. The commission is entitled to receive service of process in any proceeding under paragraph B and has standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission renders a judgment or order void as to the commission, this compact or promulgated rules.

2. Default, technical assistance and termination. This subsection governs default, technical assistance and termination under the compact.

A. If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

(1) Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default and any other action to be taken by the commission; and

(2) Provide remedial training and specific technical assistance regarding the default.

B. If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges and benefits conferred by this compact may be terminated on the effective date of termination. A cure of the

default does not relieve the offending state of obligations or liabilities incurred during the period of default.

C. Termination of membership in the compact may be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate must be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature and each of the member states.

D. A state that has been terminated is responsible for all assessments, obligations and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

E. The commission may not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting or terminating state.

F. The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member must be awarded all costs of such litigation, including reasonable attorney's fees.

3. Dispute resolution. This subsection governs dispute resolution under the compact.

A. Upon request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

B. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

4. Enforcement. This subsection governs enforcement under the compact.

A. The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

B. By majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. If judicial enforcement is necessary, the prevailing member must be awarded all costs of such litigation, including reasonable attorney's fees.

C. The remedies in this chapter are not the exclusive remedies of the commission. The commission

may pursue any other remedies available under federal or state law.

§2298. Date of implementation of compact; associated rules; withdrawal; construction; amendments

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

2. Effect of rules adopted by compact on member states. A state that joins the compact subsequent to the commission's initial adoption of the rules is subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission has the full force and effect of law on the date the compact becomes law in that state.

3. Withdrawal. A member state may withdraw from this compact by enacting a statute repealing the compact.

A. A member state's withdrawal does not take effect until 6 months after enactment of the repealing statute.

B. Withdrawal does not affect the continuing requirement of the withdrawing state's occupational therapy licensing board to comply with the investigative and adverse action reporting requirements of this Act prior to the effective date of withdrawal.

4. Construction. Nothing in this compact may be construed to invalidate or prevent any occupational therapy licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

5. Amendments. This compact may be amended by the member states. An amendment to this compact does not become effective and binding upon any member state until it is enacted into the statutes of all member states.

§2299. Construction and severability

This compact must be liberally construed so as to effectuate its purposes. The provisions of this compact are severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any member state or of the United States or the applicability of this compact to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability of this compact to any government, agency,

person or circumstance are not affected. If this compact is held to be contrary to the constitution of any member state, the compact remains in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

§2300. Binding effect of compact and other laws

A licensee providing occupational therapy in a remote state under the compact privilege shall function within the laws and regulations of the remote state. Nothing in this compact prevents the enforcement of any other law of a member state that is not inconsistent with the compact. Any laws in a member state in conflict with the compact are superseded to the extent of the conflict. Any lawful actions of the commission, including all rules and bylaws promulgated by the commission, are binding upon the member states. All agreements between the commission and the member states are binding in accordance with their terms. If any provision of the compact exceeds the constitutional limits imposed on the legislature of any member state, the provision is ineffective to the extent of the conflict with the constitutional provision in question in that member state.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Licensing and Enforcement 0352

Initiative: Allocates ongoing funds for the cost of participating in the Occupational Therapy Licensure Compact.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$3,500	\$3,500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,500	\$3,500

See title page for effective date.

CHAPTER 325

H.P. 148 - L.D. 213

An Act To Require Coverage for Female Firefighters Facing Reproductive System Cancer

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Sec. 1. 39-A MRSA §328-B, sub-§1, ¶A, as enacted by PL 2009, c. 408, §1, is amended to read:

A. "Cancer" means kidney cancer, non-Hodgkin's lymphoma, colon cancer, leukemia, brain cancer, bladder cancer, multiple myeloma, prostate cancer, testicular cancer or breast cancer or gynecologic cancer.

See title page for effective date.

CHAPTER 326
H.P. 224 - L.D. 320

An Act To Provide the Right to Counsel for Juveniles and Improve Due Process for Juveniles

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

Sec. 1. 15 MRSA §3003, sub-§14, as enacted by PL 1977, c. 520, §1, is amended to read:

14. Juvenile. "Juvenile" means any person who has not attained the age of 18 years of age and a person 18 years of age or older during the period of a disposition that includes probation or commitment to a Department of Corrections juvenile facility who was adjudicated before 18 years of age. This definition does not apply to a person whose disposition includes probation or commitment to a Department of Corrections juvenile correctional facility when that person engages in new criminal conduct and is 18 years of age or older at the time of the new criminal conduct.

Sec. 2. 15 MRSA §3203-A, sub-§4, ¶G is enacted to read:

G. Notwithstanding any provision of law to the contrary, a juvenile who has not attained 12 years of age may not be detained at a secure detention facility for more than 7 days except by agreement of the parties.

Sec. 3. 15 MRSA §3203-A, sub-§5, as amended by PL 2003, c. 706, Pt. A, §§2 and 3, is further amended to read:

5. Detention hearing. Upon petition by a juvenile community corrections officer who ordered the detention or an attorney for the State who ordered the detention, the Juvenile Court shall review the decision to detain a juvenile within 48 hours following the detention, excluding Saturday, Sunday and legal holidays, except that if a juvenile is detained pursuant to subsection 7, paragraph B-5, the Juvenile Court shall review the decision to detain the juvenile within 24 hours following the detention, excluding Saturday, Sunday and

legal holidays. When a petition to review detention is filed, the Juvenile Court shall assign counsel to represent the juvenile. The assignment must be reviewed at the juvenile's first appearance before the Juvenile Court. If a juvenile petition with charges based on the conduct at issue in the detention hearing is filed, the assignment continues with respect to the petition to review detention but must be reviewed at the juvenile's first appearance on the juvenile petition.

A. A detention hearing must precede and must be separate from a bind-over or adjudicatory hearing. Evidence presented at a detention hearing may include testimony, affidavits and other reliable hearsay evidence as permitted by the ~~court~~ Juvenile Court and may be considered in making any determination in that hearing.

B. Following a detention hearing, ~~a court~~ the Juvenile Court shall order a juvenile's release, in accordance with subsection 4, unless it finds, by a preponderance of the evidence, that continued detention is necessary to meet one of the purposes of detention provided in that subsection. The Juvenile Court shall ensure, by appropriate order, that any such continued detention is otherwise in accordance with the requirements of subsection 4. The ~~court~~ Juvenile Court may order that detention be continued pending further appearances before the ~~court~~ Juvenile Court or pending conditional release to a setting satisfactory to the juvenile community corrections officer.

C. Continued detention or conditional release may not be ordered unless a Juvenile Court Judge or justice of the peace has determined pursuant to subsection 4-A or the Juvenile Court determines at the detention hearing that there is probable cause to believe that the juvenile has committed a juvenile crime.

D. When ~~a court~~ the Juvenile Court orders detention or a conditional release that authorizes, even temporarily, the juvenile's removal from the juvenile's home, the ~~court~~ Juvenile Court shall determine whether reasonable efforts have been made to prevent or eliminate the need for removal of the juvenile from the juvenile's home or that no reasonable efforts are necessary because of the existence of an aggravating factor as defined in Title 22, section 4002, subsection 1-B, and whether continuation in the juvenile's home would be contrary to the welfare of the juvenile. This determination does not affect whether the ~~court~~ Juvenile Court orders detention or a conditional release, which continues to be governed by the other provisions of this section.

Sec. 4. 15 MRSA §3301, sub-§6, as amended by PL 2011, c. 580, §1, is further amended by enacting a new 3rd blocked paragraph to read:

If the attorney for the State files a petition, the court, upon the motion of the attorney for the State, the motion of the juvenile or the court's own motion, may assign counsel for the juvenile. The assignment must be reviewed at the juvenile's first appearance before the court.

Sec. 5. 15 MRSA §3306, sub-§1, as amended by PL 2019, c. 525, §15, is further amended to read:

1. Notice and appointment. The provisions of this subsection address a juvenile's right to counsel.

A. At a juvenile's first appearance before the court, the juvenile and the juvenile's parent or parents, guardian or legal custodian must be fully advised by the court of their constitutional and legal rights, including the juvenile's right to be represented by counsel at every stage of the proceedings. At every subsequent appearance before the court, the juvenile must be advised of the juvenile's right to be represented by counsel.

B. If the juvenile requests an attorney and if the juvenile and the juvenile's parent or parents, guardian or legal custodian are found to be without sufficient financial means, counsel must be appointed by the court.

C. The court may appoint counsel without a request under paragraph B if the court determines representation by counsel necessary to protect the interests of the juvenile.

D. The court shall appoint counsel to represent the juvenile upon the entry of a dispositional order that includes commitment to a Department of Corrections juvenile correctional facility. A juvenile's right to counsel under this paragraph continues until the juvenile is discharged from the disposition. Counsel appointed under this paragraph may be in addition to any other counsel representing the juvenile.

This subsection does not limit the court's authority to appoint counsel for a juvenile at any time beginning with the detention of the juvenile under this Part.

Sec. 6. 15 MRSA §3313, sub-§2, ¶F, as amended by PL 2019, c. 474, §1 and c. 525, §26, is repealed and the following enacted in its place:

F. The juvenile has made or has agreed to pay restitution to the victim of the juvenile's conduct for the damage or injury that the victim sustained in an amount that the court has determined is within the juvenile's ability to pay pursuant to section 3314-C;

Sec. 7. 15 MRSA §3313, sub-§2, ¶J, as amended by PL 1979, c. 663, §119, is further amended to read:

J. The juvenile is particularly likely to respond affirmatively to probation; ~~and~~

Sec. 8. 15 MRSA §3313, sub-§2, ¶K, as amended by PL 2019, c. 525, §26, is further amended to read:

K. The confinement of the juvenile would entail excessive hardship to the juvenile or the juvenile's dependents;

Sec. 9. 15 MRSA §3313, sub-§2, ¶L is enacted to read:

L. The juvenile had not attained 14 years of age at the time of the alleged conduct; and

Sec. 10. 15 MRSA §3313, sub-§2, ¶M is enacted to read:

M. The juvenile crime would be considered a Class D or Class E crime if committed by an adult and, based upon both the written agreement of the parties and a court finding, the facts and circumstances of the underlying juvenile criminal episode giving rise to the adjudication did not generate probable cause to believe the juvenile had committed what would be considered a Class A, Class B or Class C crime if committed by an adult.

Sec. 11. 15 MRSA §3314, sub-§1, ¶F, as amended by PL 2001, c. 696, §4, is further amended to read:

F. The court may commit the juvenile to a Department of Corrections juvenile correctional facility, except that, beginning October 1, 2021, the juvenile must be at least 12 years of age at the time of commitment to be committed to such a facility. Whenever a juvenile is committed to a Department of Corrections juvenile correctional facility, the court shall determine whether reasonable efforts have been made to prevent or eliminate the need for removal of the juvenile from the juvenile's home or that no reasonable efforts are necessary because of the existence of an aggravating factor as defined in Title 22, section 4002, subsection 1-B; and whether continuation in the juvenile's home would be contrary to the welfare of the juvenile. This determination does not affect whether the court orders a commitment to a Department of Corrections juvenile correctional facility, which continues to be governed by section 3313.

Sec. 12. 15 MRSA §3315, sub-§3, as amended by PL 2003, c. 503, §3, is further amended to read:

3. Court review of determination. Whenever a court makes a determination pursuant to section 3314, subsection 1, paragraph F or section 3314, subsection 2 that reasonable efforts have been made to prevent or eliminate the need for removal of the juvenile from the juvenile's home or that no reasonable efforts are necessary because of the existence of an aggravating factor as defined in Title 22, section 4002, subsection 1-B and that continuation in the juvenile's home would be contrary to the welfare of the juvenile, that determination

must be reviewed by the court not less than once every 12 months until the juvenile is discharged or no longer residing outside the juvenile's home ~~or attains 18 years of age~~. This review does not affect a juvenile's commitment to a Department of Corrections juvenile correctional facility.

A. A juvenile who has not attained 21 years of age must be represented by counsel at this review.

B. If an appropriate treatment or appropriate and less restrictive placement is not being provided or offered to the juvenile, the court may order the Department of Corrections or the Department of Health and Human Services, or both, to demonstrate the reasonableness of the current treatment or placement provided or offered.

Sec. 13. 15 MRSA §3316, sub-§2, ¶A, as repealed and replaced by PL 1999, c. 127, Pt. B, §6, is amended to read:

A. A commitment of a juvenile to a Department of Corrections juvenile ~~corrections~~ correctional facility pursuant to section 3314 must be for an indeterminate period not to extend beyond the juvenile's 18th birthday unless the court expressly further limits or extends the indeterminate commitment, as long as the court does not ~~limit the commitment to less than one year nor extend the commitment beyond a juvenile's 21st birthday and as long as an order does not result in a commitment of less than one year, unless the commitment is for an indeterminate period not to extend beyond the juvenile's 21st birthday.~~ Nothing in this Part may be construed to prohibit the provision to a juvenile following the expiration of the juvenile's term of commitment of services voluntarily accepted by the juvenile and the juvenile's parent or parents, guardian or legal custodian if the juvenile is not emancipated; except that these services may not be extended beyond the juvenile's 21st birthday.

Sec. 14. 15 MRSA §3317, as amended by PL 1997, c. 752, §26 and PL 2003, c. 689, Pt. B, §§6 and 7, is further amended to read:

§3317. Disposition after return to Juvenile Court

In instances of commitment of a juvenile to the Department of Health and Human Services or a Department of Corrections juvenile correctional facility or when the juvenile is under a specified period of probation, the Commissioner of Health and Human Services or the commissioner's designee or the Commissioner of Corrections or the commissioner's designee, or the juvenile following the disposition may for good cause petition the Juvenile Court having original jurisdiction in the case for a judicial review of the disposition, including extension of the period of commitment or period of probation. For a petition initiated by the juvenile, the Department of Health and Human Services

or the Department of Corrections shall provide information including, but not limited to, the information in reports required for periodic review pursuant to section 3315. In all cases in which a the juvenile is returned to a Juvenile Court, the Juvenile Court may make any of the dispositions otherwise provided in section 3314 and Title 34-A, section 3805, subsection 2. When reviewing a commitment to the Department of Health and Human Services, the court shall consider efforts made by the Department of Corrections and the Department of Health and Human Services to reunify the juvenile with the juvenile's parents or custodians, shall make a finding regarding those efforts and shall return custody of the juvenile to a parent or legal custodian if the return of the juvenile is not contrary to the welfare of the juvenile. A petition for judicial review of a disposition committing the ~~child~~ juvenile to the Department of Health and Human Services must be served on the parents at least 7 days prior to the hearing. Absent extraordinary circumstances, the juvenile may file a petition no more than once every 180 days. A juvenile who has not attained 21 years of age must be represented by counsel at this review.

Sec. 15. 15 MRSA §3402, sub-§1, as amended by PL 2021, c. 23, §§1 to 3, is further amended to read:

1. Matters for appeal. Appeals of the following matters may be taken from the ~~juvenile court~~ Juvenile Court to the Supreme Judicial Court by a party specified in subsection 2:

- A. An adjudication, as long as the appeal is taken after an order of disposition;
- B. An order of disposition, or of any subsequent order modifying disposition, for an abuse of discretion;
- D. A detention order entered pursuant to section 3203-A, subsection 5 or any refusal to alter a detention order upon petition of the juvenile pursuant to section 3203-A, subsection 11, for abuse of discretion, ~~provided that the~~ The appeal must be handled expeditiously; ~~and~~
- H. An order binding a juvenile over for prosecution as an adult, which may be taken following issuance of the bind-over order, or, at the election of the appellant, following a judgment of conviction as an adult, but not both; and
- I. A judicial review decision pursuant to section 3317.

Sec. 16. 15 MRSA §3405, sub-§2, as amended by PL 2015, c. 100, §5, is further amended to read:

2. Record on appeals. In appeals taken pursuant to section 3402, subsection 1, paragraphs A and B and H, review must be on the basis of the record of the proceedings in ~~juvenile court~~ the Juvenile Court. In the interest of justice, the Supreme Judicial Court may order that the record consist of:

- A. The untranscribed sound recording of the proceedings; or
- B. An agreed or settled statement of facts with the consent of the parties.

Sec. 17. 34-A MRSA §3805, sub-§1, as amended by PL 1999, c. 583, §31, is further amended by enacting a new first blocked paragraph to read:

This subsection is repealed October 1, 2021.

Sec. 18. 34-A MRSA §3805, sub-§1-A is enacted to read:

1-A. Eligibility. Beginning October 1, 2021, only a juvenile, as defined in Title 15, section 3003, subsection 14, who is 12 years of age or older at the time of commitment may be committed to the facility pursuant to this subchapter and Title 15, Part 6.

See title page for effective date.

**CHAPTER 327
S.P. 142 - L.D. 336**

**An Act To Encourage Research
To Support the Maine Offshore
Wind Industry**

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

Sec. 1. 35-A MRSA §3210-H is enacted to read:

§3210-H. Floating offshore wind research array; project labor agreements

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

- A. "Floating offshore wind research array project" or "research array" means a project undertaken by an entity to develop a floating offshore wind energy system for the purpose of conducting research on such systems pursuant to 30 Code of Federal Regulations, Part 585 and is located seaward of territorial waters.
- B. "Labor organization" means an organization of any kind, or an agency or employee representation committee or plan, in which employees participate and that exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment or conditions of work.
- C. "Project labor agreement" means a prehire collective bargaining agreement with one or more labor organizations that establishes the terms and conditions of employment for a specific construction project or portion of a construction project,

wherever such construction occurs, and is an agreement described in 29 United States Code, Section 158(f).

2. Project labor agreements. When requiring the negotiation of, or directing an investor-owned transmission and distribution utility to enter into, a long-term contract pursuant to section 3210-C or any other provision of law with an entity for capacity, energy or renewable energy credits associated with the development of a floating offshore wind research array project, or obligating funds pursuant to such a contract, the commission shall require the use of a project labor agreement, to be negotiated and executed by the entity seeking the long-term contract in accordance with this section.

A. The project labor agreement must be negotiated in good faith and executed prior to the effective date of a long-term contract for a research array.

B. A project labor agreement reached pursuant to this section must:

- (1) Bind all contractors and subcontractors to the terms of the agreement through the inclusion of appropriate provisions in all relevant solicitation and contract documents;
- (2) Provide for the invitation of all contractors and subcontractors to bid on contracts without regard to whether the employees of the contractor or subcontractor are members of a labor organization or parties to a collective bargaining agreement;
- (3) Contain guarantees against strikes, lock-outs and similar disruptions;
- (4) Contain terms that are consistent with orders issued by the commission;
- (5) Set forth mutually binding procedures for resolving labor disputes arising during the term of the project labor agreement;
- (6) Provide other mechanisms for labor-management cooperation on matters of mutual interest and concern, including productivity, quality of work, safety and health; and
- (7) Fully conform to all relevant state and federal statutes, rules and regulations.

C. Nothing in this section may be construed to:

- (1) Require the commission to require a project labor agreement on projects or in connection with contracts not governed by this section;
- (2) Preclude the use of a project labor agreement in circumstances not covered by this section;

(3) Require contractors or subcontractors to enter into a project labor agreement with any particular labor organization;

(4) Impair or otherwise affect authority granted by law to the commission; or

(5) Prohibit in a project labor agreement the reasonable use of key employees by contractors and subcontractors who are not members of a labor organization or parties to a collective bargaining agreement.

D. Notwithstanding any provision of law to the contrary, agreements and contracts entered into pursuant to this section are not subject to the competitive bid requirements in Title 5, section 1825-B.

E. This section must be implemented consistent with applicable law. This section does not create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the State, its departments, agencies or entities or its officers, employees or agents.

Sec. 2. Long-term contract in the public interest; coordination with state policy. The Legislature finds that a long-term contract for a term of no less than 20 years between an investor-owned transmission and distribution utility and New England Aqua Ventus, LLC for capacity, energy and renewable energy credits generated from a floating offshore wind research array to be located in the Gulf of Maine with a capacity up to 144 megawatts effectuates the policies, goals and mandates in the Maine Revised Statutes, Title 35-A, section 3202, subsection 1 and section 3404 and Article 6, Sections 1.8 and 1.9 of the Maine Aqua Ventus power purchase agreement approved by the Public Utilities Commission and is in the public interest and in furtherance of the following:

1. Meeting the requirements of Title 35-A, section 3210 and chapter 34-A;
2. Achieving the wind energy goals contained in Title 35-A, chapter 34;
3. Achieving the greenhouse gas emissions reduction levels established in Title 38, section 576-A;
4. Implementing the recommendations of the State's climate action plan, developed pursuant to Title 38, section 577;
5. State energy policy with due consideration of the energy equity context of these energy policies, including, in particular, the economic circumstances and opportunities of Maine's socially vulnerable counties as highlighted in the February 2021 report of the Governor's Energy Office, State of Maine Renewable Energy Goals Market Assessment;
6. The Maine Offshore Wind Initiative overseen by the Governor's Energy Office;

7. The State's decision to seek a federal Department of the Interior, Bureau of Ocean Energy Management lease of federal waters to construct and operate a research array to scientifically determine means to protect the Gulf of Maine ecosystem, critical species and habitats and traditional marine users from imprudent offshore wind development;

8. State laws that seek to make the State an international hub for floating offshore wind development and fabrication, including but not limited to: Public Law 2007, chapter 661; Public Law 2009, chapter 270; Public Law 2009, chapter 615; and Resolve 2019, chapter 87; and

9. A memorandum of understanding between the State and New England Aqua Ventus, LLC requiring New England Aqua Ventus, LLC to seek a long-term contract from the Public Utilities Commission, to assist the State, upon request, in preparing and securing approval of a lease of federal waters in the Gulf of Maine and in complying with resulting lease obligations and to seek a power purchase agreement for a floating offshore wind research array, as defined in the Title 35-A, section 3210-H, through the commission.

Sec. 3. Commission action. Within in 9 months of receiving a petition from New England Aqua Ventus, LLC or its designated affiliate for a long-term contract for capacity, energy or renewable energy credits to be generated from a floating offshore wind research array project, as defined in the Maine Revised Statutes, Title 35-A, section 3210-H and referred to in this section as "the research array," with a capacity of up to 144 megawatts designed, permitted and operated by New England Aqua Ventus, LLC in accordance with the terms of a lease in federal waters from the federal Department of the Interior, Bureau of Ocean Energy Management, the Public Utilities Commission shall order the negotiation of, and direct an investor-owned transmission and distribution utility to enter into, a long-term contract for at least 20 years with New England Aqua Ventus, LLC or its designated affiliate if the commission determines the contract furthers the objectives of this Act and is in the public interest.

1. In ordering the negotiation of the contract, the commission shall:

A. Utilize the process for the negotiated purchase of capacity, energy and renewable energy credits under Title 35-A, section 3210-C except that the commission shall invite the Office of the Public Advocate, the Governor's Energy Office and transmission and distribution utilities to participate in negotiations;

B. Employ, at the expense of New England Aqua Ventus, LLC or the developer, any expert consultants necessary to assist in negotiations. Expert consultants hired pursuant to this subsection must be employed by the United States Department of

Energy, National Renewable Energy Laboratory or a similar entity expert in world-wide cost estimation for floating offshore wind commercialization and with specific knowledge of the VoltturnUS foundation design, and the commission shall use that advice; and

C. Direct the parties to determine the lowest reasonable cost to ratepayers, that is sufficient to enable the financing, construction and operation of the research array by New England Aqua Ventus, LLC or its affiliate, in a manner that is consistent with the lease issued by the federal Department of the Interior, Bureau of Ocean Energy Management and any final agreement between New England Aqua Ventus, LLC or its affiliate and the State.

2. If the commission directs the parties to enter into a long-term contract, the commission shall require that the contract requires New England Aqua Ventus, LLC or its affiliate to:

A. Maintain an office and project leadership staff in the State;

B. Use port facilities designated by the State for the organization, fabrication, launch and maintenance of the research array;

C. Operate, at the direction of the State, an open platform for research on the prudent development of offshore wind energy generation in the Gulf of Maine;

D. Establish and operate an integrated manufacturing and assembly facility in the State to manufacture required VoltturnUS or similar hulls for the research array;

E. Make commercially reasonable efforts to attract design and manufacturing facilities to the State for other floating offshore wind energy generation project components;

F. Make commercially reasonable efforts to employ in-state design, manufacturing and maintenance firms and workers in an amount that is at least equal to 50% of contracts for those services; and

G. Construct the research array pursuant to a project labor agreement in accordance with Title 35-A, section 3210-H that is negotiated with the developer and a qualified labor organization to promote efficiency and economy in state procurement of research on renewable energy development, including the development of offshore wind energy generation seaward of territorial waters.

3. If the commission directs the parties to enter into a long-term contract, the commission shall ensure any pricing structure adopted for capacity, energy or renewable energy credits:

A. Represents the lowest reasonable cost to ratepayers, while ensuring the pricing structure is sufficient to enable the financing, construction and operation of the research array by New England Aqua Ventus, LLC or its affiliate, in a manner that is consistent with the lease issued by the federal Department of the Interior, Bureau of Ocean Energy Management and any final agreement between New England Aqua Ventus, LLC or its affiliate and the State;

B. Was reached with the advice of expert consultants employed in accordance with subsection 1, paragraph B;

C. Supports prompt commercial pursuit of the research array lease, development of research plans and initiation of development and construction actions;

D. Recognizes and accommodates the commercial challenges in long-term cost estimation for large marine energy infrastructure and permits power purchase agreement capacity, energy and renewable energy credit prices to be adjusted based on changing costs prior to the final investment decision by New England Aqua Ventus, LLC or its affiliate and the commission, employing state of the art marine commercial cost estimation and control mechanisms such as indexing and inflation adjustment mechanisms; and

E. Considers, for levelized cost of energy comparison purposes, the needed and expected role of floating offshore wind energy generation in accomplishing the State's transition to beneficial electrification and the role of the research array in advancing that transition.

In determining the appropriate duration for a long-term contract entered into pursuant to this section, the commission shall consider what duration is adequate to allow the research array to be designed, permitted, constructed and operated in conformance with the terms of the lease of federal waters issued by the federal Department of the Interior, Bureau of Ocean Energy Management.

The State and New England Aqua Ventus, LLC shall negotiate in good faith and make best efforts to enter into a final operating agreement before a lease is issued by the federal Department of the Interior, Bureau of Ocean Energy Management. If the State and New England Aqua Ventus, LLC fail to enter into a final operating agreement before a lease is issued by the Bureau of Ocean Energy Management, nothing in this section precludes the State through the Governor's Energy Office from designating an entity other than New England Aqua Ventus, LLC to negotiate a long-term contract with an investor-owned transmission and distribution

utility for capacity, energy and renewable energy credits generated from a research array as directed by the commission.

Sec. 4. Study of infrastructure related to offshore wind energy generation. The Public Utilities Commission, in consultation with the Governor's Energy Office and the Office of the Public Advocate and with input from the public and interested stakeholders, by February 1, 2022, shall submit one or more reports to the Joint Standing Committee on Energy, Utilities and Technology. The report or reports must include information regarding options for the technology, location and creation of transmission infrastructure related to the development of offshore wind energy generation in the Gulf of Maine and transmission solutions proposed or built in other states and countries. The report or reports must include ways to protect species, habitats, the environment and traditional marine users from imprudent development while encouraging efficient transmission investment. The report or reports must recommend public and private transmission financing and ownership structures and include any necessary legislation to achieve the State's climate policy objectives. The committee may report out legislation to the Second Regular Session of the 130th Legislature based on the report or reports.

See title page for effective date.

CHAPTER 328

H.P. 261 - L.D. 363

An Act Regarding the Statute of Limitations for Injuries or Harm Resulting from Perfluoroalkyl and Polyfluoroalkyl Substances

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

Sec. 1. 14 MRSA §752-F is enacted to read:

§752-F. Perfluoroalkyl and polyfluoroalkyl substances

A cause of action arising out of any harm or injury caused by a perfluoroalkyl or polyfluoroalkyl substance accrues on the date the plaintiff discovers or reasonably should have discovered such harm or injury. For the purposes of this section, "perfluoroalkyl or polyfluoroalkyl substance" means any member of the class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom. This section does not affect application of notice requirements for filing under section 8107 or the limitation on actions against a government entity under section 8110.

Sec. 2. Application; retroactive application. This Act applies to all actions arising out of any harm

or injury caused by a perfluoroalkyl or polyfluoroalkyl substance and applies retroactively to those actions arising out of conduct occurring prior to the effective date of this Act.

See title page for effective date.

CHAPTER 329

S.P. 189 - L.D. 483

An Act To Clarify Funding for Civil Legal Services

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

Sec. 1. 4 MRSA §18-A, sub-§3-A, ¶C, as enacted by PL 2019, c. 509, §3, is amended to read:

C. A surcharge of \$127 must be imposed by a court on the fee for commencement of each debt collection action for small claims or money judgment closure action when the action is brought by a person who is a debt buyer, as defined by Title 32, section 11002, subsection 5-A, or a debt collector within the meaning of, as defined by Title 32, section 11002, subsection 6, and the. The surcharge must be deposited in the fund and is not a recoverable cost under Title 14, section 1502-B.

Sec. 2. 4 MRSA §18-B, sub-§7, as enacted by PL 1995, c. 560, Pt. I, §3, is amended to read:

7. Fees **Authority and fees.** When The Judicial Department is authorized to refer cases to the Court Alternative Dispute Resolution Service for mediation and, when a court refers parties to the Court Alternative Dispute Resolution Service for mediation, the court shall assess the parties a fee to be apportioned equally among the parties, unless the court otherwise directs. The fee must be deposited in the dedicated account created in subsection 8.

A party may file an in forma pauperis application for waiver of fee. If the court finds that the party does not have sufficient funds to pay the fee, it shall order the fee waived.

See title page for effective date.

CHAPTER 330

H.P. 593 - L.D. 788

An Act To Align the Preconviction and Post-conviction Discretionary Deductions for Time Served

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

Sec. 1. 12 MRSA §6004, last ¶, as amended by PL 2019, c. 113, Pt. C, §9, is further amended to read:

Any period of confinement must be served concurrently with any other period of confinement previously imposed and not fully discharged or imposed on the same date. Any period of confinement is subject to Title 17-A, section 2305, except that a statement is not required to be furnished and the day-for-day deduction must be determined by the facility, but is not subject to Title 17-A, section 2305, subsection 4 or 4-A; section 2307, subsections 2, 3 and 4; section 2308, subsection 2; section 2309, subsection 2; or section 2310, subsections 3, 6 and 7. If the court suspends the period of confinement in whole or in part, the court shall impose a period of administrative release not to exceed one year. The administrative release must be administered pursuant to Title 17-A, chapter 67, subchapter 2, and revocation of the administrative release is governed by the provisions of that subchapter.

Sec. 2. 12 MRSA §8004, last ¶, as amended by PL 2019, c. 113, Pt. C, §16, is further amended to read:

Any period of confinement must be served concurrently with any other period of confinement previously imposed and not fully discharged or imposed on the same date. Any period of confinement is subject to Title 17-A, section 2305, except that a statement is not required to be furnished and the day-for-day deduction must be determined by the facility, but is not subject to Title 17-A, section 2305, subsection 4 or 4-A; section 2307, subsections 2, 3 and 4; section 2308, subsection 2; section 2309, subsection 2; or section 2310, subsections 3, 6 and 7. If the court suspends the period of confinement in whole or in part, the court shall impose a period of administrative release not to exceed one year. The administrative release must be administered pursuant to Title 17-A, chapter 67, subchapter 2, and revocation of the administrative release is governed by the provisions of that subchapter.

Sec. 3. 12 MRSA §10608, last ¶, as amended by PL 2019, c. 113, Pt. C, §19, is further amended to read:

Any period of confinement must be served concurrently with any other period of confinement previously imposed and not fully discharged or imposed on the same date. Any period of confinement is subject to Title 17-A, section 2305, except that a statement is not required to be furnished and the day-for-day deduction must be determined by the facility, but is not subject to Title 17-A, section 2305, subsection 4 or 4-A; section 2307, subsections 2, 3 and 4; section 2308, subsection 2; section 2309, subsection 2; or section 2310, subsections 3, 6 and 7. If the court suspends the period of confinement in whole or in part, the court shall impose a period of administrative release not to exceed one year. The administrative release must be administered pursu-

ant to Title 17-A, chapter 67, subchapter 2, and revocation of the administrative release is governed by the provisions of that subchapter.

Sec. 4. 15 MRSA §3314, sub-§1, ¶H, as amended by PL 2019, c. 113, Pt. C, §48, is further amended to read:

H. The court may order the juvenile to serve a period of confinement that may not exceed 30 days, with or without an underlying suspended disposition of commitment to a Department of Corrections juvenile correctional facility, which confinement must be served concurrently with any other period of confinement previously imposed and not fully discharged or imposed on the same date but may be served intermittently as the court may order and must be ordered served in a facility approved or operated by the Department of Corrections exclusively for juveniles. The court may order such a disposition to be served as a part of and with a period of probation that is subject to such provisions of Title 17-A, section 1807 as the court may order and that must be administered pursuant to Title 34-A, chapter 5, subchapter 4. Revocation of probation is governed by the procedure contained in subsection 2. Any disposition under this paragraph is subject to Title 17-A, section 2305 except that a statement is not required to be furnished and the day-for-day deduction must be determined by the facility, but is not subject to Title 17-A, section 2305, subsection 4 or 4-A; section 2307, subsections 2, 3 and 4; section 2308, subsection 2; section 2309, subsection 2; or section 2310, subsections 3, 6 and 7. For purposes of calculating the commencement of the period of confinement, credit is accorded only for the portion of the first day for which the juvenile is actually confined; the juvenile may not be released until the juvenile has served the full term of hours or days imposed by the court. When a juvenile is committed for a period of confinement, the court shall determine whether reasonable efforts have been made to prevent or eliminate the need for removal of the juvenile from the juvenile's home or that reasonable efforts are not necessary because of the existence of an aggravating factor as defined in Title 22, section 4002, subsection 1-B and whether continuation in the juvenile's home would be contrary to the welfare of the juvenile. This determination does not affect whether the court orders a period of confinement.

Sec. 5. 17-A MRSA §2102, sub-§1, ¶F, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

F. The right to participate at sentencing pursuant to section 2104; ~~and~~

Sec. 6. 17-A MRSA §2102, sub-§1, ¶F-1 is enacted to read:

F-1. The final disposition of the charges against the defendant, including the amount of deductions to time served that a defendant has accumulated as of the date of sentencing. On or before the date of sentencing, the attorney for the State shall obtain information about the deductions to time served from each correctional facility at which a defendant was detained prior to sentencing on the relevant charges; and

Sec. 7. 17-A MRSA §2305, sub-§4, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

4. Additional deduction when warranted for crime committed on or after August 1, 2004 and before October 1, 2021. An individual may receive a deduction of up to 2 days per calendar month in addition to the day-for-day deduction provided pursuant to subsection 1 if:

A. The individual commits a crime on or after August 1, 2004 and before October 1, 2021 and is sentenced to a term of imprisonment for that crime; and

B. The individual is entitled to a day-for-day deduction pursuant to subsection 1 and the individual's conduct during that period of detention is such that the additional deduction is determined to be warranted in the discretion of the chief administrative officer of the facility in which the individual has been detained.

Deductions under this subsection must be calculated as follows for partial calendar months:

Days of partial month	Maximum deduction available
1 to 15 days	up to 1
16 to 31 days	up to 2

Sec. 8. 17-A MRSA §2305, sub-§4-A is enacted to read:

4-A. Additional deduction when warranted for crime committed on or after October 1, 2021. An individual may receive a deduction of up to 4 days per calendar month in addition to the day-for-day deduction provided pursuant to subsection 1 if:

A. The individual commits a crime on or after October 1, 2021 and is sentenced to a term of imprisonment for that crime; and

B. The individual is entitled to a day-for-day deduction pursuant to subsection 1 and the individual's conduct during that period of detention is such that the additional deduction is determined to be warranted in the discretion of the chief administrative officer of the facility in which the individual has been detained.

Deductions under this subsection must be calculated as follows for partial calendar months:

<u>Days of partial month</u>	<u>Maximum deduction available</u>
<u>1 to 7 days</u>	<u>up to 1</u>
<u>8 to 15 days</u>	<u>up to 2</u>
<u>16 to 23 days</u>	<u>up to 3</u>
<u>24 to 31 days</u>	<u>up to 4</u>

Sec. 9. 17-A MRSA §2305, sub-§6, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

6. Transporter's duty to provide statement of time detained. The sheriff or the sheriff's designee shall furnish to the administrator of the facility to which the individual is being delivered and the attorney for the State, within 30 days of delivery, a statement showing the length of that detention. The administrator shall use the statement furnished to determine the day-for-day deduction to which the individual is entitled pursuant to subsections 1 ~~and 4~~ and 4-A, if any, unless, within 15 days of its receipt, the attorney for the State furnishes a revised statement to the administrator.

Sec. 10. 29-A MRSA §115, 3rd ¶, as amended by PL 2019, c. 113, Pt. C, §73, is further amended to read:

Any period of confinement must be served concurrently with any other period of confinement previously imposed and not fully discharged or imposed on the same date. Any period of confinement is subject to Title 17-A, section 2305, except that a statement is not required to be furnished and the day-for-day deduction must be determined by the facility, but is not subject to Title 17-A, section 2305, subsection 4 or 4-A; section 2307, subsections 2, 3 and 4; section 2308, subsection 2; section 2309, subsection 2; or section 2310, subsections 3, 6 and 7. If the court suspends the period of confinement in whole or in part, the court shall impose a period of administrative release not to exceed one year. The administrative release must be administered pursuant to Title 17-A, chapter 67, subchapter 2, and revocation of the administrative release is governed by the provisions of that subchapter.

See title page for effective date.

CHAPTER 331

H.P. 631 - L.D. 863

**An Act To Have Maine Join
the Interstate Psychology
Interjurisdictional Compact**

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

Sec. 1. 32 MRSA c. 56, sub-c. 4 is enacted to read:

SUBCHAPTER 4

PSYCHOLOGY INTERJURISDICTIONAL COMPACT

§3841. Short title; legislative intent; declaration of purpose - Article 1

1. Short title. This subchapter may be known and cited as "the Psychology Interjurisdictional Compact."

2. Legislative intent. This compact is the Maine enactment of the Psychology Interjurisdictional Compact, which is referred to in this subchapter as "the compact." The form, format and text of the compact have been changed minimally so as to conform to the Maine Revised Statutes. The changes to the compact are technical in nature, and this Act must be interpreted as substantively the same as the compact that is enacted by other compact states.

3. Purpose. The compact protects the public through the verification of education, training and experience and ensures accountability for the professional practice of psychology.

A. The compact:

(1) Regulates the day-to-day practice of telepsychology, that is, the provision of psychological services using telecommunications technologies by psychologists across state boundaries in the performance of their psychological practice as assigned by an appropriate authority;

(2) Regulates the temporary in-person, face-to-face practice of psychology by psychologists across state boundaries for 30 days within a calendar year in the performance of their psychological practice as assigned by an appropriate authority;

(3) Authorizes state psychology regulatory authorities to afford legal recognition, in a manner consistent with the terms of the compact, to psychologists licensed in another state;

(4) Recognizes that states have a vested interest in protecting public health and safety through their licensing and regulation of psychologists and that such regulation will best protect public health and safety;

(5) Does not apply when psychologists are licensed in both their home state and receiving states; and

(6) Does not apply to ongoing in-person, face-to-face practice but allows for authorization of a temporary psychological practice.

B. The compact is designed to achieve the following purposes and objectives:

(1) To increase public access to professional psychological services by allowing for telepsychological practice across state lines as

well as temporary in-person, face-to-face services in a state in which the psychologist is not licensed to practice psychology;

(2) To enhance a state's ability to protect public health and safety, especially client safety;

(3) To encourage the cooperation of compact states in the areas of psychology licensure and regulation;

(4) To facilitate the exchange of information between compact states regarding psychologist licensure, adverse actions and disciplinary history;

(5) To promote compliance with the laws governing psychological practice in each compact state; and

(6) To invest all compact states with the authority to hold licensed psychologists accountable through the mutual recognition of compact states' licenses.

§3842. Definitions - Article 2

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Adverse action. "Adverse action" means any action taken by a state psychology regulatory authority that is identified by the state psychology regulatory authority as discipline for a violation of a statute or regulation and that is a matter of public record.

2. Association of State and Provincial Psychology Boards. "Association of State and Provincial Psychology Boards" means the recognized membership organization composed of state and provincial psychology regulatory authorities responsible for the licensure and registration of psychologists throughout the United States and Canada.

3. Authority to practice interjurisdictional telepsychology. "Authority to practice interjurisdictional telepsychology" means a licensed psychologist's authority to practice telepsychology within the limits authorized under this compact in another compact state.

4. Bylaws. "Bylaws" means the bylaws established by the commission pursuant to section 3850 for its governance or for directing and controlling its actions and conduct.

5. Client. "Client" means the recipient of psychological services, whether psychological services are delivered in the context of health care, corporate, supervision or consulting services.

6. Commission. "Commission" means the Psychology Interjurisdictional Compact Commission established by section 3850, which is the governing body of the compact.

7. Commissioner. "Commissioner" means the voting representative appointed by each state psychology regulatory authority pursuant to section 3850.

8. Compact state. "Compact state" means a state, the District of Columbia or a United States territory that has enacted the compact and that has not withdrawn pursuant to section 3850-C, subsection 3 or has not been terminated pursuant to section 3850-B, subsection 2.

9. Confidential. "Confidential" means the principle that data or information is not made available or disclosed to unauthorized persons or processes.

10. Coordinated database. "Coordinated database" means the coordinated licensure information system described in section 3849, which is an integrated process for collecting, storing and sharing information on psychologists' licensure and enforcement activities related to psychology licensure laws.

11. Day. "Day" means any part of a day in which psychological services are performed.

12. Distant state. "Distant state" means a compact state where a psychologist is physically present, not through the use of telecommunications technologies, to provide temporary in-person, face-to-face psychological services.

13. E-passport. "E-passport" means a certificate issued by the Association of State and Provincial Psychology Boards that promotes the standardization in the criteria of interjurisdictional telepsychology practice and facilitates the process for licensed psychologists to provide telepsychological services across state lines.

14. Executive board. "Executive board" means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission pursuant to section 3850, subsection 5.

15. Home state. "Home state" means a compact state where a psychologist is licensed to practice psychology. If the psychologist is licensed in more than one compact state and is practicing under the authority to practice interjurisdictional telepsychology, the home state is the compact state where the psychologist is physically present when the telepsychological services are delivered. If the psychologist is licensed in more than one compact state and is practicing under the temporary authorization to practice pursuant to section 3845, the home state is any compact state where the psychologist is licensed.

16. Identity history summary. "Identity history summary" means a summary of information retained by the Federal Bureau of Investigation or other designee with similar authority in connection with arrests and, in some instances, federal employment, naturalization or military service.

17. In-person, face-to-face. "In-person, face-to-face" means interactions in which the psychologist and

the client are in the same physical space and does not include interactions that may occur through the use of telecommunications technologies.

18. Interjurisdictional practice certificate. "Interjurisdictional practice certificate" means a certificate issued by the Association of State and Provincial Psychology Boards that grants temporary authorization to practice based on notification to the state psychology regulatory authority of intention to practice temporarily and verifies the qualifications for such practice.

19. License. "License" means authorization by a state psychology regulatory authority to engage in the independent practice of psychology.

20. Non-compact state. "Non-compact state" means any state that is not a compact state.

21. Psychologist. "Psychologist" means an individual licensed for the independent practice of psychology.

22. Receiving state. "Receiving state" means a compact state where the client is physically located when telepsychological services are delivered.

23. Rule. "Rule" means a written statement by the commission, promulgated pursuant to section 3850-A, that is of general applicability, implements, interprets or prescribes a policy or provision of the compact or an organizational, procedural or practice requirement of the commission. A rule has the force and effect of statutory law in a compact state and includes the amendment, repeal or suspension of an existing rule.

24. Significant investigatory information. "Significant investigatory information" means either:

A. Investigative information that a state psychology regulatory authority, after a preliminary inquiry that includes notification and an opportunity to respond if required by state law, has reason to believe, if proven true, would indicate more than a violation of state statute or ethics code that would be considered more substantial than a minor infraction; or

B. Investigative information that indicates that a psychologist represents an immediate threat to public health and safety regardless of whether the psychologist has been notified and had an opportunity to respond.

25. State. "State" means a state, the District of Columbia or a territory of the United States.

26. State psychology regulatory authority. "State psychology regulatory authority" means the board, office or other agency with the legislative mandate to license and regulate the practice of psychology.

27. Telepsychology. "Telepsychology" means the provision of psychological services using telecommunications technologies.

28. Temporary authorization to practice. "Temporary authorization to practice" means a licensed psychologist's authority to provide temporary in-person, face-to-face practice within the limits authorized under this compact in another compact state.

29. Temporary in-person, face-to-face practice. "Temporary in-person, face-to-face practice" means the practice of psychology when a psychologist is physically present in a distant state to provide services for 30 days within a calendar year and is based on notification to the distant state. "Temporary in-person face-to-face practice" does not include the use of telecommunications technologies.

§3843. Home state licensure - Article 3

1. Home state. The home state must be a compact state where a psychologist is licensed to practice psychology.

2. Licensing in more than one compact state. A psychologist may hold one or more compact state licenses at a time. If the psychologist is licensed in more than one compact state, the home state is the compact state where the psychologist is physically present when the services are delivered as authorized by the authority to practice interjurisdictional telepsychology under the terms of this compact.

3. Circumstances not authorized by compact for telepsychology practice. Any compact state may require a psychologist not previously licensed in a compact state to obtain and retain a license to be authorized to practice in the compact state under circumstances not authorized by the authority to practice interjurisdictional telepsychology under the terms of this compact.

4. Circumstances not authorized by compact for temporary authorization to practice. Any compact state may require a psychologist to obtain and retain a license to be authorized to practice in a compact state under circumstances not authorized by the temporary authorization to practice under the terms of this compact.

5. Home state license; telepsychology practice. A home state's license authorizes a psychologist to practice in a receiving state under the authority to practice interjurisdictional telepsychology only if the compact state:

- A. Currently requires the psychologist to hold an active e-passport;
- B. Has a mechanism in place for receiving and investigating complaints about licensed psychologists;
- C. Notifies the commission, in compliance with the terms herein, of any adverse action or significant investigatory information regarding a licensed psychologist;

D. Requires an identity history summary of all applicants at initial licensure, including the use of the results of fingerprints or other biometric data checks compliant with the requirements of the Federal Bureau of Investigation, or other designee with similar authority, no later than 10 years after activation of the compact; and

E. Complies with the bylaws and rules of the commission.

6. Home state license; temporary authorization to practice. A home state's license grants temporary authorization to practice to a psychologist in a distant state only if the compact state:

A. Currently requires the psychologist to hold an active interjurisdictional practice certificate;

B. Has a mechanism in place for receiving and investigating complaints about licensed psychologists;

C. Notifies the commission, in compliance with the terms herein, of any adverse action or significant investigatory information regarding a licensed psychologist;

D. Requires an identity history summary of all applicants at initial licensure, including the use of the results of fingerprints or other biometric data checks compliant with the requirements of the Federal Bureau of Investigation, or other designee with similar authority, no later than 10 years after activation of the compact; and

E. Complies with the bylaws and rules of the commission.

§3844. Compact privilege to practice telepsychology - Article 4

1. Privilege to practice telepsychology in receiving states. Compact states shall recognize the right of a psychologist, licensed in a compact state in conformance with section 3843, to practice telepsychology in receiving states in which the psychologist is not licensed under the authority to practice interjurisdictional telepsychology as provided in the compact.

2. Conditions to exercise authority to practice interjurisdictional telepsychology. To exercise the authority to practice interjurisdictional telepsychology under the terms and provisions of this compact, a psychologist licensed to practice in a compact state must:

A. Hold a graduate degree in psychology from an institute of higher education that was, at the time the degree was awarded:

- (1) Regionally accredited by an accrediting body recognized by the United States Department of Education to grant graduate degrees or authorized by provincial statute or royal charter to grant doctoral degrees; or

(2) A foreign college or university determined to satisfy subparagraph (1) by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services or by a recognized foreign credential evaluation service;

B. Hold a graduate degree in psychology that meets the following criteria:

(1) The program, wherever it may be administratively housed, must be clearly identified and labeled as a psychology program. The program must specify in pertinent institutional catalogues and brochures its intent to educate and train professional psychologists;

(2) The program must stand as a recognizable, coherent, organizational entity within the institution;

(3) There must be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines;

(4) The program must consist of an integrated, organized sequence of study;

(5) There must be an identifiable psychology faculty sufficient in size and breadth to carry out its responsibilities;

(6) The designated director of the program must be a psychologist and a member of the core faculty;

(7) The program must have an identifiable body of students who are matriculated in that program for a degree;

(8) The program must include supervised practicum, internship or field training appropriate to the practice of psychology;

(9) The curriculum must encompass a minimum of 3 academic years of full-time graduate study for doctoral degrees and a minimum of one academic year of full-time graduate study for master's degrees; and

(10) The program includes an acceptable residency as defined by the rules;

C. Possess a current, full and unrestricted license to practice psychology in a home state that is a compact state;

D. Have no history of adverse actions that violate the rules;

E. Have no criminal history record reported on an identity history summary that violates the rules;

F. Possess a current, active e-passport;

G. Provide attestations in regard to areas of intended practice, conformity with standards of practice, competence in telepsychology technology, criminal background and knowledge and adherence to legal requirements in the home and receiving states and provide a release of information to allow for primary source verification in a manner specified by the commission; and

H. Meet other criteria as defined by the rules.

3. Home state authority. The home state maintains authority over the license of any psychologist practicing in a receiving state under the authority to practice interjurisdictional telepsychology.

4. Scope of practice in receiving state. A psychologist practicing in a receiving state under the authority to practice interjurisdictional telepsychology is subject to the receiving state's scope of practice. A receiving state may, in accordance with that state's due process law, limit or revoke a psychologist's authority to practice interjurisdictional telepsychology in the receiving state and may take any other necessary actions under the receiving state's applicable law to protect the health and safety of the receiving state's citizens. If a receiving state takes action, the receiving state shall promptly notify the home state and the commission.

5. Revocation of authority. If a psychologist's license in any home state or another compact state or any authority to practice interjurisdictional telepsychology in any receiving state is restricted, suspended or otherwise limited, the e-passport must be revoked and the psychologist is not eligible to practice telepsychology in a compact state under the authority to practice interjurisdictional telepsychology.

§3845. Compact temporary authorization to practice - Article 5

1. Temporary authorization to practice. Compact states shall recognize the right of a psychologist licensed in a compact state in conformance with section 3843 to practice temporarily in distant states in which the psychologist is not licensed, as provided in the compact.

2. Conditions to exercise authority. To exercise the temporary authorization to practice under the terms and provisions of this compact, a psychologist licensed to practice in a compact state must:

A. Hold a graduate degree in psychology from an institute of higher education that was, at the time the degree was awarded:

(1) Regionally accredited by an accrediting body recognized by the United States Department of Education to grant graduate degrees or authorized by provincial statute or royal charter to grant doctoral degrees; or

(2) A foreign college or university determined to satisfy subparagraph (1) by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services or by a recognized foreign credential evaluation service;

B. Hold a graduate degree in psychology that meets the following criteria:

(1) The program, wherever it may be administratively housed, must be clearly identified and labeled as a psychology program. Such a program must specify in pertinent institutional catalogues and brochures its intent to educate and train professional psychologists;

(2) The program must stand as a recognizable, coherent, organizational entity within the institution;

(3) There must be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines;

(4) The program must consist of an integrated, organized sequence of study;

(5) There must be an identifiable psychology faculty sufficient in size and breadth to carry out its responsibilities;

(6) The designated director of the program must be a psychologist and a member of the core faculty;

(7) The program must have an identifiable body of students who are matriculated in that program for a degree;

(8) The program must include supervised practicum, internship or field training appropriate to the practice of psychology;

(9) The curriculum must encompass a minimum of 3 academic years of full-time graduate study for doctoral degrees and a minimum of one academic year of full-time graduate study for master's degrees; and

(10) The program must include an acceptable residency as defined by the rules;

C. Possess a current, full and unrestricted license to practice psychology in a home state that is a compact state;

D. Have no history of adverse actions that violate the rules;

E. Have no criminal history record that violates the rules;

F. Possess a current, active interjurisdictional practice certificate;

G. Provide attestations in regard to areas of intended practice and work experience and provide a release of information to allow for primary source verification in a manner specified by the commission; and

H. Meet other criteria as defined by the rules.

3. Scope of practice. A psychologist practicing in a distant state under the temporary authorization to practice shall practice within the scope of practice authorized by the distant state.

4. Authority of distant state. A psychologist practicing in a distant state under the temporary authorization to practice is subject to the distant state's authority and law. A distant state may, in accordance with that state's due process law, limit or revoke a psychologist's temporary authorization to practice in the distant state and may take any other necessary actions under the distant state's applicable law to protect the health and safety of the distant state's citizens. If a distant state takes action, the distant state shall promptly notify the home state and the commission.

5. Revocation. If a psychologist's license in any home state or another compact state or any temporary authorization to practice in any distant state is restricted, suspended or otherwise limited, the interjurisdictional practice certificate must be revoked and the psychologist is not eligible to practice in a compact state under the temporary authorization to practice.

§3846. Conditions of telepsychology practice in receiving state - Article 6

1. Conditions of telepsychology practice. A psychologist may practice in a receiving state under the authority to practice interjurisdictional telepsychology only in the performance of the scope of practice for psychology as assigned by an appropriate state psychology regulatory authority, as defined in the rules, and under the following circumstances:

A. The psychologist initiates contact with a client in a home state via telecommunications technologies with a client in a receiving state; and

B. Other conditions regarding telepsychology as determined by rules promulgated by the commission.

§3847. Adverse actions - Article 7

1. Authority of home state and distant state. A home state has the power to impose adverse action against a psychologist's license issued by the home state. A distant state has the power to take adverse action on a psychologist's temporary authorization to practice within that distant state.

2. Authority of receiving state and home state. A receiving state may take adverse action on a psychologist's authority to practice interjurisdictional telepsychology within that receiving state. A home

state may take adverse action against a psychologist based on an adverse action taken by a distant state regarding temporary in-person, face-to-face practice.

3. Adverse action by home state. If a home state takes adverse action against a psychologist's license, that psychologist's authority to practice interjurisdictional telepsychology is terminated and the e-passport is revoked. Furthermore, that psychologist's temporary authorization to practice is terminated, and the interjurisdictional practice certificate is revoked.

A. All home state disciplinary orders that impose adverse action must be reported to the commission in accordance with the rules promulgated by the commission. A compact state shall report adverse actions in accordance with the rules.

B. In the event discipline is reported on a psychologist, the psychologist is not eligible for telepsychology or temporary in-person, face-to-face practice in accordance with the rules.

C. Other actions may be imposed as determined by the rules promulgated by the commission.

4. Investigation by home state. A home state's state psychology regulatory authority shall investigate and take appropriate action with respect to reported inappropriate conduct engaged in by a licensee that occurred in a receiving state as it would if such conduct by a licensee had occurred within the home state. In such cases, the home state's law controls in determining any adverse action against a psychologist's license.

5. Investigation by distant state. A distant state's state psychology regulatory authority shall investigate and take appropriate action with respect to reported inappropriate conduct engaged in by a psychologist practicing under temporary authorization to practice that occurred in that distant state as it would if such conduct by a licensee had occurred within the home state. In such cases, the distant state's law controls in determining any adverse action against a psychologist's temporary authorization to practice.

6. Participation in alternative program in lieu of adverse action. Nothing in this compact overrides a compact state's decision that a psychologist's participation in an alternative program may be used in lieu of adverse action and that such participation must remain nonpublic if required by the compact state's law. Compact states shall require psychologists who enter any alternative program to not provide telepsychology services under the authority to practice interjurisdictional telepsychology or not provide temporary psychological services under the temporary authorization to practice in any other compact state during the term of the alternative program.

7. No additional judicial or administrative remedies. No other judicial or administrative remedies are

available to a psychologist in the event a compact state imposes an adverse action pursuant to subsection 3.

§3848. Additional authorities invested in compact state's psychology regulatory authority - Article 8

1. Authority under compact. In addition to any other powers granted under state law, a state psychology regulatory authority has the authority under this compact to:

A. Issue subpoenas, for both hearings and investigations, that require the attendance and testimony of witnesses and the production of evidence. Subpoenas issued by a state psychology regulatory authority for the attendance and testimony of witnesses or the production of evidence from another compact state are enforced in the latter state by any court of competent jurisdiction, according to that court's practice and procedure in considering subpoenas issued in its own proceedings. The issuing state psychology regulatory authority shall pay any witness fees, travel expenses, mileage and other fees required by the service statutes of the state where the witnesses or evidence is located;

B. Issue cease and desist or injunctive relief orders to revoke a psychologist's authority to practice interjurisdictional telepsychology or temporary authorization to practice; and

C. During the course of any investigation, deny a change in the psychologist's home state licensure. A home state psychology regulatory authority is authorized to complete any pending investigations of a psychologist and to take any actions appropriate under its law. The home state psychology regulatory authority shall promptly report the conclusions of such investigations to the commission. Once an investigation has been completed, and pending the outcome of said investigation, the psychologist may change the psychologist's home state licensure. The commission shall promptly notify the new home state of any such decisions as provided in the rules. All information provided to the commission or distributed by compact states about the psychologist must be confidential, filed under seal and used only for investigatory or disciplinary matters. The commission may create additional rules for mandated or discretionary sharing of information by compact states.

§3849. Coordinated licensure information system - Article 9

1. Coordinated licensure information system. The commission shall provide for the development and maintenance of a coordinated licensure information system and reporting system containing licensure and disciplinary action information on all licensees to whom this compact is applicable in all compact states as defined by the rules.

2. Uniform dataset. Notwithstanding any other provision of state law to the contrary, a compact state shall submit a uniform dataset to the coordinated database on all licensees as required by the rules, including:

- A. Identifying information;
- B. Licensure data;
- C. Significant investigatory information;
- D. Adverse actions against a psychologist's license;
- E. An indicator that a psychologist's authority to practice interjurisdictional telepsychology or temporary authorization to practice is revoked;
- F. Nonconfidential information related to alternative program participation information;
- G. Any denial of an application for licensure and the reasons for such denial; and
- H. Other information that may facilitate the administration of this compact, as determined by the rules.

3. Notice of adverse action. The coordinated database administrator shall promptly notify all compact states of any adverse action taken against or significant investigative information on any licensee in a compact state.

4. Designation of nonpublic information. Compact states reporting information to the coordinated database may designate information that may not be shared with the public without the express permission of the compact state reporting the information.

5. Expunging of data pursuant to law of compact state. Any information submitted to the coordinated database that is subsequently required to be expunged under the law of the compact state reporting the information must be removed from the coordinated database.

§3850. Establishment of the Psychology Interjurisdictional Compact Commission - Article 10

1. Commission established. The compact states hereby create and establish a joint public agency known as the Psychology Interjurisdictional Compact Commission.

- A. The commission is a body politic and an instrumentality of the compact states.
- B. Venue is proper and judicial proceedings by or against the commission must be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

C. Nothing in this compact may be construed to be a waiver of sovereign immunity.

2. Membership, voting and meetings. The commission must consist of one voting representative appointed by each compact state who serves as that state's commissioner. The state psychology regulatory authority shall appoint its delegate. This delegate is empowered to act on behalf of the compact state.

- A. This delegate must be limited to:
 - (1) An executive director, executive secretary or similar executive;
 - (2) A current member of the state psychology regulatory authority of a compact state; or
 - (3) A designee empowered with the appropriate delegate authority to act on behalf of the compact state.

B. Any commissioner may be removed or suspended from office as provided by the law of the state from which the commissioner is appointed. Any vacancy occurring in the commission must be filled in accordance with the laws of the compact state in which the vacancy exists.

C. Each commissioner is entitled to one vote with regard to the promulgation of rules and creation of bylaws and must otherwise have an opportunity to participate in the business and affairs of the commission. A commissioner shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for commissioners' participation in meetings by telephone or other means of communication.

D. The commission shall meet at least once during each calendar year. Additional meetings must be held as set forth in the bylaws.

E. All meetings are open to the public, and public notice of meetings must be given in the same manner as required under the rule-making provisions in section 3850 A.

F. The commission may convene in a closed, non-public meeting if the commission must discuss:

- (1) Noncompliance of a compact state with its obligations under the compact;
- (2) Employment, compensation, discipline or other personnel matters, practices or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;
- (3) Current, threatened or reasonably anticipated litigation against the commission;
- (4) The negotiation of contracts for the purchase or sale of goods, services or real estate;

(5) An accusation against any person of a crime or formally censuring any person;

(6) Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

(7) Disclosure of information of a personal nature when disclosure would constitute a clearly unwarranted invasion of personal privacy;

(8) Disclosure of investigatory records compiled for law enforcement purposes;

(9) Disclosure of information related to any investigatory reports prepared by or on behalf of or for use by the commission or other committee charged with responsibility for investigation or determination of compliance issues pursuant to the compact; or

(10) Matters specifically exempted from disclosure by federal and state statute.

G. If a meeting, or portion of a meeting, is closed pursuant to paragraph F, the commission's legal counsel or designee shall certify that the meeting may be closed and must reference each relevant subparagraph in paragraph F. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken and of any person participating in the meeting, and the reasons therefor, including a description of the views expressed. All documents considered in connection with an action must be identified in such minutes. All minutes and documents of a closed meeting must remain under seal, subject to release only by a majority vote of the commission or by order of a court of competent jurisdiction.

3. **Bylaws.** The commission shall, by a majority vote of the commissioners, prescribe bylaws and rules to govern its conduct as may be necessary or appropriate to carry out the purposes and exercise the powers of the compact, including but not limited to:

A. Establishing the fiscal year of the commission;

B. Providing reasonable standards and procedures:

(1) For the establishment and meetings of other committees; and

(2) Governing any general or specific delegation of any authority or function of the commission;

C. Providing reasonable procedures for calling and conducting meetings of the commission, ensuring reasonable advance notice of all meetings and providing an opportunity for attendance of such meetings by interested parties, with enumerated exceptions designed to protect the public's interest,

the privacy of individuals attending such proceedings and proprietary information, including trade secrets. The commission may meet in closed session only after a majority of the commissioners vote to close a meeting to the public in whole or in part. As soon as practicable, the commission shall make public a copy of the vote to close the meeting, revealing the vote of each commissioner with no proxy votes allowed;

D. Establishing the titles, duties, authority and reasonable procedures for the election of the officers of the commission;

E. Providing reasonable standards and procedures for the establishment of the personnel policies and programs of the commission. Notwithstanding any civil service or other similar law of any compact state, the bylaws must exclusively govern the personnel policies and programs of the commission;

F. Promulgating a code of ethics to address permissible and prohibited activities of commission members and employees;

G. Providing a mechanism for concluding the operations of the commission and the equitable disposition of any surplus funds that may exist after the termination of the compact after the payment or reserving of all of its debts and obligations;

H. Publishing its bylaws in a convenient form and filing a copy thereof and a copy of any amendment thereto with the appropriate agency or officer in each of the compact states;

I. Maintaining its financial records in accordance with the bylaws; and

J. Meeting and taking such actions as are consistent with the provisions of this compact and the bylaws.

4. **Powers of commission.** The commission has the following powers:

A. To promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The rules have the force and effect of law and are binding in all compact states;

B. To bring and prosecute legal proceedings or actions in the name of the commission, as long as the standing of any state psychology regulatory authority or other regulatory body responsible for psychology licensure to sue or be sued under applicable law is not affected;

C. To purchase and maintain insurance and bonds;

D. To borrow, accept or contract for services of personnel, including, but not limited to, employees of a compact state;

E. To hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals

appropriate authority to carry out the purposes of the compact and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel and other related personnel matters;

F. To accept any appropriate donations and grants of money, equipment, supplies, materials and services and to receive, utilize and dispose of the same, as long as at all times the commission strives to avoid any appearance of impropriety or conflict of interest;

G. To lease, purchase, accept appropriate gifts or donations of or otherwise to own, hold, improve or use any property, real, personal or mixed, as long as at all times the commission strives to avoid any appearance of impropriety;

H. To sell, convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose of any property, real, personal or mixed;

I. To establish a budget and make expenditures;

J. To borrow money;

K. To appoint committees, including advisory committees, composed of members, state regulators, state legislators or their representatives, consumer representatives and such other interested persons as may be designated in this compact and the bylaws;

L. To provide and receive information from, and to cooperate with, law enforcement agencies;

M. To adopt and use an official seal; and

N. To perform other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of psychology licensure, temporary in-person, face-to-face practice and telepsychology practice.

5. Executive board. The elected officers shall serve as the executive board, which has the power to act on behalf of the commission according to the terms of this compact.

A. The executive board is composed of 6 members:

(1) Five voting members who are elected from the current membership of the commission by the commission; and

(2) One ex officio, nonvoting member from the Association of State and Provincial Psychology Boards.

B. The ex officio member must have served as staff or been a member of a state psychology regulatory authority and is selected by the member's respective organization.

C. The commission may remove any member of the executive board as provided in the bylaws.

D. The executive board shall meet at least annually.

E. The executive board has the following duties and responsibilities:

(1) To recommend to the entire commission changes to the rules or bylaws, this compact, fees paid by compact states such as annual dues and any other applicable fees;

(2) To ensure compact administration services are appropriately provided, contractual or otherwise;

(3) To prepare and recommend the budget;

(4) To maintain financial records on behalf of the commission;

(5) To monitor compact compliance of member states and provide compliance reports to the commission;

(6) To establish additional committees as necessary; and

(7) To perform other duties as provided in the rules or bylaws.

6. Financing of commission. The commission shall pay or provide for the payment of the reasonable expenses of its establishment, organization and ongoing activities.

A. The commission may accept any appropriate revenue sources, donations and grants of money, equipment, supplies, materials and services.

B. The commission may levy and collect an annual assessment from each compact state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount must be allocated based upon a formula to be determined by the commission, which must promulgate a rule binding upon all compact states.

C. The commission may not incur obligations of any kind prior to securing the funds adequate to meet the same. The commission may not pledge the credit of any of the compact states, except by and with the authority of the compact state.

D. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission are subject to the audit and accounting procedures established under its bylaws. All receipts and disbursements of funds handled by the commission must be audited yearly

by a certified or licensed public accountant, and the report of the audit must be included in and become part of the annual report of the commission.

7. Qualified immunity, defense and indemnification. The members, officers, executive director, employees and representatives of the commission are immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred or that the person against whom the claim is made had a reasonable basis for believing the alleged act, error or omission occurred within the scope of commission employment, duties or responsibilities. Nothing in this subsection may be construed to protect any such person from suit or liability for any damage, loss, injury or liability caused by the intentional, willful or wanton misconduct of that person.

A. The commission shall defend any member, officer, executive director, employee or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error or omission that occurred within the scope of commission employment, duties or responsibilities or that the person against whom the claim is made had a reasonable basis for believing the alleged act, error or omission occurred within the scope of commission employment, duties or responsibilities if the actual or alleged act, error or omission did not result from that person's intentional, willful or wanton misconduct. Nothing in this paragraph may be construed to prohibit that person from retaining separate counsel.

B. The commission shall indemnify and hold harmless any member, officer, executive director, employee or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of commission employment, duties or responsibilities or that such person had a reasonable basis for believing the alleged act, error or omission occurred within the scope of commission employment, duties or responsibilities if the actual or alleged act, error or omission did not result from the intentional, willful or wanton misconduct of that person.

§3850-A. Rulemaking - Article 11

1. Authority to adopt rules. The commission may exercise its rule-making powers pursuant to the criteria set forth in this subchapter and the rules promulgated by the commission. Rules and amendments are binding as of the date specified in each rule or amendment.

2. Rejection of rule. If a majority of the legislatures of the compact states rejects a rule by enactment of a statute or resolution in the same manner used to adopt the compact, then such rule has no further force and effect in any compact state.

3. Adoption required at regular or special meetings. Rules or amendments to the rules must be adopted at a regular or special meeting of the commission.

4. Notice of rulemaking. Prior to promulgation and adoption of a final rule or rules by the commission, and at least 60 days in advance of the meeting at which the rule will be considered and voted upon, the commission shall file a notice of proposed rulemaking:

A. On the website of the commission; and

B. On the website of each state psychology regulatory authority or the publication in which each state would otherwise publish proposed rules.

The notice of proposed rulemaking must include the proposed time, date and location of the meeting in which the rule will be considered and voted upon; the text of the proposed rule or amendment and the reason for the proposed rule or amendment; a request for comments on the proposed rule from any interested person; and the manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments. Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions and arguments, which must be made available to the public.

5. Public hearing. The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

A. At least 25 persons who submit comments independently of each other;

B. A governmental subdivision or agency; or

C. A duly appointed person from an association that has at least 25 members.

6. Notice of public hearing. If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time and date of the scheduled public hearing.

A. All persons wishing to be heard at the hearing must notify the executive director of the commission or other designated member in writing of their desire to appear and testify at the hearing not less than 5 business days before the scheduled date of the hearing.

B. Hearings must be conducted in a manner that provides each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

C. A transcript of the hearing is not required, unless a written request for a transcript is made.

The person requesting the transcript shall bear the cost of producing the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This paragraph does not preclude the commission from making a transcript or recording of the hearing if it so chooses.

D. Nothing in this subsection may be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this subsection.

7. **Written comments.** Following the scheduled hearing date or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

8. **Final action.** The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rule-making record and the full text of the rule.

9. **Adoption of rule without hearing.** If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

10. **Emergency rules.** Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment or hearing. The usual rule-making procedures provided in the compact and in this section must be retroactively applied to the rule as soon as reasonably possible and in no event later than 90 days after the effective date of the rule. For the purposes of this subsection, an emergency rule is one that must be adopted immediately in order to:

- A. Meet an imminent threat to public health, safety or welfare;
- B. Prevent a loss of commission or compact state funds;
- C. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
- D. Protect public health and safety.

11. **Revisions.** The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency or grammatical errors. Public notice of any revisions must be posted on the website of the commission. The revision is subject to challenge by any person for a period of 30 days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule.

A challenge must be made in writing and delivered to the chair of the commission prior to the end of the notice

period. If a challenge is not made, the revision takes effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

§3850-B. **Oversight, dispute resolution and enforcement - Article 12**

1. **Oversight.** The executive, legislative and judicial branches of State Government in each compact state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder have standing as statutory law.

A. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a compact state pertaining to the subject matter of this compact that may affect the powers, responsibilities or actions of the commission.

B. The commission may receive service of process in any proceeding under paragraph A and has standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission renders a judgment or order void as to the commission, this compact or promulgated rules.

2. **Default, technical assistance and termination.** This subsection governs the default of a compact state.

A. If the commission determines that a compact state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

- (1) Provide written notice to the defaulting state and other compact states of the nature of the default, the proposed means of remedying the default and any other action to be taken by the commission; and
- (2) Provide remedial training and specific technical assistance regarding the default.

B. If a state in default fails to remedy the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the compact states and all rights, privileges and benefits conferred by this compact must be terminated on the effective date of termination. A remedy of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

C. Termination of membership in the compact may be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate must be submitted by the commission to the Governor, the majority and minority leaders of the defaulting state's Legislature and each of the compact states.

D. A compact state that has been terminated is responsible for all assessments, obligations and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

E. The commission may not bear any costs incurred by a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

F. The defaulting state may appeal the action of the commission by petitioning the United States District Court for the State of Georgia or the federal district where the compact has its principal offices. The prevailing member must be awarded all costs of such litigation, including reasonable attorney's fees.

3. Dispute resolution. Upon request by a compact state, the commission shall attempt to resolve disputes related to the compact that arise among compact states and between compact and non-compact states. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes that arise before the commission.

4. Enforcement. This subsection governs the commission's enforcement of the compact.

A. The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

B. By majority vote, the commission may initiate legal action in the United States District Court for the State of Georgia or the federal district where the compact has its principal offices against a compact state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. If judicial enforcement is necessary, the prevailing member must be awarded all costs of such litigation, including reasonable attorney's fees.

C. The remedies herein are not the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

§3850-C. Date of implementation of Psychology Interjurisdictional Compact Commission and associated rules; withdrawal; amendments - Article 13

1. Effective date. The compact comes into effect on the date on which the compact is enacted into law in the 7th compact state. The provisions, which become effective at that time, are limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet

and exercise rule-making powers necessary for the implementation and administration of the compact.

2. New compact state; application of rules. Any state that joins the compact subsequent to the commission's initial adoption of the rules is subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission has the full force and effect of law on the day the compact becomes law in that state.

3. Withdrawal. Any compact state may withdraw from this compact by enacting a statute repealing the same.

A. A compact state's withdrawal does not take effect until 6 months after enactment of the repealing statute.

B. Withdrawal does not affect the continuing requirement of the withdrawing state's psychology regulatory authority to comply with the investigative and adverse action reporting requirements of this compact prior to the effective date of withdrawal.

4. Construction. Nothing contained in this compact may be construed to invalidate or prevent any psychology licensure agreement or other cooperative arrangement between a compact state and a non-compact state that does not conflict with the provisions of this compact.

5. Amendment of compact. This compact may be amended by the compact states. An amendment to this compact is not effective and binding upon any compact state until it is enacted into the law of all compact states.

§3850-D. Construction and severability - Article 14

This compact must be liberally construed so as to effectuate the purposes thereof. If this compact is held contrary to the constitution of any state member thereto, the compact remains in full force and effect as to the remaining compact states.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF Licensing and Enforcement 0352

Initiative: Allocates ongoing funds for the cost of participating in the Psychology Interjurisdictional Compact.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$8,500	\$8,500

OTHER SPECIAL REVENUE	\$8,500	\$8,500
FUNDS TOTAL		

See title page for effective date.

**CHAPTER 332
S.P. 289 - L.D. 875**

**An Act To Protect Taxpayers
in the Privatization of Services
and To Establish the State
Procurement Review
Committee**

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

Sec. 1. 5 MRSA §18, sub-§1, ¶D, as enacted by PL 1979, c. 734, §2, is amended to read:

D. "Proceeding" means a proceeding, application, request, ruling, determination, award, contract, claim, controversy, charge, accusation, arrest or other matter relating to governmental action or inaction, but does not include an employee organization bid or contract to provide agency services under section 1816-B.

Sec. 2. 5 MRSA §18-A, sub-§4, as enacted by PL 2001, c. 203, §2, is amended to read:

4. Exemptions. This section does not apply:

- A. To purchases by the Governor under authority of Title 1, section 814;
- B. To contracts made with a corporation that has issued shares to the public for the general benefit of that corporation; or
- C. If an exemption is approved by the Director of the Bureau of General Services within the Department of Administrative and Financial Services or the director's designee based upon one of the following and if the director gives notice of the granting of this exemption to all parties bidding on the contract in question with a statement of the reason for the exemption and if an opportunity is provided for any party to appeal the granting of the exemption:

- (1) When the private entity or party that proposes to contract with the State and that employs the executive employee, based upon all relevant facts, is the only reasonably available source to provide the service or product to the State, as determined by the director; or
- (2) When the director determines that the amount of compensation to be paid to the private entity or party providing the service or product to the State is de minimis; or

D. To a contract by an employee organization to provide agency services under section 1816-B.

Sec. 3. 5 MRSA §1816-B is enacted to read:

§1816-B. Privatization of agency services

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

A. "Agency" means a state agency as defined in section 1552, subsection 6, but does not include the quasi-independent state entities listed in section 12021, subsection 6.

B. "Agency cost estimate" means the cost to the agency seeking to privatize services to provide the services in the most cost-efficient manner. "Agency cost estimate" is the total of all direct and indirect costs to provide the services, including but not limited to wages and pension, insurance and other employee benefit costs of agency employees.

C. "Agency employee" means an employee of the agency seeking to privatize services.

D. "Business day" means any calendar day, excluding Saturdays, Sundays and legal holidays listed in Title 4, section 1051.

E. "Commissioner" means the Commissioner of Administrative and Financial Services.

F. "Contract cost" means the total cost to the agency to privatize services. The total cost is the sum of the cost of the proposed bid designated pursuant to subsection 7, the costs of transition from public to private operation, the costs of any additional unemployment and retirement benefits and the costs of monitoring and otherwise administering contract performance.

G. "Contractor" means a nongovernmental person that has entered into a privatization contract with the State.

H. "Dependent" means the spouse or child of an employee if the spouse or child would qualify for dependent status under the United States Internal Revenue Code of 1986 or for whom a support order has been or could be granted under Title 19-A, section 1652, subsection 2.

I. "Employee organization" means an organization that has as its primary purpose the representation of employees in their employment relations with an employer under Title 26, chapter 9-B.

J. "Privatization contract" means an agreement or a combination or series of agreements by which a nongovernmental person agrees with an agency to provide services that are substantially similar to and in lieu of services provided, in whole or in part, by agency employees and that has an agency cost estimate of at least \$500,000 as of October 1, 2021

and annually increased by the amount of increase in the Consumer Price Index compiled by the United States Department of Labor, Bureau of Labor Statistics for the most recent 12-month period for which data are available. "Privatization contract" does not include:

(1) Any subsequent agreement to a privatization contract, including an agreement resulting from a rebidding of previously privatized service, or an agreement renewing or extending a privatization contract;

(2) A contract for information technology services provided to an agency if an employee organization representing the agency employees agrees to the terms of the contract in writing; or

(3) An agreement solely to provide legal, management consulting, planning, engineering or design services.

2. Privatization of services. Notwithstanding any provision of this chapter or chapter 156 to the contrary, an agency seeking to enter into a privatization contract shall, in consultation with the commissioner, comply with the requirements of this section.

A. Prior to issuing a request for proposals under subsection 5 for the privatization of services, an agency seeking to enter into a privatization contract shall prepare a written statement that includes:

(1) A summary of the services proposed to be the subject of the privatization contract, including the specific quantity and standard of quality of the services;

(2) The minimum wage rate for each position for which a contractor may employ a person pursuant to the privatization contract and for which the duties are substantially similar to the duties performed by an agency employee. The minimum wage rate must be the lowest classification under chapter 372 under which the comparable agency employee is paid or the average private sector wage rate for the position as determined by the commissioner from data collected by the Department of Administrative and Financial Services, Bureau of Human Resources and Bureau of General Services, whichever is lower; and

(3) The percentage paid by the State for the costs of health insurance plan coverage for the agency employees who are employed for not less than 20 hours per week and the percentage paid by the State for such costs for any dependent of such an employee.

B. A written statement created by an agency under paragraph A is a public record and must be filed, prior to issuance of a request for proposals, with the

commissioner, the Attorney General and employee organizations that represent agency employees.

C. Prior to issuing a request for proposals under subsection 5 for the privatization of services, an agency seeking to enter into a privatization contract shall determine the agency cost estimate. The agency cost estimate is confidential and not a public record until the day after the final day for the agency to receive sealed bids for the privatization contract pursuant to subsection 5, at which time the agency cost estimate becomes a public record and must be filed with the commissioner and the Attorney General.

3. Employee organization request for review; final agency action. An employee organization representing agency employees may file a written request for review with the commissioner regarding the contents of the written statement required in subsection 2, paragraph A within 10 business days of the date the statement was filed. The commissioner shall issue a written decision on the request for review within 15 business days of receiving the request for review. The commissioner's decision under this subsection constitutes final agency action for the purposes of judicial review under chapter 375, subchapter 7.

4. Collective bargaining agreement amendment. An employee organization representing agency employees may at any time before the final day for the agency to receive sealed bids pursuant to subsection 5 propose an amendment to any relevant collective bargaining agreement to which the employee organization is a party, but such a proposed amendment may take effect only if the effect of the proposed amendment is to reduce the agency cost estimate below the contract cost. A proposed amendment under this subsection is confidential and not a public record until the day after the final day for the agency to receive sealed bids for the privatization contract pursuant to subsection 5, at which time the proposed amendment becomes a public record and must be filed with the agency, the commissioner and the Attorney General.

5. Request for proposals. An agency seeking to enter into a privatization contract shall solicit competitive sealed bids for the privatization contract through the request for proposals process. The day designated by the agency upon which it will accept sealed bids must be the same for all parties.

A. The request for proposals for a privatization contract and the privatization contract must require the contractor to:

(1) Pay a rate no less than the minimum wage rate established pursuant to subsection 2, paragraph A, subparagraph (2) for each position subject to a minimum wage rate;

(2) Provide, to an employee employed for not less than 20 hours per week and to any dependent of the employee, health insurance plan coverage that is comparable to the health insurance plan coverage provided to agency employees;

(3) Pay not less than the percentage established pursuant to subsection 2, paragraph A, subparagraph (3) toward the cost of health insurance plan coverage for an employee employed for not less than 20 hours per week and for any dependent of such an employee;

(4) Submit quarterly payroll records to the agency, listing the name, address, social security number, hours worked and hourly wage rate paid for each employee in the previous quarter. Employee names, addresses and social security numbers are confidential;

(5) Offer available employee positions under the privatization contract to qualified agency employees who are displaced or terminated because of the privatization contract and who satisfy the nondiscriminatory hiring criteria of the contractor under subparagraph (6); and

(6) Comply with a policy of nondiscrimination and take affirmative steps to provide equal opportunity for any person protected by the Maine Human Rights Act.

B. The Attorney General may bring a civil action for equitable relief in Superior Court to enforce paragraph A or to prevent or remedy the dismissal, demotion or other action prejudicing any employee as a result of a report of a violation of paragraph A.

C. The term of a privatization contract, including renewals provided for in a privatization contract, may not exceed 5 years unless a longer term is approved by the commissioner.

D. A privatization contract may not be amended for the purpose or effect of avoiding a requirement of this section.

6. Employee organization bids. Agency employees who are represented by an employee organization may organize and request that the employee organization submit a bid on their behalf to provide the services to be privatized.

A. An employee organization, after consulting with any agency employees seeking to bid on a privatization contract, shall provide adequate resources for the purpose of encouraging and assisting agency employees to organize and submit a bid to provide the services to be privatized. For purposes of this paragraph, "adequate resources" means no less than the minimum level of assistance provided for in:

(1) The terms of the existing collective bargaining agreement covering the agency employees seeking to submit a bid;

(2) The terms of the expired collective bargaining agreement covering the agency employees seeking to submit a bid during the period of collective bargaining negotiations for a new agreement; or

(3) The terms of a comparable collective bargaining agreement covering individuals who provide similar services if the existing or expired collective bargaining agreement does not provide for a minimum level of assistance.

B. An employee organization bid under this subsection may be made as a joint venture with other persons.

C. An employee organization bid under this subsection is confidential and not a public record until the day after the agency designates the proposed winning bidder under subsection 7.

7. Review of bids; designation of winning bidder. After soliciting and receiving the submitted bids, an agency shall:

A. Publicly designate the bidder to which the agency proposes to award a privatization contract;

B. Determine the contract cost of the designated bid and file a cost analysis with the commissioner and the Attorney General. If the proposed bidder under paragraph A proposes to perform any or all of the contract outside the boundaries of the State, the contract cost must be increased by the amount of any lost income tax revenue to the State caused by the corresponding elimination of agency employees, as determined by the State Tax Assessor; and

C. Determine whether the contract cost under paragraph B is less than the agency cost estimate prepared pursuant to subsection 2, paragraph C. If the contract cost is equal to or more than the agency cost estimate, the agency may not enter into a privatization contract.

If a bid is received from an employee organization, the commissioner, or the commissioner's designee, may include staff from the Department of Administrative and Financial Services, Bureau of Human Resources in the bid review process authorized by section 1825-D.

8. Negotiation of privatization contract. If the contract cost calculated pursuant to subsection 7, paragraph B is less than the agency cost estimate, the agency may begin negotiating the terms of the privatization contract except that, if an employee organization bid is awarded the privatization contract pursuant to subsection 7, the Department of Administrative and Financial Services, Bureau of Human Resources shall negotiate

the terms of the privatization contract with the employee organization. If the contract cost is equal to or more than the agency cost estimate, the agency may not enter into a privatization contract. The privatization contract must be filed with the commissioner and the Attorney General prior to execution.

9. Attorney General authority. The authority of the Attorney General over the privatization of services is governed by this subsection.

A. At any time during the process of privatizing any services pursuant to this section, the Attorney General may:

- (1) Intervene in the process;
- (2) Require by summons the attendance and testimony under oath of state employees and the production of documents for the purpose of investigating whether the provisions set forth in this chapter and chapter 156 are met. All documents produced and testimony given to the Attorney General pursuant to this subparagraph are confidential. The Attorney General may seek an order from the Superior Court compelling compliance with a summons issued under this subparagraph; and
- (3) Bring an action in Superior Court in the name of the State against an agency when the Attorney General has reason to believe that a requirement of this section has not been met, the agency has acted unlawfully or beyond the scope of its authority, the actions or inactions of the agency are not supported by the record required by this section or the privatization of services is not in the public interest.

B. After the filing of a court action under this subsection, further action by an agency under this section must be stayed unless the court orders otherwise. During the period of the stay, any time period specified for agency action under this chapter or chapter 156 is tolled until the court action is dismissed by the Attorney General or the Superior Court orders an agency to take further action. Relief from the stay may be granted only upon a showing of compelling justification.

C. Except as provided in this paragraph, at least 10 business days prior to commencement of an action under this subsection, the Attorney General shall notify the agency and the commissioner of the proposed action and shall provide the commissioner and the agency an opportunity to confer with the Attorney General in person or by counsel or other representative as to the proposed action. The Attorney General may proceed without notice upon a showing by affidavit of immediate irreparable harm to the citizens of the State.

D. An action by the Attorney General under this subsection may seek to, among other things, restrain by temporary or permanent injunction the privatization of services under this section, and the court may make such other orders or judgments as may be necessary to prevent the privatization of services.

10. Rules; forms. The Department of Administrative and Financial Services may prescribe forms and adopt rules to carry out the provisions of this section and to ensure that the competitive bidding process under this section is consistent with the provisions of competitive bids under subchapter 1-A. Rules adopted pursuant to this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.

Sec. 4. 5 MRSA §1824-B is enacted to read:

§1824-B. State Procurement Review Committee

The State Procurement Review Committee, referred to in this section as "the committee," is established to oversee, subject to the provisions of section 1825-B, subsection 2, the purchase of services subject to this chapter that cost \$1,000,000 or more. The purchase of services that cost less than \$1,000,000 may be subject to this section at the discretion of the chair of the committee.

1. Membership. The membership of the committee includes:

- A. A member of the Governor's staff, appointed by the Governor;
- B. The director of the division of procurement services within the Department of Administrative and Financial Services or the director's designee;
- C. The State Budget Officer or the State Budget Officer's designee;
- D. The State Controller or the State Controller's designee; and
- E. The Attorney General or the Attorney General's designee, serving as a nonvoting member.

The Chief Information Officer or the Chief Information Officer's designee is a committee member when the services to be purchased by a department or agency are within the Chief Information Officer's responsibilities and duties under chapter 163.

2. Chair. The director of the division of procurement services within the Department of Administrative and Financial Services or the director's designee shall serve as chair of the committee.

3. Unanimous consent. A decision by the committee requires unanimous consent.

4. Requests for review. Prior to issuing a request for proposals, executing a contract or grant or renewing, extending, amending or otherwise altering an existing

contract or grant to purchase services that cost \$1,000,000 or more, a department or agency shall submit a request for review to the chair of the committee. The department or agency shall submit to the chair the request for proposals, proposed contract, contract amendment and related contract bid documents, as appropriate. The committee may request additional information and documentation from the department or agency.

5. Attorney General review. If the cost of the request for proposals, contract or grant or renewal, extension, amendment or other alteration to an existing contract or grant is likely to equal or exceed \$3,000,000, the department or agency shall give the Attorney General the opportunity to review the proposal, contract or grant or the renewal, extension, amendment or other alteration to an existing contract or grant prior to submitting a request for review pursuant to subsection 4. The Attorney General, or the Attorney General's designee, may review the terms of the proposal, contract or grant or the renewal, extension, amendment or other alteration to an existing contract or grant and notify the department or agency of any concerns with the terms.

6. Duties. The committee may approve a request to issue a request for proposals, execute a contract or grant or renew, extend, amend or otherwise alter an existing contract or grant subject to this section if the committee finds that:

A. The service to be provided under the contract or grant cannot be economically provided by a department or agency;

B. The contract or grant is the most economical, effective and appropriate means of providing the service;

C. The contract or grant will not impair the ability of a department or agency to meet its statutory duties and responsibilities under state or federal laws, rules or regulations; and

D. The contract or grant will not diminish the impact of statewide or other budgetary cost-saving initiatives.

7. Rules; forms. The Department of Administrative and Financial Services may prescribe forms and adopt rules to carry out the provisions of this section. Rules adopted pursuant to this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 333

H.P. 934 - L.D. 1274

**An Act Regarding 2021
Municipal Elections and Town
Meetings**

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 spread of the novel coronavirus referred to as COVID-19 has created a public health emergency; and

Whereas, in response to COVID-19, the World Health Organization has declared a pandemic, the President of the United States has declared a national emergency and the Governor of Maine has declared a civil state of emergency; and

Whereas, state and federal authorities, including the federal Centers for Disease Control and Prevention, the Department of Health and Human Services, Maine Center for Disease Control and Prevention and the Governor have recommended or placed limits on public gatherings; and

Whereas, the most recommended ways of avoiding infection and furthering the spread of the virus that causes COVID-19 are for authorities to reduce the number of public gatherings and for people to avoid large crowds; and

Whereas, municipal leaders seek to ensure public safety by acting in concert with public health guidelines to discourage large gatherings and also recognize the likelihood of low voter turnout at meetings or elections held, depriving voters of full participation in municipal decisions; and

Whereas, there is no procedure in Maine law to postpone a municipal secret ballot election or nomination process already in progress, and delay of municipal budget meetings will deprive municipal authorities of legal authority to spend and continue operations; and

Whereas, it is imperative that action be taken at the earliest possible moment to allow for continuity of services by municipalities despite the need to postpone meetings; 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:

Sec. 1. Failure to pass municipal budget; deemed approved; tax commitment. Notwithstanding any law or municipal charter provision to the contrary, if an annual municipal budget meeting is delayed beyond the date the annual budget is customarily submitted to the legislative body of that municipality for approval due to public health concerns arising from coronavirus disease 2019, referred to in this Act as COVID-19, the prior year's approved or deemed approved municipal budget is deemed the budget for the ensuing year until a final budget is approved. If a final budget is not approved in a timely manner and the municipal officers determine that property taxes must be committed in a timely manner to the tax collector pursuant to the Maine Revised Statutes, Title 36, section 709, the municipal assessor may commit property taxes on the basis of the municipal budget deemed approved under this section.

Sec. 2. Individual authorization of disbursements by municipal treasurer. Notwithstanding the Maine Revised Statutes, Title 30-A, section 5603, subsection 2, paragraph A or any other law or municipal charter provision or ordinance to the contrary, for the duration of a state of emergency declared by the Governor in accordance with Title 37-B, section 742 due to the outbreak of COVID-19 and for 30 days following the termination of that state of emergency, a municipal treasurer may disburse money on the authority of a warrant drawn for that purpose seen and signed individually by a majority of the municipal officers outside of a public meeting.

Sec. 3. Postponement of secret ballot election. Notwithstanding any law or municipal charter provision or ordinance to the contrary, beginning January 15, 2021, the municipal officers may postpone the date of a scheduled municipal secret ballot election when nomination papers have already been issued or filed by posting notice in a conspicuous public location at least 2 days prior to the date of the election. The notice must be signed by a majority of the municipal officers and must either:

1. State a specific date and time during which the polls will be open to complete the election; or
2. State that the date of a rescheduled election will be determined by the municipal officers.

The rescheduled election must be noticed by a warrant calling the election that is approved and posted pursuant to the Maine Revised Statutes, Title 30-A, section 2523 at least 7 days prior to the date of the rescheduled election.

If ballots have been printed for the postponed election, the municipality may use those ballots despite inclusion of the original election date. If absentee ballots have been issued and returned, the municipality

shall use the ballots printed for the originally scheduled election. The municipal clerk shall safeguard and secure any absentee ballots already returned until the date of the rescheduled election and shall process them as required by the Maine Revised Statutes, Title 21-A. During the interim period between the originally scheduled election and rescheduled election, the clerk may continue to issue and accept absentee ballots and applications and allow voting in the presence of the clerk pursuant to Title 21-A.

A municipal secret ballot referendum election is subject to the same rescheduling, ballot and absentee ballot provisions as set forth in this section.

Sec. 4. Referendum vote hearing requirement. The hearing required by the Maine Revised Statutes, Title 30-A, section 2528, subsection 5 or municipal charter before a referendum vote may be conducted via remote means following the requirements established for remote board meetings in Public Law 2019, chapter 617, Part G.

Sec. 5. Secret ballot election. Notwithstanding any law or municipal charter provision to the contrary, the Maine Revised Statutes, Title 30-A, section 2528, subsection 1 is suspended to allow the municipal officers of a municipality that has not voted to accept secret ballot voting to nevertheless do so during the state of emergency declared by the Governor in accordance with Title 37-B, section 742 due to the outbreak of COVID-19. Elected officials in those municipalities may remain in office until an election pursuant to Title 30-A, section 2525.

Sec. 6. Referendum wording deadline. The requirement in the Maine Revised Statutes, Title 30-A, section 2528, subsections 4 and 5 that municipal officers file with the clerk an order establishing the wording of a referendum question by the 60th day before a referendum election is suspended and modified to provide for such filing by the 30th day before the referendum.

Sec. 7. Written ballot exception. Solely to the extent that the Maine Revised Statutes, Title 30-A, section 5721-A, subsection 7, paragraph A requires a written ballot to exceed or increase the property tax levy limit at an open town meeting held in compliance with relevant gathering limits, it is suspended in favor of either a show of hands or a voice vote during the state of emergency declared by the Governor in accordance with Title 37-B, section 742 due to the outbreak of COVID-19.

Sec. 8. Retroactivity; repeal. This Act applies retroactively to January 15, 2021 and is repealed the earlier of June 30, 2022 and the end of the state of emergency declared by the Governor in accordance with the Maine Revised Statutes, Title 37-B, section 742 due to the outbreak of COVID-19.

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

Effective June 23, 2021.

CHAPTER 334

H.P. 496 - L.D. 669

**An Act To Ensure Public Ways
Are Compliant with the
Federal Americans with
Disabilities Act of 1990**

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

Sec. 1. 23 MRSA §709 is enacted to read:

§709. Americans with Disabilities Act of 1990 compliance

Whenever the Department of Transportation undertakes a project for construction or reconstruction of a public way, the owner of an aboveground facility, including but not limited to poles, guys, hydrants, transformers or other utility facilities, within that portion of the public way shall ensure that the facility meets the requirements of the Americans with Disabilities Act of 1990. Any alteration, relocation or expense necessary to meet the requirements of the Americans with Disabilities Act of 1990 is the sole responsibility of the facility owner.

Sec. 2. 23 MRSA §3055 is enacted to read:

§3055. Americans with Disabilities Act of 1990 compliance

Whenever a municipality undertakes a project for construction or reconstruction of a public way, the owner of an aboveground facility, including but not limited to poles, guys, hydrants, transformers or other utility facilities, within that portion of the public way shall ensure that the facility meets the requirements of the Americans with Disabilities Act of 1990. Any alteration, relocation or expense necessary to meet the requirements of the Americans with Disabilities Act of 1990 is the sole responsibility of the facility owner.

See title page for effective date.

CHAPTER 335

H.P. 790 - L.D. 1061

**An Act To Protect Minor
Political Parties That Seek To
Retain Qualified Party Status**

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

Sec. 1. 21-A MRSA §301, sub-§1, ¶E, as amended by PL 2017, c. 254, §1, is further amended to read:

E. ~~At~~ The party's candidate for Governor or for President received at least 5% of the total votes cast in the State for Governor or for President in the last preceding gubernatorial or presidential election or at least 10,000 voters were enrolled in the party voted in as of the last general election, except that a qualified party does not have to meet ~~this enrollment~~ the requirements of this paragraph until the 2nd general election after it has qualified and thereafter.

See title page for effective date.

CHAPTER 336

H.P. 839 - L.D. 1161

**An Act Concerning Marina-
based Restaurants in the
Shoreland Zone**

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

Sec. 1. 38 MRSA §439-A, sub-§4-D is enacted to read:

4-D. Exemption for expansion of an existing restaurant associated with an existing marina. In accordance with the provisions of this subsection, a municipality may adopt an ordinance that allows the expansion of a restaurant that is part of a marina that has been permitted in accordance with all applicable state and local requirements.

A. Notwithstanding subsection 4, a municipality may adopt an ordinance pursuant to this subsection that allows the expansion of a restaurant that is part of a marina that has been permitted in accordance with all applicable state and local requirements if the following requirements are met:

- (1) The restaurant expansion is not located over a water body or wetland;
- (2) The restaurant expansion is not located any closer to the water body or wetland than the existing restaurant; and
- (3) The restaurant and the marina that the restaurant is a part of have both been in existence as of January 1, 2021.

B. Except for the water and wetland setback requirements in subsection 4, the expansion of a restaurant that is part of a marina that meets the requirements of this subsection must meet all other

state and local permit requirements and comply with all other applicable rules.

See title page for effective date.

**CHAPTER 337
H.P. 1033 - L.D. 1399**

**An Act To Continue
Temporary Modification of
Certain In-person Notarization
and Acknowledgement
Requirements and Developing
Permanent Implementation of
Remote and Online
Notarization**

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

Whereas, Executive Order 37 FY 19/20 as amended by Executive Order 37-A FY 19/20 has provided authorization for remote notarization with appropriate safeguards during the state of emergency declared by the Governor; and

Whereas, the need for providing for remote notarization beyond the state of emergency is universally recognized; and

Whereas, a thorough review of the notarization laws is necessary to update the State's laws and to incorporate long-term remote authorization procedures; and

Whereas, the review and enactment might not be completed by the time the state of emergency terminates; 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:

Sec. 1. 4 MRSA §961 is enacted to read:

§961. Continuation of temporary modification of certain in-person notarization and acknowledgement requirements

This section is intended to continue the effect of Executive Order 37 FY 19/20 as amended by Executive Order 37-A FY 19/20 beyond the end of the state of emergency declared by the Governor pursuant to Title 37-B, section 742 until January 1, 2023.

1. Remote notarization. This section applies to all laws of the State that require a signature to be acknowledged, witnessed or notarized in person, with the exceptions of solemnizing marriages, administering oaths to circulators of state or local direct initiatives of legislation or referendum petitions and nomination petitions of candidates for electoral office and absentee ballots in state and local elections. This section authorizes remote, not electronic, notarization. This section does not affect any requirements under laws of this State pertaining to the taking of sworn statements and acknowledgments by notaries and those authorized to perform notarial acts other than the requirement to appear in person.

2. Requirements. Until January 1, 2023, with the exceptions noted in subsection 1, the enforcement of the laws of this State pertaining to notarization that require the physical presence of the person whose oath is being taken and who is signing a document, referred to in this section as "the signatory," at the same location as the notary public or other person authorized to perform a notarial act, referred to in this section as "the notary," and any witness to the signing are suspended as long as the following conditions are met:

A. The notary is physically within the State while performing the notarial act and follows any additional guidance for remote notarization issued by the Secretary of State;

B. The act of notarization or witnessing required by law is completed remotely using 2-way audio-visual communication technology and:

(1) The 2-way audio-visual communication technology allows direct contemporaneous interaction between the signatory, the notary and any witness by sight and sound in real time. Prerecording is not permitted;

(2) The signatory is reasonably identified by the notary in one of the following ways:

(a) The signatory is personally known to the notary;

(b) The signatory presents a valid photo identification to the notary during the 2-way audio-visual communication; or

(c) The oath or affirmation is provided by a witness who:

(i) Is in the physical presence of either the notary or the signatory; or

(ii) Is able to communicate with the notary and the signatory simultaneously by sight and sound through 2-way audio-visual communication technology at the time of the notarization, if the witness has personal knowledge of the signatory and has

been reasonably identified by the notary under division (a) or (b);

(3) The signatory attests to being physically located in the State and affirmatively states the name of the county in which the signatory is located at the time of execution during the 2-way audio-visual communication;

(4) The notary and any witness attest to being physically located in the State during the 2-way audio-visual communication;

(5) For wills and powers of attorney, the notary or at least one witness is an attorney licensed to practice law in the State;

(6) Before any documents are signed, the notary is able to view by 2-way audio-visual communication technology the entire space in which the signatory and any witness is located, and any person who is present in those spaces states the person's name while in clear view of the notary;

(7) The signatory affirmatively states on the 2-way audio-visual communication which document the signatory is signing, and the notary is provided with a copy of the document prior to the signing;

(8) Each page of the document being witnessed is shown to the notary and any witness on the 2-way audio-visual communication in a means clearly legible to the notary and initialed by the signatory in the presence of the notary and any witness;

(9) The act of signing and of initialing pursuant to subparagraph (8) is captured sufficiently close to the 2-way audio-visual communication technology for the notary to observe;

(10) The signatory transmits by fax or other electronic means, which may include transmitting a photograph of every page by cellular telephone, a legible copy of the entire signed document directly to the notary and any witness immediately after signing the document or, if that is not possible, no later than 24 hours after the signatory's signing of the document;

(11) The signatory sends the original signed document directly to the witness within 96 hours after the signatory's execution of the document or to the notary if no witness is involved;

(12) Within 96 hours after receiving the original signed document from the signatory, the witness signs it and sends it to the 2nd witness, if any, or to the notary if no other witness is involved. Within 96 hours after receiving the original signed document signed by the first

witness, the 2nd witness signs it and sends it to the notary. The official date and time of each witness's signature is the date and time when the witness witnesses the signatory's signature using the 2-way audio-visual communication technology; and

(13) Upon review of the original signed document and satisfactory comparison with the faxed or other electronic document provided on the date of signing, the notary notarizes the original document within 96 hours after receiving the original signed document; the official date and time of the notarization is the date and time when the notary witnessed the signature using the 2-way audio-visual communication technology. The notary shall add the following language below the notary and witness signature lines on the original signed document: "Notarized (and/or witnessed) remotely, in accordance with the Maine Revised Statutes, Title 4, section 961."

Any witness required or permitted to properly execute any original document according to law may similarly witness the signing of the document by the signatory using 2-way audio-visual communication technology and may sign as a witness to the document upon receipt of the original document; and

C. A recording of the 2-way audio-visual communication is made and preserved by the notary for a period of at least 5 years from the date of the notarial act. The notary shall provide a copy of the recording to the signatory and the Secretary of State upon request.

3. **Validity.** Any document that is required under law to be notarized in the presence and hearing or in a similar manner of a signatory, and that is signed, notarized or witnessed in accordance with the terms of this section is deemed to have been signed, notarized or both in the presence and hearing of the signatory.

The validity and recognition of a notarization or witnessing under this section may not prevent an aggrieved person from seeking to invalidate a record or transaction that is the subject of a notarization or from seeking other remedies based on state or federal law other than this section for any reason not addressed in this section, such as incapacity, absence of authority or undue influence.

The failure of a notary or a witness to meet a requirement specified in this section may not invalidate or impair the recognition of a notarization performed by the notary if it was performed in substantial compliance with this section.

4. **Remote notarization not required.** This section does not require a notary to perform remote notarization.

5. Judicial notice. It is the intent of the Legislature that the acts, records and proceedings under this section receive full faith and credit in the courts of the United States and other states.

Sec. 2. Secretary of State guidance. The Secretary of State shall, using existing budgeted resources or available grants or other funding sources, provide guidance consistent with this Act and protect the integrity of the remote notarization process.

Sec. 3. Secretary of State remote and online notarization study. The Secretary of State shall conduct a study on remote and online notarization and develop recommendations for permanently implementing remote and online notarization in this State. In conducting the study under this section, the Secretary of State shall seek input from a Maine association of real estate agents and the Maine State Bar Association, Maine Bankers Association, Maine Credit Union League, Legal Services for the Elderly, Maine Registers of Deeds Association, Maine Real Estate and Development Association, Uniform Law Commission, Maine Probate and Trust Law Advisory Commission and others.

Sec. 4. Report; legislation. By February 1, 2022, the Secretary of State shall submit a report, including recommended legislation, based on the study in section 3, as well as any other recommendations related to the Revised Uniform Law on Notarial Acts to the Joint Standing Committee on Judiciary. The report must include a plan to implement the recommendations including a deadline for implementation. The Joint Standing Committee on Judiciary may submit legislation related to the report to the Second Regular Session of the 130th Legislature.

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

Effective June 23, 2021.

CHAPTER 338

S.P. 309 - L.D. 957

**An Act To Authorize
Expanded Deferred Disposition
Requirements**

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

Sec. 1. 17-A MRSA §1902, sub-§1, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

1. Authority of court to order deferment and impose requirements; administrative supervision fee. Following the acceptance of a plea of guilty for a crime for which a person is eligible for a deferred dis-

position under section 1901, the court may order sentencing deferred to a date certain or determinable and impose requirements upon the person, to be in effect during the period of deferment, considered by the court to be reasonable and appropriate to assist the person to lead a law-abiding life. The court-imposed deferment requirements may include a requirement that the person participate for a specified number of days in a program run by a county sheriff that may involve overnight housing, community service work and education. The court-imposed deferment requirements must include a requirement that the person refrain from criminal conduct and may include a requirement that the person pay to the appropriate county an administrative supervision fee of not more than \$50 per month, as determined by the court, for the term of the deferment. In determining the amount of the fee, the court shall take into account the financial resources of the person and the nature of the burden its payment imposes. In exchange for the deferred sentencing, the person shall abide by the court-imposed deferment requirements. Unless the court orders otherwise, the requirements are immediately in effect.

Sec. 2. 30-A MRSA §1606, sub-§1, as amended by PL 2011, c. 506, §1, is further amended to read:

1. Participation in public works projects authorized. The sheriff in charge of a county jail, or the sheriff of a county that shares a regional jail with other counties, may permit certain inmates of that jail, as well as others required to do so pursuant to Title 17-A, section 1902, subsection 1, to participate in public works-related projects or in the improvement of property owned by charitable organizations in that county or another county. A project or improvement must be supervised by the sheriff of the county in which the project or improvement is being conducted. The sheriff may request payment from charitable organizations for the transportation of the prisoners and for the transportation and per diem compensation for any guards who accompany the prisoners. For the purposes of this section, "charitable organization" means any nonprofit organization organized or incorporated in this State or having a principal place of business in this State that is exempt from federal income taxation under the United States Internal Revenue Code of 1986, Section 501(a), because the nonprofit organization is described in the United States Internal Revenue Code of 1986, Section 501(c)(3).

See title page for effective date.

CHAPTER 339
H.P. 709 - L.D. 963

An Act To Ensure Culturally Informed Programs and Services for Adjudicated Juveniles in the Custody of the Department of Corrections

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

Sec. 1. 34-A MRSA §1402, sub-§10-A is enacted to read:

10-A. Culturally informed treatment and recovery programs. The commissioner shall ensure that any residential or nonresidential treatment or recovery programs established by the commissioner and serving a juvenile who has been adjudicated of a juvenile crime and who has not attained 21 years of age provide for that juvenile culturally informed treatment plans and modalities and culturally informed community reintegration services and provide language services for that juvenile and the juvenile’s family and support system.

Sec. 2. 34-A MRSA §1402, sub-§10-B is enacted to read:

10-B. Culturally informed prevention, diversion and restorative justice programs. The commissioner shall ensure that any prevention, diversion or restorative justice programs established by the commissioner and serving a juvenile who has been adjudicated of a juvenile crime and who has not attained 21 years of age provide for that juvenile culturally informed services, including, but not limited to, referrals to community based services and supports, housing, case management, education and employment resources, and provide language services for that juvenile and the juvenile’s family and support system, as necessary.

See title page for effective date.

CHAPTER 340
H.P. 765 - L.D. 1030

An Act Regarding Courts' Authority To Protect Children When a Parent Has Been Awarded Sole Parental Rights and Responsibilities

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

Sec. 1. 18-C MRSA §5-204, sub-§2, ¶C, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

C. By clear and convincing evidence that the parents are unwilling or unable to exercise their parental rights, including but not limited to the following situations:

- (1) The parent is currently unwilling or unable to meet the minor's needs and that will have a substantial adverse effect on the minor's well-being if the minor lives with the parent; ~~or~~
- (2) The parent has failed, without good cause, to maintain a parental relationship with the minor, including but not limited to failing to maintain regular contact with the minor for a length of time that evidences an intent to abandon the minor; ~~or~~
- (3) A prior court order concerning the minor granted another parent, who is now deceased, exclusive parental rights and responsibilities with respect to all aspects of the minor's welfare without reserving for the parent who is now the respondent in the guardianship proceeding any rights to make decisions, to have access to records or to have contact with the minor and:

(a) Such order was in effect at the time of the death of the parent awarded exclusive parental rights and responsibilities; and

(b) There is neither a substantial change in circumstances between the time of the entry of the order and the parent's death nor other facts that would render a finding based on the order to be inequitable or unjust.

Sec. 2. 19-A MRSA §1658, as repealed and replaced by PL 2015, c. 427, §1, is amended to read:

§1658. Termination of parental rights and responsibilities in ~~cases involving sexual assault~~

~~This section applies to the termination of parental rights and responsibilities with respect to a specific child conceived as a result of an act of sexual assault by the parent of that child.~~

1. Petitioner. ~~The~~ A petition for termination of a parent's parental rights and responsibilities with respect to a specific child may be filed by ~~the other~~ another parent or, ~~if the other parent is a minor,~~ the parent or guardian of ~~the other parent~~ a child's minor parent on any grounds set forth in subsection 3. A parent may not file a petition under this section to terminate the parent's own parental rights and responsibilities.

1-A. Filing and contents of petition. A petition to terminate parental rights and responsibilities must be filed in the District Court and in the same case as a prior adjudication of parental rights and responsibilities, if

any. The petition must be sworn and must include at least the following:

- A. The name and date and place of birth of the child;
- B. The name and address of the petitioner and the nature of the petitioner's relationship to the child;
- C. The name of each of the child's parents;
- D. A summary statement of the alleged facts that the petitioner believes constitute grounds for termination under subsection 2;
- E. A statement of the effects of a termination order; and
- F. A statement that the parent whose rights and responsibilities are the subject of the petition to terminate parental rights and responsibilities is entitled to legal counsel in the termination proceedings and that, if the parent wants an attorney and is unable to afford one, the parent should contact the court as soon as possible to request appointed counsel.

2. Petition Grounds for petition. The petitioner may file a petition with the District Court that requests the termination of the parental rights and responsibilities of the parent and alleges following allegations, if proven, are sufficient grounds to terminate a parent's parental rights and responsibilities under this section:

- A. ~~That the~~ The parent was convicted of a crime involving sexual assault, as defined in Title 17-A, section 253, 254 or 556, or a comparable crime in another jurisdiction, that resulted in the conception of the child; or
- B. ~~That the~~ The child was conceived as a result of an act of sexual assault, as defined in Title 17-A, section 253, 254 or 556, or a comparable crime in another jurisdiction; or
- C. A final order, other than in a protection from abuse matter under chapter 101, that has been in effect for at least 12 months grants the petitioner exclusive parental rights and responsibilities with respect to all aspects of the child's welfare, with the exception of the right and responsibility for support, without reserving for the parent any rights to make decisions, to have access to records or to have contact with the child, and termination of the parent's parental rights and responsibilities is necessary to protect the child from serious harm or the threat of serious harm.

2-A. Procedure on petition to terminate parental rights and responsibilities. Once a petition to terminate parental rights and responsibilities is filed, the following procedure applies.

- A. The court shall appoint an attorney for a parent who is the subject of a petition to terminate parental

rights and responsibilities under this section and who is indigent. In a contested action, the court may also appoint counsel for any indigent petitioner who files a petition under this section when the parent who is the subject of the petition is represented by counsel.

B. The court shall appoint a guardian ad litem for the child if the petition to terminate parental rights and responsibilities is brought under subsection 2, paragraph C. The appointment may be made at any time, but the court shall make every effort to make the appointment as soon as possible after the commencement of the proceeding.

C. The court may hold a status conference prior to scheduling a hearing on the petition to terminate parental rights and responsibilities.

D. The court may refer the parties to mediation prior to conducting a hearing on a petition to terminate parental rights and responsibilities.

E. A parent may consent to an order terminating the parent's rights and responsibilities after a judge has fully explained the effects of the termination order and if such consent is written and voluntarily and knowingly executed in court. A parent's consent to the order is not a sufficient basis to enter an order in the absence of the findings required in subsection 3-A and any other applicable provisions of this section.

F. The federal Indian Child Welfare Act of 1978, United States Code, Title 25, Section 1901 et seq., governs all proceedings under this section that pertain to an Indian child as defined in that Act.

G. Proceedings and records under this section are not public unless the court orders otherwise. The Supreme Judicial Court may adopt rules governing requests for access to these proceedings and records.

3. Termination. Except as provided in subsection 4, if the petitioner proves the allegation in subsection 2, paragraph A by a preponderance of the evidence, the court shall terminate the parental rights and responsibilities of the parent. If the petitioner proves the allegation in subsection 2, paragraph B by clear and convincing evidence, the court may terminate the parental rights and responsibilities of the parent.

3-A. Termination. The court:

- A. Shall order termination of the parent's parental rights and responsibilities if the court finds based on a preponderance of the evidence that the petitioner has proven the allegations in subsection 2, paragraph A unless the court determines that the exception in subsection 4 applies; or

B. May order termination of the parent's parental rights and responsibilities if the court finds based on clear and convincing evidence:

(1) That the petitioner has proven the allegations in subsection 2, paragraph B; or

(2) That the petitioner has proven the allegations in subsection 2, paragraph C and, if so, that the termination is also in the best interest of the child. Evidence that termination is necessary to protect the child from harm or threat of serious harm may include, but is not limited to, proof of:

(a) The parent's conduct demonstrating an intent to permanently forgo all parental duties or relinquish parental claims regarding the child when that conduct results in harm or threat of harm to the child; or

(b) The parent's acts of abuse, as defined in section 4002, subsection 1, upon the petitioner or a minor child in the parent's or petitioner's household.

Except as provided in this section or in Title 18-C, section 9-204, a court may not terminate the parental rights and responsibilities of a parent on a petition filed by another parent or the parent or guardian of a child's minor parent.

4. Exception. The court is not required to terminate the parental rights and responsibilities of a parent convicted of gross sexual assault under Title 17-A, section 253, subsection 1, paragraph B that resulted in the conception of the child if:

A. The parent or guardian of the other parent filed the petition;

B. The other parent informs the court that the sexual act was consensual; and

C. The other parent opposes the termination of the parental rights and responsibilities of the parent convicted of the gross sexual assault.

5. Effects of termination order. An order terminating parental rights and responsibilities under this section has the effects set forth in Title 22, section 4056.

Sec. 3. 22 MRSA §4052, sub-§1, as amended by PL 1997, c. 715, Pt. B, §12, is further amended to read:

1. Petitioner. A termination petition may be brought by the custodian custodial parent of the child, by the parent or guardian of another parent of the child if that parent is a minor, by a person who has filed a petition to adopt the child pursuant to Title 18-C, Article 9 or by the department. If the petitioner is a parent of the child or a parent or guardian of another parent

of the child if that parent is a minor, the court shall follow the requirements of Title 19-A, section 1658. If the petitioner is also petitioning to adopt the child, the court shall follow the requirements of Title 18-C, section 9-204.

Sec. 4. 22 MRSA §4052, sub-§3, as amended by PL 1981, c. 369, §14, is further amended to read:

3. Contents of petition. A termination petition ~~shall~~ must be sworn and ~~shall~~ must include at least the following:

A. The name, date and place of birth and municipal residence, if known, of the child;

B. The name and address of the petitioner and the nature of ~~his~~ the petitioner's relationship to the child;

C. The name and municipal residence, if known, of each of the child's parents;

D. The names and address of the guardian ad litem of the child in ~~the~~ any related child protection proceeding, parental rights and responsibilities proceeding or adoption proceeding;

E. A summary statement of the facts ~~which~~ that the petitioner believes constitute the basis for the request for termination;

F. An allegation ~~which~~ that is sufficient for termination;

G. A statement of the effects of a termination order; and

H. A statement that the parents are entitled to legal counsel in the termination proceedings and that, if they want an attorney and are unable to afford one, they should contact the court as soon as possible to request appointed counsel.

Sec. 5. 22 MRSA §4055, sub-§1, as amended by PL 2017, c. 402, Pt. C, §69 and affected by PL 2019, c. 417, Pt. B, §14, is further amended to read:

1. Grounds. The court may order termination of parental rights if:

A. One of the following conditions has been met:

(1) Custody has been removed from the parent under:

(a) Section 4035 or 4038;

(b) Title 19-A, section 1502 or 1653;

(c) Section 3792 prior to the effective date of this chapter; or

(d) Title 15, section 3314, subsection 1, paragraph C-1; or

(2) The petition has been filed as part of an adoption proceeding in Title 18-C, Article 9 or by a parent of the child or a parent or guardian

of another parent of the child if that parent is a minor pursuant to Title 19-A, section 1658; and

B. Either:

(1) ~~The parent consents to the termination. Consent shall be after a judge has fully explained the effects of a termination order and such consent is written and voluntarily and knowingly executed in court before a judge. The judge shall explain the effects of a termination order; or~~

(2) The court finds, based on clear and convincing evidence, that:

(a) Termination is in the best interest of the child; and

(b) Either:

(i) The parent is unwilling or unable to protect the child from jeopardy and these circumstances are unlikely to change within a time which is reasonably calculated to meet the child's needs;

(ii) The parent has been unwilling or unable to take responsibility for the child within a time which is reasonably calculated to meet the child's needs;

(iii) The child has been abandoned; or

(iv) The parent has failed to make a good faith effort to rehabilitate and reunify with the child pursuant to section 4041-; or

(3) In the case of a petition brought as part of an adoption proceeding pursuant to Title 18-C, Article 9 or by a parent of the child or a parent or guardian of another parent of the child if that parent is a minor pursuant to Title 19-A, section 1658, the court finds that the applicable standards for termination of parental rights have been proven.

See title page for effective date.

**CHAPTER 341
S.P. 326 - L.D. 1036**

An Act To Allow a State Employee To Use a Federal Military Health Insurance Program and Reenroll upon Retirement in the State's Group Health Plan

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

Sec. 1. 5 MRSA §285, sub-§1, ¶G, as amended by PL 2019, c. 669, §1, is further amended by amending subparagraph (2) to read:

(2) After April 26, 1968, retire and who on the date of their retirement are currently enrolled in this group health plan as employees unless the employees meet the requirements in subsection 3-E;

Sec. 2. 5 MRSA §285, sub-§1-A, ¶B, as amended by PL 1997, c. 652, §2 and affected by §4, is further amended to read:

B. If retiring but not retiring on a disability retirement, have participated, as an employee, in the group health plan for at least one year immediately prior to retirement except as provided in subsection 3-E;

Sec. 3. 5 MRSA §285, sub-§3-E is enacted to read:

3-E. Employees eligible for military health coverage may decline coverage and reenroll. An employee eligible for a group health plan under subsection 1 may elect to decline or withdraw from coverage under the plan as long as the employee demonstrates that the employee is eligible for coverage under the Civilian Health and Medical Program for the Uniformed Services, known as TRICARE, and to reenroll in the plan at a later date pursuant to the provisions of this subsection.

A. The employee must demonstrate that the employee was covered under the Civilian Health and Medical Program for the Uniformed Services, known as TRICARE, for at least 18 months immediately prior to reenrollment.

B. Any conditions on eligibility or coverage under subsection 1-A, paragraph D or E continue to apply at the time of reenrollment.

C. The employee may reenroll in the same contract type in which the employee was enrolled at the time the employee declined or withdrew from coverage.

D. An election under this subsection, which may be made only once, must be made either:

(1) Upon the termination of eligibility for coverage under a federal military health insurance program; or

(2) At the time of retirement.

E. If a spouse or dependent of the employee was enrolled in the plan at the time the employee withdrew pursuant to this subsection, the spouse or dependent may reenroll if the spouse or dependent meets the 18-month coverage criteria set forth in paragraph A.

See title page for effective date.

**CHAPTER 342
H.P. 771 - L.D. 1043**

**An Act Concerning the
Unannounced Execution of
Search Warrants**

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

Sec. 1. 25 MRSA §2803-B, sub-§1, ¶L, as amended by PL 2019, c. 411, Pt. C, §3 and affected by Pt. D, §3, is further amended to read:

L. Mental illness and the process for involuntary commitment, and the process pursuant to Title 34-B, section 3862-A; ~~and~~

Sec. 2. 25 MRSA §2803-B, sub-§1, ¶M, as enacted by PL 2013, c. 147, §20, is amended to read:

M. Freedom of access requests. The chief administrative officer of a municipal, county or state law enforcement agency shall certify to the board annually that the agency has adopted a written policy regarding procedures to deal with a freedom of access request and that the chief administrative officer has designated a person who is trained to respond to a request received by the agency pursuant to Title 1, chapter 13; ~~and~~

Sec. 3. 25 MRSA §2803-B, sub-§1, ¶N is enacted to read:

N. Unannounced execution of search warrants.

See title page for effective date.

**CHAPTER 343
S.P. 357 - L.D. 1096**

**An Act To Clarify the Rule-
making Authority of the
Supreme Judicial Court
Concerning Electronic Records
and Filing**

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

Sec. 1. 4 MRSA §8-C, sub-§1, as enacted by PL 2015, c. 78, §1, is amended to read:

1. Rules and orders; processes and procedures. Notwithstanding any other provision of law, the Supreme Judicial Court may adopt rules and issue orders to permit or require the use of electronic forms, filings, records, e-mail and electronic signatures whenever paper forms, filings, records, written notice, postal mail and written signatures are required for judicial, legal or any other court-related process under the Maine Revised Statutes.

The Supreme Judicial Court, by rule, may determine any other processes or procedures appropriate to ensure adequate preservation, disposition, integrity, security, appropriate accessibility and confidentiality of the electronic records. After the effective date of the rules as adopted or amended, all laws in conflict with the rules are of no further effect.

See title page for effective date.

**CHAPTER 344
H.P. 828 - L.D. 1150**

**An Act To Phase Out
Insurance Rating Based on
Smoking History**

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

Sec. 1. 24-A MRSA §2736-C, sub-§2, ¶D, as amended by PL 2019, c. 5, Pt. A, §3, is further amended by amending subparagraph (8) to read:

(8) For all policies, contracts or certificates that are executed, delivered, issued for delivery, continued or renewed in this State ~~on or after~~ between July 1, 2012 and December 31, 2022, the maximum rate differential due to tobacco use filed by the carrier as determined by ratio is 1.5 to 1, except that the carrier may not apply a rate differential pursuant to this subparagraph when the covered individual is participating in an evidence-based tobacco cessation strategy approved by the United

States Department of Health and Human Services, Food and Drug Administration. For all policies, contracts or certificates that are executed, delivered, issued for delivery, continued or renewed in this State between January 1, 2023 and December 31, 2023, the maximum rate differential due to tobacco use filed by the carrier as determined by ratio is 1.25 to 1, except that the carrier may not apply a rate differential pursuant to this subparagraph when the covered individual is participating in an evidence-based tobacco cessation strategy approved by the United States Department of Health and Human Services, Food and Drug Administration. For all policies, contracts or certificates that are executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2024, a carrier may not vary the premium rate due to tobacco use.

Sec. 2. 24-A MRSA §2808-B, sub-§2, ¶D, as amended by PL 2019, c. 5, Pt. A, §11, is further amended by amending subparagraph (9) to read:

(9) For all policies, contracts or certificates that are executed, delivered, issued for delivery, continued or renewed in this State ~~on or after~~ between October 1, 2011 and December 31, 2022, the maximum rate differential due to tobacco use filed by the carrier as determined by ratio is 1.5 to 1, except that the carrier may not apply a rate differential pursuant to this subparagraph when the covered individual is participating in an evidence-based tobacco cessation strategy approved by the United States Department of Health and Human Services, Food and Drug Administration. For all policies, contracts or certificates that are executed, delivered, issued for delivery, continued or renewed in this State between January 1, 2023 and December 31, 2023, the maximum rate differential due to tobacco use filed by the carrier as determined by ratio is 1.25 to 1, except that the carrier may not apply a rate differential pursuant to this subparagraph when the covered individual is participating in an evidence-based tobacco cessation strategy approved by the United States Department of Health and Human Services, Food and Drug Administration. For all policies, contracts or certificates that are executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2024, a carrier may not vary the premium rate due to tobacco use.

See title page for effective date.

**CHAPTER 345
S.P. 420 - L.D. 1268**

**An Act To Provide Greater
Access to Treatment for
Serious Mental Illness by
Restricting Prescription Drug
Utilization Management by an
Insurance Carrier**

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

Sec. 1. 24-A MRSA §4304, sub-§2-C is enacted to read:

2-C. Prior authorization of prescription drugs used for assessment and treatment of serious mental illness. Notwithstanding any requirement of this section to the contrary, a carrier shall approve a prior authorization request for medication on the carrier's prescription drug formulary that is prescribed to assess or treat an enrollee's serious mental illness. For the purposes of this subsection, "serious mental illness" means a mental disorder, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association, that results in serious functional impairment that substantially interferes with or limits one or more major life activities. The superintendent may adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 24-A MRSA §4320-N, sub-§1, ¶D-1 is enacted to read:

D-1. "Serious mental illness" means a mental disorder, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association, that results in serious functional impairment that substantially interferes with or limits one or more major life activities.

Sec. 3. 24-A MRSA §4320-N, sub-§6, ¶B, as enacted by PL 2019, c. 295, §1 and reallocated by RR 2019, c. 1, Pt. A, §26, is amended by amending subparagraph (4) to read:

(4) The required prescription drug is not in the best interest of the enrollee, based on medical necessity; ~~or~~

Sec. 4. 24-A MRSA §4320-N, sub-§6, ¶B, as enacted by PL 2019, c. 295, §1 and reallocated by RR 2019, c. 1, Pt. A, §26, is amended by amending subparagraph (5) to read:

(5) The enrollee is stable on a prescription drug selected by the enrollee's health care pro-

vider for the medical condition under consideration while on a current or previous health insurance or health plan; or

Sec. 5. 24-A MRSA §4320-N, sub-§6, ¶B, as enacted by PL 2019, c. 295, §1 and reallocated by RR 2019, c. 1, Pt. A, §26, is amended by enacting a new subparagraph (6) to read:

(6) The prescription drug selected by the enrollee's health care provider is intended to assess or treat the enrollee's serious mental illness.

Sec. 6. Application. The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2022. For the purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

See title page for effective date.

**CHAPTER 346
H.P. 979 - L.D. 1327**

**An Act To Create the Maine
Health Care Provider Loan
Repayment Program**

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

Sec. 1. 5 MRSA §12004-I, sub-§18-G is enacted to read:

18-G.

Education:	Maine Health Care	Not Authorized	20-A
Financial	Provider Loan		MRSA
Aid	Repayment Program		§12955
	Advisory Committee		

Sec. 2. 20-A MRSA c. 441 is enacted to read:

CHAPTER 441

**MAINE HEALTH CARE PROVIDER LOAN
REPAYMENT PROGRAM**

§12951. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Advisory committee. "Advisory committee" means the Maine Health Care Provider Loan Repayment Program Advisory Committee established in Title 5, section 12004-I, subsection 18-G.

2. Authority. "Authority" means the Finance Authority of Maine.

3. Direct care worker. "Direct care worker" means an individual who by virtue of employment generally provides to individuals direct contact assistance with personal care or activities of daily living or has direct access to provide care and services to clients, patients or residents regardless of setting. "Direct care worker" does not include a certified nursing assistant employed in that person's capacity as a certified nursing assistant.

4. Eligible student loan. "Eligible student loan" means a student loan obtained as a result of preparation for a health care profession as determined by the authority by rule.

5. Fund. "Fund" means the Maine Health Care Provider Loan Repayment Program Fund established in section 12953.

6. Health care provider. "Health care provider" means a person licensed or certified by this State as a medical, dental or behavioral health practitioner and performing within the scope of the person's practice as defined by state law or a person with a professionally recognized medical, dental or behavioral health credential.

7. Program. "Program" means the Maine Health Care Provider Loan Repayment Program established in section 12952.

8. Underserved area. "Underserved area" means an area in the State that is a health professional shortage area or medically underserved area or that contains a medically underserved population, as those terms are defined by the federal Department of Health and Human Services, Health Resources and Services Administration.

§12952. Maine Health Care Provider Loan Repayment Program established

The Maine Health Care Provider Loan Repayment Program is established within the Finance Authority of Maine for the purpose of increasing the number of health care providers practicing in the State.

§12953. Maine Health Care Provider Loan Repayment Program Fund

1. Fund created. The Maine Health Care Provider Loan Repayment Program Fund is established in the authority as a nonlapsing, interest-earning, revolving fund to carry out the purposes of this chapter. The fund consists of any funds appropriated, allocated or contributed from private or public sources, including from state and federal sources, and any existing funding for authority programs that, at the discretion of the authority, may be combined with the program. The funds, to be accounted within the authority, must be held separate and apart from all other money, funds and accounts. Eligible investment earnings credited to the assets of the fund become part of the assets of the fund. Any unexpended balances remaining in the fund at the end of any

fiscal year do not lapse and must be carried forward to the next fiscal year.

2. Fund administration. The authority may receive, invest and expend on behalf of the fund money from gifts, grants, bequests and donations in addition to money appropriated or allocated by the State and any federal funds received by the State for the benefit of health care providers who have outstanding eligible student loans. Money received by the authority on behalf of the fund must be used for the purposes of this chapter. The fund must be maintained and administered by the authority. Any unexpended balance in the fund carries forward for continued use under this chapter, except for federal funds that must be expended according to guidelines issued by the Federal Government governing the use of those funds.

3. Fund expenses. Costs and expenses of maintaining, servicing and administering the fund and of administering the program may be paid out of amounts in the fund.

§12954. Program eligibility

1. Application. To be considered for an award under this chapter, as part of the application, the applicant must:

A. Submit documentation, in a manner identified by the authority, validating:

- (1) The applicant's original eligible student loan balance upon graduation;
- (2) The current balance owed on the eligible student loan, including principal and interest;
- (3) Current payment amounts on the eligible student loan, including information on any federal student loan repayment plan described in 20 United States Code, Section 1098e;
- (4) For federal loans, information regarding the applicant's expected eligibility for the federal loan forgiveness program described in 34 Code of Federal Regulations, Section 685.219; and
- (5) Loans related to expenses for a health care professional who was trained or has credentials in a country other than the United States and its territories and who is working towards a professional license in this State, as determined by the advisory committee;

B. Submit an employer certification form certifying the applicant's employment status and salary or hourly wage; and

C. Submit a signed statement of intent in a form acceptable to the authority to work in the applicant's identified health care profession in the State for a minimum of 3 years after acceptance into the program.

2. Eligibility. To be considered for an award under this chapter, the applicant:

A. Must be a current resident of the State or become a resident of the State within 6 months of being selected as a recipient under the program;

B. Must, as determined by the authority:

- (1) Be currently practicing as an eligible health care provider in the State; or
- (2) Within 6 months of being selected as a recipient under the program, begin practicing as an eligible health care provider in the State;

C. Must possess an outstanding eligible student loan; and

D. May not be a current beneficiary of a state or federal loan repayment program. Applicants who were formerly beneficiaries of a state or federal loan repayment program or who intend to participate in such programs following completion of their 3-year commitment under this chapter are eligible to apply for an award.

§12955. Maine Health Care Provider Loan Repayment Program Advisory Committee

The Maine Health Care Provider Loan Repayment Program Advisory Committee is established pursuant to Title 5, section 12004-I, subsection 18-G to make recommendations to the authority regarding the administration of the program.

1. Membership. The advisory committee consists of:

A. The State Economist, serving in an ex officio capacity;

B. A representative of the Department of Health and Human Services, appointed by the Commissioner of Health and Human Services; and

C. The following members, selected by and serving at the pleasure of the chief executive officer of the authority:

- (1) Two representatives of organizations that provide primary and specialized health care services in multiple locations across the State, at least one of which must be an organization that provides services in rural areas;
- (2) An individual, not employed by the State, who is an expert in the State's workforce;
- (3) A representative of a college or university with a degree-granting program in a health care profession;
- (4) A representative of an organization representing the interests of hospitals based in the State;

(5) A representative of an organization representing the interests of federally qualified health centers, as defined in 42 United States Code, Section 1395x(aa) (1993), based in the State;

(6) An individual representing the interests of health care professionals in the field of oral health;

(7) An individual representing the interests of health care professionals in the field of behavioral health;

(8) An individual representing the interests of health care professionals in the field of physical health;

(9) An individual representing or designated by the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations established under Title 5, section 25001;

(10) An individual representing health care professionals who were trained in or have credentials from a country other than the United States and its territories; and

(11) An individual representing direct care workers.

2. Duties. The advisory committee shall:

A. Make recommendations regarding the administration of the program;

B. Make recommendations for priority occupations for awards for the next application cycle; and

C. Make recommendations for a point system to determine awards based on, at a minimum, the following criteria:

- (1) Priority and nonpriority occupations;
- (2) Work location and whether or not the location is an underserved area, except as applied to nurse educators; and
- (3) Student income-to-debt ratios.

§12956. Awards

1. Publication of priority occupations. The authority shall publicize, using a method determined by the authority and taking into consideration the recommendations of the advisory committee, the priority occupations for the upcoming application cycle.

2. Application cycle. The authority shall publicize the dates and deadlines of the application cycle using a method determined by the authority.

3. Award amounts. The authority shall maintain financial projections and, based on the recommendations of the advisory committee, establish the targeted number of annual awards to be made to applicants each year who meet the criteria described in section 12954.

In accordance with the priority occupations and point system established by the advisory committee pursuant to section 12955, subsection 2, an annual award may not:

A. Exceed \$30,000 annually;

B. Exceed \$90,000 in aggregate or 50% of a recipient's outstanding eligible student loan debt at the time of application to the program, whichever is less; or

C. Be awarded to a recipient for more than 3 years total.

4. Nurse educators and direct care workers.

The authority and the advisory committee shall ensure that nurse educators and direct care workers are included among the occupations considered each year for priority consideration.

§12957. Annual recertification and limitations

In order to remain eligible for an award, a recipient must annually submit to the authority an employer certification form certifying the recipient's employment status and salary or hourly wage.

§12958. Rulemaking

The authority shall adopt rules to carry out the purposes of this chapter. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 3. Notification. The Finance Authority of Maine shall notify the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters upon the capitalization of the Maine Health Care Provider Loan Repayment Program Fund pursuant to this Act.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

FINANCE AUTHORITY OF MAINE

Maine Health Care Provider Loan Repayment Program Fund N324

Initiative: Provides base allocations to authorize the expenditure of funds received from private and public sources for the repayment of student loans for eligible health care providers and to pay the administrative costs of the fund.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Maine Health Care Provider Loan Repayment Program Fund N324

Initiative: Provides base allocations to authorize the expenditure of funds received from federal sources for the repayment of student loans for eligible health care providers.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500
FINANCE AUTHORITY OF MAINE DEPARTMENT TOTALS	2021-22	2022-23
FEDERAL EXPENDITURES FUND	\$500	\$500
OTHER SPECIAL REVENUE FUNDS	\$500	\$500
DEPARTMENT TOTAL - ALL FUNDS	\$1,000	\$1,000

See title page for effective date.

**CHAPTER 347
H.P. 980 - L.D. 1328**

An Act To Protect Maine Electricity Customers from Threats of Disconnection in the Wintertime

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

Sec. 1. 35-A MRSA §717 is enacted to read:

§717. Winter terminations

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

A. "Disconnection prohibition period" means any time between November 15th and April 15th, or during any other period when, pursuant to rules adopted under section 704, the commission has prohibited a transmission and distribution utility from disconnecting residential customers or prohibited such disconnections without the permission from the consumer assistance and safety division.

B. "Residential customer" includes any customer account to which electric service is provided for residential purposes, regardless of whether the electricity received under that account is also used for business purposes.

2. Notice of winter disconnection. During a disconnection prohibition period, a transmission and distribution utility may not send or deliver, orally, on paper

or electronically, to any residential customer of the utility any notice or communication that:

A. Provides for disconnection of the customer's electric service on a specified date or within a specified interval of time during a disconnection prohibition period, unless the utility has received the prior permission of the consumer assistance and safety division to make the disconnection on the specified date or within the specified interval of time; or

B. Makes any reference to disconnection or involuntary termination of the customer's electric service during a disconnection prohibition period, unless the notice or communication includes a prominent statement that disconnection of a residential customer's electric service during the disconnection prohibition period cannot take place without the advance permission of the consumer assistance and safety division, that the customer will be notified of any request for such permission and that the customer will have the opportunity to be heard by the consumer assistance and safety division.

3. Past due accounts; assistance programs. Notwithstanding any provision of law to the contrary, the notice permitted under subsection 2 to a residential customer from a transmission and distribution utility is deemed a notice of disconnection for the purpose of establishing eligibility for certain emergency assistance programs, including, but not limited to, the emergency general assistance described in Title 22, chapter 1161 and the fuel assistance described in Title 30-A, chapter 201, subchapter 13.

4. Violation; penalties. A transmission and distribution utility that violates this section is subject to a civil penalty not to exceed \$2,500, payable to the customer to whom the prohibited communication is sent. This penalty is recoverable in a civil action and is in addition to any other remedies to which the customer may be entitled.

See title page for effective date.

**CHAPTER 348
H.P. 987 - L.D. 1336**

An Act To Discontinue the Use of the Terms "Handicap," "Handicapped" and "Hearing Impaired" in State Laws, Rules and Official Documents

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

Sec. 1. 5 MRSA §782, as amended by PL 1985, c. 388, §1, is further amended to read:

§782. Definition of affirmative action

An affirmative action program includes procedures designed to increase the numbers of minorities, women and ~~handicapped persons with disabilities~~ at all levels and in all segments of the work force where imbalances exist. Such a program should include an assessment of the existing situation, and the development of realistic goals for necessary action. These goals and related procedures and timetables should not require rigid quotas, but are commitments ~~which that~~ an employer should make every good faith effort to achieve.

Sec. 2. 5 MRSA §783, as amended by PL 1985, c. 785, Pt. B, §22, is further amended to read:

§783. Appointment, assignment and promotion of personnel

Officials and supervisory employees shall appoint, assign and promote personnel on the basis of merit and fitness, without regard to race, color, religious creed, national origin, sex, ancestry, age, ~~or physical handicap or mental handicap disability~~, unless related to a bona fide occupational qualification. Each appointing authority shall designate an affirmative action officer. The officer must be so placed within the agency's organizational structure that ~~he or she shall have~~ the officer has direct access to the appointing authority. Each department or agency shall prepare an affirmative action program for that department or agency in accordance with criteria set forth by the Bureau of Human Resources.

Sec. 3. 5 MRSA §784, sub-§1, as amended by PL 1985, c. 388, §2, is further amended to read:

1. State action. ~~No~~ An agency or individual employee of the State or ~~state-related agencies will~~ state-related agency may not discriminate because of race, color, religious creed, sex, national origin, ancestry, age, ~~or physical handicap or mental handicap disability~~ while providing any function or service to the public, in enforcing any regulation, or in any education, counseling, vocational guidance, apprenticeship and on-the-job training programs. Similarly, ~~no~~ a state or ~~state-related state-related~~ agency contractor, subcontractor, or labor union or representative of the workers with which the contractor has an agreement, ~~will~~ may not discriminate unless based on a bona fide occupational qualification. State agencies or related agencies may withhold financial assistance to any recipient found to be in violation of the Maine Human Rights Act or the ~~Federal~~ federal Civil Rights Act. Any state agency or related agency shall decline any job order carrying a specification or limitation as to race, color, religious creed, sex, national origin, ancestry, age, ~~or physical handicap or mental handicap disability~~, unless it is related to a bona fide job requirement.

Sec. 4. 5 MRSA §784, sub-§2, ¶A, as amended by PL 1985, c. 388, §2, is further amended to read:

A. The contractor will not discriminate against any employee or applicant for employment because of race, color, religious creed, sex, national origin, ancestry, age, ~~or physical handicap or mental handicap disability~~. Such action ~~shall include~~ includes, but ~~is not be~~ limited to, the following: ~~Employment~~ employment, upgrading, demotions, transfers, recruitment or recruitment advertising; layoffs or terminations; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

Sec. 5. 5 MRSA §784, sub-§2, ¶B, as amended by PL 1985, c. 388, §2, is further amended to read:

B. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religious creed, sex, national origin, ancestry, age, ~~or physical handicap or mental handicap disability~~.

Sec. 6. 5 MRSA §785, as amended by PL 1985, c. 388, §2, is further amended to read:

§785. State employment services

Any state agency or ~~state-related~~ state-related agency engaged in employment, referral or placement service for private industry or public agencies shall fill all job orders on a nondiscriminatory basis, and shall decline any job order carrying a specification or limitation as to race, color, religious creed, sex, national origin, ancestry, age, ~~or physical handicap or mental handicap disability~~, unless it relates to a bona fide job requirement.

Sec. 7. 5 MRSA §786, as corrected by RR 1993, c. 1, §7, is amended to read:

§786. Training for job opportunities

All educational and vocational-guidance counseling programs and all apprenticeship and on-the-job training programs conducted, supervised or funded by the State or state-related agency must be conducted to encourage the fullest development of interest and aptitudes without regard to race, color, religious creed, sex, national origin, ancestry, age, ~~or physical handicap or mental handicap disability~~, unless sex or age relates to a bona fide job requirement. In the event that any such programs are conducted in conjunction with private employers or private educational institutions, the supervising or contracting department or agency shall insure that the provisions of this chapter are complied with fully by such private employer or private educational institution.

Sec. 8. 5 MRSA §787, as amended by PL 1985, c. 388, §2, is further amended to read:

§787. State financial assistance

No ~~A~~ state agency or ~~state-related~~ state-related agency ~~shall~~ may not approve a grant of state financial assistance to any recipient who is engaged in discriminatory practices. All recipients of state financial assistance shall submit to the Maine Human Rights Commission, at its request, information relating to the recipient's operations with regard to race, color, religious creed, sex, national origin, ancestry, age, ~~or physical handicap~~ or mental ~~handicap~~ disability. Such information ~~shall~~ must be furnished on a form to be prescribed by the Maine Human Rights Commission.

Sec. 9. 5 MRSA §789, last ¶, as amended by PL 1985, c. 388, §3, is further amended to read:

All powers and duties granted to the Maine Human Rights Commission under ~~sections 4551, et seq., as amended, chapter 337~~ apply to this section. Complaints of discrimination based on race, color, religious creed, sex, national origin, age, ~~or physical handicap~~ or mental ~~handicap~~ disability should be made to the Maine Human Rights Commission.

Sec. 10. 5 MRSA §1742-D, sub-§2, ¶A, as amended by PL 1999, c. 776, §1, is further amended to read:

A. Standards for occupant safety and comfort in leased space that are consistent with law and all applicable building, fire, ~~handicapped~~ accessibility and environmental codes; and

Sec. 11. 5 MRSA §4575, sub-§2, as enacted by PL 1985, c. 801, §§3 and 7, is amended to read:

2. Criteria and standards. A state department or public school may establish reasonable criteria and standards of job performance to be used for the purpose of determining when employment of its employees should be terminated. Where there is a certified bargaining agent, the establishment of these criteria and standards may be a subject of collective bargaining. These criteria and standards ~~shall~~ must be consistent for all employees in the same or similar job classifications, ~~shall~~ must be applied fairly to all employees regardless of age and ~~shall~~ must be consistent with the provisions of this Act relating to the employment of persons who are physically and mentally ~~handicapped~~ persons disabled.

Sec. 12. 5 MRSA §12002, sub-§3-A, as enacted by PL 1985, c. 295, §5, is amended to read:

3-A. Personal care expenses. "Personal care expenses" means the cost of feeding, dressing, toileting, mobility and personal hygiene assistance provided to persons who are developmentally or otherwise disabled or ~~handicapped~~ persons who are members or the children of members of boards established in this chapter.

Sec. 13. 5 MRSA §12002-A, sub-§2, ¶B, as enacted by PL 1985, c. 295, §6, is amended to read:

B. For those board members who are selected because they are persons who are developmentally or otherwise disabled or ~~handicapped~~ or who are the parents or guardians of handicapped persons who are disabled, those members may be reimbursed for reasonable child care expenses and personal care expenses incurred while engaged in the official business of the board.

Sec. 14. 10 MRSA §1496, sub-§1, ¶A, as enacted by PL 1989, c. 758, is amended to read:

A. "Telefacsimile" means any process in which electronic signals are transmitted by means of a telephone system for immediate direct printing as images or written text, excluding telecommunication signals transmitted by devices for the deaf, hard of hearing ~~impaired~~ or speech impaired.

Sec. 15. 10 MRSA §1661-A, as amended by PL 1995, c. 645, Pt. A, §1, is further amended to read:

§1661-A. Gasoline stations to provide services for handicapped drivers who have disabilities

Every full-service gasoline station offering self-service pumping at a lesser cost shall require an attendant employed by the station to dispense gasoline to any motor vehicle properly displaying a handicapped placard or special designating plates issued under Title 29-A, section 521; when the person to whom the placard or plates have been issued is the operator of the vehicle, the service is requested, the operator has a driver's license designated with a code S, restricted to special equipment, and ~~there is no nonhandicapped~~ an adult without a disability is not in the motor vehicle.

Sec. 16. 12 MRSA §12503, sub-§6, as amended by PL 2003, c. 655, Pt. B, §249 and affected by §422, is further amended to read:

6. Fishing during event sanctioned by department. A person who does not hold a fishing license may assist a child or a handicapped person who is disabled who is a participant in a fishing event sanctioned by the department.

Sec. 17. 14 MRSA §1202-A, as corrected by RR 2017, c. 1, §6, is further amended to read:

§1202-A. Prohibition of discrimination

A citizen may not be excluded from jury service in this State on account of race, color, religion, sex, sexual orientation as defined in Title 5, section 4553, subsection 9-C, national origin, ancestry, economic status, marital status, age or physical ~~handicap~~ disability, except as provided in this chapter.

Sec. 18. 17 MRSA §1311, as enacted by PL 1971, c. 58, §1, is amended to read:

§1311. Policy

It is the policy of this State to encourage and enable ~~the persons who are blind, the visually ~~handicapped~~ and~~

~~the impaired~~ or otherwise physically disabled to participate fully in the social and economic life of the State and to engage in remunerative employment.

Sec. 19. 17 MRSA §1312, as amended by PL 2015, c. 457, §8, is further amended to read:

§1312. Rights

1. Streets and public places. ~~The Persons who are blind, the visually handicapped and the impaired~~ or otherwise physically disabled have the same right as ~~the able-bodied persons who are not disabled~~ to the full and free use of the streets, highways, sidewalks, walkways, public buildings, public facilities and other public places.

2. Public conveyances. ~~The Persons who are blind, the visually handicapped and the impaired~~ or otherwise physically disabled are entitled to full and equal accommodations, advantages, facilities and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, street cars, boats or any other public conveyances or modes of transportation, hotels, lodging places, places of public accommodation, amusement or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

3. Service dogs. Every person who is totally or partially blind or otherwise physically or mentally disabled ~~person~~ has the right to be accompanied by a service dog, ~~especially specially~~ trained for the purpose, in any of the places listed in subsection 2 without being required to pay an extra charge for the service dog; however, the person is liable for any damage done to the premises or facilities by such a dog.

4. Especially Specially trained service dog trainer; access to public facilities; responsibilities. ~~An especially~~ A specially trained service dog trainer, while engaged in the actual training process and activities of service dogs, has the same rights, privileges and responsibilities described in this section with respect to access to and use of public facilities as are applicable to ~~a persons who are blind, visually handicapped impaired~~ or otherwise physically or mentally disabled ~~person~~.

5. Housing accommodations; persons with service dogs. Every person who is blind or visually ~~handicapped impaired~~ or otherwise physically or mentally disabled ~~individual~~ who has a service animal, such as a service dog, is entitled to full and equal access to all housing accommodations provided for in this section. ~~Blind Persons who are blind or visually impaired or otherwise physically or mentally disabled individuals~~ may not be required to pay extra compensation to keep service animals. A person who is blind or visually impaired or otherwise physically or mentally disabled ~~person~~ is liable for any damages done to the premises by the service animal.

6. Housing accommodations; definitions. "Housing accommodations," as used in this section, means any real property, or portion of real property, which is used or occupied, or is intended, arranged or designed to be used or occupied, as the home, residence or sleeping place of one or more human beings, including, but not limited to, public housing projects and all forms of publicly assisted housing, single and multi-family rental and sale units, lodging places, condominiums and cooperative apartments. "Housing accommodations" does not include:

- A. The rental of a housing accommodation in a building which contains housing accommodations for not more than 2 families living independently of each other, if the owner or members of the owner's family reside in that housing accommodation; or
- B. The rental of a room or rooms in a housing accommodation, if the rental is by the occupant of the housing accommodation or by the owner of the housing accommodation and the owner or members of the owner's family reside in that housing accommodation.

7. Service dog; definition. As used in this section, "service dog" means a dog that meets the definition of "service animal" in Title 5, section 4553, subsection 9-E.

Sec. 20. 17 MRSA §1316, as enacted by PL 1971, c. 58, §1, is amended to read:

§1316. Employment

It is the policy of this State that ~~the persons who are blind, the visually handicapped and the impaired~~ or otherwise physically disabled ~~shall must~~ be employed in the state service, in the service of the political subdivisions of the State, in the public schools and in all other employment supported in whole or in part by public funds on the same terms and conditions as ~~the able-bodied persons who are not disabled~~, unless it is shown that the particular disability prevents the performance of the work involved.

Sec. 21. 18-C MRSA §9-401, sub-§4, ¶A, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

- A. Has a physical, mental or emotional ~~handicap~~ disability that makes placement difficult;

Sec. 22. 18-C MRSA §9-401, sub-§7, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

7. Duration of assistance. The duration of assistance under the program may continue until the cessation of legal parental responsibility or until the parents are no longer supporting the child, at which time the adoption assistance ceases. However, if the child has need of educational benefits or has a physical, mental

or emotional ~~handicap~~ disability, adoption assistance may continue until the adoptee has attained 21 years of age if the adoptee, the parents and the department agree that the need for care and support exists.

Sec. 23. 20-A MRSA §1, sub-§24-A, ¶C, as enacted by PL 1985, c. 789, §§1 and 9, is amended to read:

C. A "specialized children's home," which is a facility licensed to provide care to no more than 4 ~~children who are~~ moderately to severely ~~handicapped children~~ disabled by a caretaker who is specifically educated and trained to provide for the particular needs of each child placed; and

Sec. 24. 20-A MRSA §1, sub-§24-A, ¶D, as amended by PL 2013, c. 179, §3, is further amended to read:

D. A "children's residential care facility," which provides board and care for one or more children on a regular, 24-hours-a-day, residential basis. A children's residential care facility does not mean family foster home, specialized children's home or an emergency children's shelter. The term includes, but is not limited to:

- (1) A "group home," which is a children's residential care facility operated by a corporation and licensed for the purpose of providing board and care for up to 10 children;
- (2) A "residential agency," which is a children's residential care facility operated by a corporation and licensed for the purpose of providing board and care to more than 10 children;
- (3) A "residential treatment center," which is a children's residential care facility operated by a corporation and licensed for the purpose of providing therapeutically planned, group living situations within which educational, recreational, medical and sociopsychotherapeutic components are integrated for children whose present ~~handicaps~~ disabilities preclude community outpatient treatment;
- (4) A "residential treatment facility," which is a children's residential care facility operated by a corporation and licensed for the purpose of providing board, care and treatment for more than 10 ~~children who are~~ moderately to severely ~~handicapped children and which~~ disabled that does not contain an educational component; and
- (5) A "therapeutic group home," which is a children's residential care facility operated by a corporation and licensed for the purpose of providing board, care and treatment for up to 10 ~~children who are~~ moderately to severely ~~handicapped children~~ disabled.

Sec. 25. 20-A MRSA §3254-A, sub-§2, as enacted by PL 1985, c. 490, §7, is amended to read:

2. Preschool programs. The commissioner may establish preschool programs for ~~handicapped~~ children with disabilities between the ages of 3 and 5 years or contract with school administrative units to provide the programs.

Sec. 26. 20-A MRSA §12704, sub-§6, as enacted by PL 1985, c. 695, §11, is amended to read:

6. Special training and education. ~~Provide~~ Providing, directly or through contractual or other arrangements, remedial and special training and education programs for ~~persons who are~~ disadvantaged ~~and~~ handicapped persons or disabled, designed to enable them to make maximum use of their aptitudes and abilities and achieve meaningful employment and economic self-sufficiency; and

Sec. 27. 20-A MRSA §15672, sub-§30-A, ¶C, as enacted by PL 2005, c. 2, Pt. D, §36 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to read:

C. The following preschool ~~handicapped~~ disability services:

- (1) The salary and benefit costs of certified professionals, assistants and aides or persons contracted to perform preschool ~~handicapped~~ disability services that have been approved by the commissioner; and
- (2) The cost of tuition to other schools for programs that have been approved by the commissioner; and

Sec. 28. 21-A MRSA §630, as amended by PL 2011, c. 613, §24 and affected by §29, is further amended by amending the section headnote to read:

§630. Accessible voting places for ~~the physically~~ handicapped persons with physical disabilities

Sec. 29. 22 MRSA §3571, sub-§2, as enacted by PL 1985, c. 484; amended by PL 1995, c. 560, Pt. K, §82 and affected by §83; and amended by PL 2001, c. 354, §3 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

2. Counseling and support services; Department of Health and Human Services. The Department of Health and Human Services shall institute programs of family counseling and support services for families with children who are developmentally disabled ~~children~~ aged 0 to 5 years. The purpose of these counseling and support services ~~shall~~ must be to increase the family's understanding of the child's special needs and to enhance family members' abilities to cope with the physical and emotional strains experienced by families with ~~handicapped~~ disabled children.

Sec. 30. 22 MRSA §3571, sub-§3, as amended by PL 1989, c. 700, Pt. A, §81, is further amended to read:

3. Preschool coordination projects; Department of Education. The Department of Education through the preschool coordination projects shall ~~assure~~ ensure the provision of comprehensive developmental services, including physical therapy, speech and language therapy and occupational therapy to preschool ~~handicapped children who are disabled~~ or delayed children. To the maximum extent possible, these programs shall ~~must~~ make use of existing 3rd party payors and coordinate services with local resources. In instances where needed services are not available, the department shall use authorized funds to enable preschool coordination projects to work with local providers, including public and private agencies and school units to develop new or expand existing service to meet these needs.

In addition, the Department of Education shall ensure that comprehensive health educational programs are available in state schools and that teacher training programs in the State include preparation in conduct of health educational programs.

Sec. 31. 22 MRSA §4038-D, sub-§5, as amended by PL 2011, c. 402, §13, is further amended to read:

5. Duration of guardianship subsidy. A guardianship subsidy may be provided for a period of time based on the needs of a child. The subsidy may continue until the termination of the permanency guardianship or until the permanency guardian is no longer caring for the child, at which time the guardianship subsidy ceases. If the child has need of educational benefits or has a physical, mental or emotional ~~handicap disability~~ handicap disability, the guardianship subsidy may continue until the child has attained 21 years of age if the child, the parents and the department agree that the need for care and support exists.

Sec. 32. 22 MRSA §8101, sub-§5, as enacted by PL 1981, c. 260, §4, is amended to read:

5. Specialized children's home. "Specialized children's home" means a children's home where care is provided to no more than 4 children who are moderately to severely ~~handicapped children disabled~~ by a caretaker who is specifically educated and trained to provide for the particular needs of each child placed. The total number of children in a specialized children's home may not exceed 4, including the caretaker's legal children under 16 years of age, with no more than 2 children under the age of 2.

Sec. 33. 22 MRSA §8107, sub-§2, as amended by PL 1985, c. 706, §10, is further amended to read:

2. Handicapped Disabled child; placement. The definitions used shall do not preclude the department from placing a child who is moderately to severely

~~handicapped child disabled~~ in any appropriate child care facility at the department's discretion, subject to the limitations on the number of children specified in section 8101, subsections 1 and 3.

Sec. 34. 24 MRSA §2931, sub-§3, as enacted by PL 1985, c. 804, §§16 and 22, is amended to read:

3. Birth of unhealthy child; damages limited. Damages for the birth of an unhealthy child born as the result of professional negligence shall ~~be~~ are limited to damages associated with the disease, defect or ~~handicap~~ disability suffered by the child.

Sec. 35. 24 MRSA §2931, sub-§4, as enacted by PL 1985, c. 804, §§16 and 22, is amended to read:

4. Other causes of action. This section shall ~~do~~ does not preclude causes of action based on claims that, but for a wrongful act or omission, maternal death or injury would not have occurred or ~~handicap disability~~ disability, disease, defect or deficiency of an individual prior to birth would have been prevented, cured or ameliorated in a manner that preserved the health and life of the affected individual.

Sec. 36. 24-A MRSA §2159-A, last ¶, as repealed and replaced by PL 1985, c. 445, is amended to read:

~~No~~ An insurer authorized to transact business in this State may not refuse to insure or continue to insure, limit the amount, extent or kind of coverage available to an individual or charge an individual a rate different from that normally charged for the same coverage solely because the insured or the applicant for insurance has a physical or mental ~~handicap disability~~ disability, as defined in Title 5, section 4553, subsection 7-A, other than blindness or partial blindness, unless the basis for that action is clearly demonstrated through sound actuarial evidence.

Sec. 37. 25 MRSA §2925, sub-§1, as amended by PL 1997, c. 291, §1, is further amended to read:

1. Membership. The E-9-1-1 Council is composed of 17 members; one appointed by the Public Utilities Commission; one appointed by the Commissioner of Public Safety; and 15 appointed by the Governor, including one who is a municipal official nominated by the statewide association of municipalities, one county official nominated by a statewide association of county commissioners, one who is a chief of a municipal police department nominated by the statewide association of chiefs of police, one who is the chief of a municipal fire department nominated by the statewide association of fire chiefs, one who is a county sheriff nominated by the statewide association of sheriffs, one who represents small telephone companies, one who represents the largest provider of local exchange telephone services, one who represents cellular or wireless service providers, one who represents a direct provider of emergency medical services, one who is a dispatcher nominated by

the statewide association of dispatchers, one who is a member of a volunteer fire department, one to represent ~~the persons who are deaf and hard of hearing impaired~~ and 3 to represent the public-at-large. Each member may name a designee who may attend meetings of the council and act on that member's behalf in council proceedings.

Sec. 38. 25 MRSA §2932, sub-§1, as amended by PL 2015, c. 62, §1, is further amended to read:

1. Designated emergency telephone number. The primary telephone number to be used in a telephone exchange to request emergency services following the activation of E-9-1-1 services for that exchange, including the number for telecommunications devices for communication for ~~the persons who are deaf, hard of hearing and speech impaired~~ hard of hearing or speech impaired, is 9-1-1. A person may not advertise or promote for emergency response services any telephone number other than 9-1-1.

Sec. 39. 26 MRSA §1192, sub-§3, as amended by PL 2017, c. 453, §1, is further amended to read:

3. Is able and available for work. The individual is able to work and is available for full-time work at the individual's usual or customary trade, occupation, profession or business or in such other trade, occupation, profession or business for which the individual's prior training or experience shows the individual to be fitted or qualified, as long as the geographic region in which the work will take place is not greater than 35 miles from the individual's primary residence; and in addition to having complied with subsection 2 is actively seeking work in accordance with the regulations of the commission; ~~provided except~~ that no ineligibility may be found solely because the claimant is unable to accept employment on a shift, the greater part of which falls between the hours of midnight to 5 a.m., and is unavailable for that employment because of parental obligation, the need to care for an immediate family member or the unavailability of a personal care attendant required to assist the unemployed individual who ~~is has a handicapped person disability~~; and ~~provided except~~ that an unemployed individual who is neither able nor available for work due to good cause as determined by the deputy is eligible to receive prorated benefits for that portion of the week during which the individual was able and available.

A. Notwithstanding this subsection, beginning January 1, 2004, an individual who is not available for full-time work as required in this subsection is not disqualified from receiving benefits if:

- (1) The individual worked less than full time for a majority of the weeks during that individual's base period and the individual is able and available for and actively seeking part-time work for at least the number of hours in a week comparable to those customarily worked in

part-time employment during that individual's base period; or

- (2) The individual worked full time for a majority of the weeks during that individual's base period, but is able and available for and actively seeking only part-time work because of the illness or disability of an immediate family member or because of limitations necessary for the safety or protection of the individual or individual's immediate family member.

Sec. 40. 26 MRSA §1193, sub-§3, ¶B, as amended by PL 2011, c. 645, §7, is further amended by amending subparagraph (5) to read:

- (5) If the position offered is on a shift, the greater part of which falls between the hours of midnight and 5 a.m., and is refused because of parental obligation, the need to care for an immediate family member or the unavailability of a personal care attendant required to assist the unemployed individual who is a ~~handicapped person with a disability~~;

Sec. 41. 26 MRSA §1411-A, sub-§6, ¶D, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

D. Interpreting and other specific services necessary to meet the unique needs of those persons who are deaf or ~~who have impaired hard of hearing~~. These services must include the aid of qualified personnel and interpreters who can relate to and communicate on an effective and meaningful basis with persons who are deaf or ~~have impaired hard of hearing~~;

Sec. 42. 30-A MRSA §471, sub-§1, as enacted by PL 1989, c. 104, Pt. A, §11 and Pt. C, §10, is amended to read:

1. Programs established. Each sheriff's department may establish a program to deputize volunteer parking enforcement specialists to enforce ~~handicapped disabled~~ parking restrictions in private parking lots within the county, in areas ~~which that~~ are not within the jurisdiction of a municipal police department, pursuant to enforcement agreements entered into between the sheriff's department and the owners of those lots under section 3009, subsection 1, paragraph D.

Sec. 43. 30-A MRSA §471, sub-§2, as enacted by PL 1989, c. 104, Pt. A, §11 and Pt. C, §10, is amended by amending the first blocked paragraph to read:

The sheriff's department should seek applicants who ~~are handicapped~~ have disabilities.

Sec. 44. 30-A MRSA §471, sub-§3, ¶A, as enacted by PL 1989, c. 104, Pt. A, §11 and Pt. C, §10, is amended to read:

A. Issue parking citations, tickets or oral warnings to operators of motor vehicles parked in violation of any ~~handicapped~~ disabled parking restriction in private parking lots, pursuant to agreements entered into under section 3009, subsection 1, paragraph D; and

Sec. 45. 30-A MRSA §472, sub-§1, as enacted by PL 1989, c. 104, Pt. A, §11 and Pt. C, §10, is amended to read:

1. Programs established. Each municipal police department, with the approval of the municipal officers, may establish a program or contract with the sheriff to carry out a program to deputize volunteer parking enforcement specialists to enforce ~~handicapped~~ disabled parking restrictions in private lots within the municipality, pursuant to enforcement agreements entered into between the police department and the owners of those lots under section 3009, subsection 1, paragraph D.

Sec. 46. 30-A MRSA §472, sub-§2, as enacted by PL 1989, c. 104, Pt. A, §11 and Pt. C, §10, is amended by amending the first blocked paragraph to read:

The police department should seek applicants who ~~are~~ ~~handicapped~~ have disabilities.

Sec. 47. 30-A MRSA §472, sub-§3, ¶A, as enacted by PL 1989, c. 104, Pt. A, §11 and Pt. C, §10, is amended to read:

A. Issue parking citations, tickets or oral warnings to operators of motor vehicles parked in violation of any ~~handicapped~~ disabled parking restriction in private parking lots, pursuant to agreements entered into under section 3009, subsection 1, paragraph D; and

Sec. 48. 30-A MRSA §3010, sub-§6, as enacted by PL 2007, c. 548, §2, is further amended to read:

6. Rights of individuals. A cable system operator may not deny service, deny access or otherwise discriminate against subscribers, channel users or general citizens on the basis of age, race, religion, sex, physical ~~handicap~~ disability or country of natural origin.

Sec. 49. 32 MRSA §14203, sub-§2, ¶D, as enacted by PL 1991, c. 397, §6, is amended to read:

D. On ~~invalids or handicapped~~ persons with disabilities in those persons' places of residence;

Sec. 50. 32 MRSA §15202, sub-§13, as enacted by PL 1995, c. 560, Pt. H, §14 and affected by §17, is amended to read:

13. Physically ~~handicapped~~ disabled person. "Physically ~~handicapped~~ disabled person" means a person who has a physiological disability, infirmity, malformation, disfigurement or condition that eliminates or

severely limits the person's ability to have access to the person's environment by normal ambulatory function, necessitating the use of crutches, a wheelchair or other similar device for locomotion.

Sec. 51. 33 MRSA §124, sub-§4, as enacted by PL 1991, c. 373, is amended to read:

4. Class of persons to whom residential real estate may be sold. To restrict the class of persons to whom residential real estate may be sold or leased, as long as that restriction does not discriminate based upon race, color, sex, physical or mental ~~handicap~~ disability, religion, ancestry or national origin and does not otherwise contravene the Constitution of Maine or the United States Constitution;

Sec. 52. 34-B MRSA §6204, sub-§2-A, as corrected by RR 2003, c. 2, §107, is amended to read:

2-A. Improvement and expansion of day treatment services for emotionally ~~handicapped~~ disabled children. The department shall work cooperatively with the Department of Corrections and Department of Education to improve and expand day treatment programs for ~~emotionally handicapped~~ school-age children who are emotionally disabled so that they and their families may receive necessary, appropriate and coordinated therapeutic and educational services in home and community settings, reducing the likelihood that out-of-home or residential treatment placements will be required. The department shall license these programs pursuant to sections 3603 and 3606. The Department of Education shall approve these programs pursuant to Title 20-A, chapter 206. The 2 departments shall jointly develop standards to ensure a consistent high quality throughout the State.

Sec. 53. 35-A MRSA §7101, sub-§5, as enacted by PL 2003, c. 553, Pt. B, §1, is amended to read:

5. Homeland security and emergency alerts. The Legislature further finds that seamless, integrated, robust and redundant means of communication, including, but not limited to, voice and alphanumeric pagers, landline telephones, wireless telephones, text radio and wireless e-mail, create a robust communication system that enables rapid contact with first responders, ensures emergency alert notification to all affected persons in the State, including at-risk populations such as the persons who have hearing loss or visually impaired visual impairments, and enhances homeland security. It is the policy of the State to encourage the deployment of the infrastructure necessary to support such a communications system.

Sec. 54. 35-A MRSA §7503, sub-§3, ¶B, as enacted by PL 1987, c. 628, §6, is amended to read:

B. "Wheelchair accessible" means meeting the most recent applicable standards of the American National Standards Institute for accessibility by ~~the~~

~~physically handicapped persons with disabilities at the time of placement.~~

Sec. 55. 35-A MRSA §7505, as amended by PL 2009, c. 174, §§24 and 25, is further amended to read:

§7505. Telecommunication devices for the persons who are hard of hearing and or speech impaired required in public facilities

1. State buildings. The Department of Administrative and Financial Services shall require the installation and maintenance of telecommunication devices for communication for ~~the persons who are~~ deaf, hard of hearing, late deafened ~~and speech impaired or speech impaired~~ who rely on those devices for telephone communications in locations accessible to the public in state buildings where a primary function is the delivery of service to the general public in accordance with a plan developed by the Department of Administrative and Financial Services, Bureau of Information Services and the Department of Labor, Bureau of Rehabilitation Services.

2. Other facilities serving the public. If public telephones are provided in a public facility, it ~~shall be~~ is the responsibility of the owner or manager of the public facility to provide equal access by providing at least one telecommunication device for ~~the persons who are~~ hard of hearing ~~and or~~ speech impaired in the public facility.

3. Public facilities. For the purposes of this section, the following kinds of facilities shall be considered public facilities:

- A. Airport terminals serving scheduled flights;
- B. Bus and train depots; and
- C. Hospitals.

4. Notice. A sign noting the availability and location of the telecommunication device for persons who are hard of hearing and or speech impaired ~~persons shall~~ must be posted by the owner of the facility in a conspicuous location within each public facility covered by this section.

5. Devices. The requirements of this section may be satisfied by installation of telecommunications devices for the deaf as defined in section 8702, subsection 6, or other devices approved by the Department of Labor, Bureau of Rehabilitation Services, Division for the Deaf, Hard of Hearing and Late Deafened.

6. Relief. A violation of this section is unlawful public accommodations discrimination under Title 5, section 4592, and any person aggrieved may assert that person's rights pursuant to Title 5, chapter 337.

Sec. 56. 36 MRSA §1760, sub-§70, as amended by PL 1989, c. 871, §14, is further amended to read:

70. Organizations providing certain services for hearing-impaired persons who are hard of hearing.

Sales to incorporated nonprofit organizations whose primary purposes are to promote public understanding of hearing ~~impairment loss~~ and to assist ~~hearing-impaired persons who are hard of hearing~~ through the dissemination of information about hearing ~~impairment loss~~ to the general public and referral to and coordination of community resources available to ~~hearing-impaired persons who are hard of hearing~~.

Sec. 57. 36 MRSA §2557, sub-§25, as enacted by PL 2003, c. 673, Pt. V, §25 and affected by §29, is amended to read:

25. Organizations providing certain services for hearing-impaired persons who are hard of hearing. Sales to incorporated nonprofit organizations whose primary purposes are to promote public understanding of hearing ~~impairment loss~~ and to assist ~~hearing-impaired persons who are hard of hearing~~ through the dissemination of information about hearing ~~impairment loss~~ to the general public and referral to and coordination of community resources available to ~~hearing-impaired persons who are hard of hearing~~;

Sec. 58. State to discontinue use of terms "handicap," "handicapped" and "hearing impaired." Departments, agencies and offices of the legislative, executive and judicial branches of State Government shall discontinue the use of the terms "handicap," "handicapped" and "hearing impaired" to describe a person or set of persons in all laws, rules and official documents. The commissioner's office of each department of State Government shall report to the Joint Standing Committee on Judiciary by December 1, 2021 regarding progress on removing the terms from official documents and a reasonable time frame to complete the removal.

See title page for effective date.

CHAPTER 349

H.P. 995 - L.D. 1344

An Act To Clarify the Authority of the Department of Health and Human Services during a Public Health Emergency

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

Sec. 1. 5 MRSA §10004, sub-§3, as enacted by PL 1977, c. 694, §38, is amended to read:

3. Health or safety hazard. The health or physical safety of a person or the continued well-being of a significant natural resource is in immediate jeopardy at the time of the agency's action, and acting in accordance with subchapter ~~IV~~ 4 or ~~VI~~ 6 would fail to adequately respond to a known risk, ~~provided that as long as the~~

revocation, suspension or refusal to renew ~~shall~~ does not continue for more than 30 days, except as provided in Title 22, section 804 and subject to review under Title 22, section 804, subsection 3;

Sec. 2. 22 MRSA §802, sub-§1, ¶C, as amended by PL 2005, c. 383, §6, is further amended to read:

C. Investigate cases, epidemics and occurrences of communicable, environmental and occupational diseases; ~~and~~

Sec. 3. 22 MRSA §802, sub-§1, ¶D, as amended by PL 2005, c. 383, §6, is further amended to read:

D. Establish procedures for the control, detection, prevention and treatment of communicable, environmental and occupational diseases, including public immunization ~~and~~ contact notification programs; and closure of a business or entity when that business or entity directly and repeatedly violates public health control measures during an extreme public health emergency under section 820; and

Sec. 4. 22 MRSA §802, sub-§1, ¶E is enacted to read:

E. Impose administrative fines in accordance with section 804 and Title 5, chapter 375.

Sec. 5. 22 MRSA §802, sub-§2, ¶B, as enacted by PL 1989, c. 487, §11, is amended to read:

B. Procedures for the disinfection, seizure or destruction of contaminated property; ~~and~~

Sec. 6. 22 MRSA §802, sub-§2, ¶C, as amended by PL 2005, c. 383, §7, is further amended to read:

C. The establishment of temporary facilities for the care and treatment of infected or exposed persons, which are subject to the supervision and regulations of the department and to the limitations set forth in section 807; ~~and~~

Sec. 7. 22 MRSA §802, sub-§2, ¶D is enacted to read:

D. Procedures for the imposition of sanctions, including license suspensions and administrative fines, to enforce orders issued to reduce potential exposure and risk to public health. Notwithstanding Title 5, section 10004, subsection 3, the department may directly and temporarily suspend a department-issued license for more than 30 days when further operation of the licensee's business would result in a serious and imminent risk to public health or safety.

Sec. 8. 22 MRSA §804, sub-§2, as enacted by PL 1989, c. 487, §11, is amended to read:

2. Refusal to obey rules. Any person who neglects, violates or refuses to obey the rules or who willfully obstructs or hinders the execution of the rules, may be ordered by the department, in writing, to cease and desist. This order ~~shall~~ may not be considered an adjudicatory proceeding within the meaning of the Maine Administrative Procedure Act, ~~Title 5, chapter 375.~~ In the case of any person who refuses to obey a cease and desist order issued to enforce the rules adopted pursuant to section 802, the department may impose a fine, which may not be less than \$250 or greater than \$1,000 for each violation. Each day that the violation remains uncorrected may be counted as a separate offense. A fine may be imposed for each violation of the rules. If the imposition of a fine under this subsection does not result in compliance, the department may bring an action in District Court to obtain an injunction enforcing the cease and desist order or to request a civil fine not to exceed \$500 \$1,500, or both. Alternatively, the department may seek relief pursuant to section 810 or 812. The District Court ~~shall~~ have ~~has~~ jurisdiction to determine the validity of the cease and desist order whenever an action for injunctive relief or civil penalty is brought before it under this subsection.

Sec. 9. 22 MRSA §804, sub-§3 is enacted to read:

3. License suspension. A licensing agency under the department may immediately suspend a license pursuant to Title 5, section 10004, subsection 3 for a violation under this section. Notwithstanding Title 5, section 10004, subsection 3, a suspension under this subsection remains in effect until:

A. The licensing agency determines that the licensee's conduct no longer poses an imminent risk to public health or safety; or

B. The District Court, after conducting a hearing at the licensee's request, finds that the licensee's conduct does not pose an imminent risk to public health or safety. The suspension remains in effect pending the District Court's review under this paragraph.

See title page for effective date.

CHAPTER 350

H.P. 1014 - L.D. 1380

**An Act To Increase Protections
for Option Contracts for the
Purchase of Real Property or
Rent-to-own Real Property**

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

Sec. 1. 14 MRSA §6203-F, sub-§1-A is enacted to read:

1-A. Mediation. Upon the request of either party, mediation must be provided as set forth in section 6321-A if the premises are owner-occupied residential real property of no more than 4 units and the primary residence of the owner-occupant.

Sec. 2. 14 MRSA §6203-H is enacted to read:
§6203-H. Option contract for purchase of real property or rent-to-own real property

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

A. "Option contract for the purchase of real property or rent-to-own real property" means an agreement for the occupancy of purchaser-occupied residential real property of no more than 4 units that is the primary residence of the purchaser in which the purchaser is required to make an initial payment in excess of 4 times the periodic monthly payments required to occupy the premises and any agreement in which a person is induced to occupy such property as a primary residence by a promise or offer to grant ownership of the property to the person at a future date, at the option of the purchaser.

B. "Purchaser" means a person who enters into an option contract for the purchase of real property or rent-to-own real property and thereby obtains an option to purchase the real property.

C. "Vendor" means the owner of real property that is the subject of an option contract for the purchase of real property or rent-to-own real property and who enters into an option contract for the purchase of real property or rent-to-own real property for that real property. A vendor is a creditor under Title 9-A, section 1-301, subsection 17, except that an individual who engages in no more than 2 transactions per year and not more than 4 in a 5-year period may not be considered a creditor for purposes of Title 9-A, section 1-301, subsection 17.

2. Requirements. An option contract for the purchase of real property or rent-to-own real property must:

- A. Be in writing;
- B. Include a statement that the vendor has inspected the property to be conveyed and certifies that the property is in compliance with sections 6021 and 6021-A, subject to the provisions of section 6021, subsection 5 authorizing a waiver for a stated reduction in payment or other specified fair consideration;
- C. Identify the party required to maintain the premises in compliance with sections 6021 and 6021-A;

D. State the amount of the initial payment to secure the option contract for the purchase of real property or rent-to-own real property;

E. State the amount of the monthly payment due;

F. State the date by which the option contract for the purchase of real property or rent-to-own real property must be exercised;

G. State the amount due to exercise the option contract for the purchase of real property or rent-to-own real property;

H. Identify the party responsible to make payments for any real property taxes and homeowner's insurance;

I. State whether the amounts paid for rent, property taxes or homeowner's insurance will be deducted from the amount due to exercise the option contract for the purchase of real property or rent-to-own real property;

J. Include a termination clause that recites the provisions set forth in subsection 4;

K. Include a clear and conspicuous provision above the place for the signature of the purchaser that acknowledges receipt by the purchaser of a copy of the option contract for the purchase of real property or rent-to-own real property; and

L. Include language that in the event the option contract for the purchase of real property or rent-to-own real property is not exercised, the vendor shall return to the purchaser any amounts paid by the purchaser to the vendor at the commencement of the option contract for the purchase of real property or rent-to-own real property in excess of the lesser of:

- (1) Four times the monthly rent; and
- (2) One percent of the contract price for the purchase of the real property.

3. Recordation. Within 20 days after the option contract for the purchase of real property or rent-to-own real property has been signed by both the vendor and the purchaser, the vendor shall cause a copy of the option contract for the purchase of real property or rent-to-own real property or a memorandum of the option contract for the purchase of real property or rent-to-own real property to be recorded at the purchaser's expense in the registry of deeds in the county where the real property sold under the option contract for the purchase of real property or rent-to-own real property is located. If a memorandum of the option contract for the purchase of real property or rent-to-own real property is recorded, it must be entitled "Memorandum of a Land Installment Contract" and must at a minimum contain the names of the parties, the signatures of the parties, a description of the real property and the applicable time periods. A person other than a vendor and purchaser

may rely on the recorded materials in determining whether the requirements of this subsection have been met.

4. Termination. The following provisions govern the termination of an option contract for the purchase of real property or rent-to-own real property.

A. An option contract for the purchase of real property or rent-to-own real property may be terminated only pursuant to the eviction process set forth chapter 709 if:

(1) The vendor has entered into not more than one contract in any calendar year or 2 contracts in any 5-year period;

(2) The option contract for the purchase of real property or rent-to-own real property does not require an initial payment of more than 4 times the monthly rent charged for the real property;

(3) The option contract for the purchase of real property or rent-to-own real property requires the vendor to maintain the real property pursuant to the provisions of section 6021, unless a waiver pursuant to the provisions of section 6021, subsection 5 has been entered into, and section 6021-A; and

(4) The vendor has otherwise complied with the requirements of this section.

B. If paragraph A does not apply, an option contract for the purchase of real property or rent-to-own real property may be terminated only pursuant to the foreclosure process set forth in section 6203-F.

5. Violations. A violation of this section is a violation of the Maine Unfair Trade Practices Act. In addition to any other rights and remedies a purchaser may have in the law, upon a finding that a violation of this section by a vendor has occurred, a court shall find one or more of the following:

A. The purchaser is entitled to recover all actual damages or \$1,000, whichever is greater;

B. The purchaser may rescind the option contract for the purchase of real property or rent-to-own real property and recover all payments made on the contract; and

C. The purchaser is entitled to recover the aggregate amount of costs, expenses and attorney's fees determined by the court to have reasonably been incurred on the purchaser's behalf in connection with the prosecution or defense of the matter.

Sec. 3. 33 MRSA §483 is enacted to read:

§483. Prohibited acts

1. Bad faith avoidance. A person may not in bad faith attempt to avoid the application of this chapter

including engaging in subterfuge or designing or structuring a transaction with the purpose of evading the provisions of this chapter.

2. Survival of foreclosure. A land installment contract may not require a purchaser to enter into a promissory note or any other financial instrument or obligation that survives the foreclosure of the purchaser's interest in the real estate, or enforce any such obligation, unless:

A. The term of the promissory note does not exceed the term of the land installment contract;

B. Payments of principal made during the term of the promissory note are credited to reduce the principal due on the note; and

C. After obtaining a judgment for foreclosure and the expiration of the period of redemption set forth in Title 14, section 6203-F, the vendor conducts a sale in the same manner as required for a mortgage in Title 14, section 6323 and complies with the provisions of Title 14, section 6324 except with the equity of redemption being 60 days.

See title page for effective date.

CHAPTER 351

S.P. 458 - L.D. 1408

An Act To Increase the Protection of Children from Domestic Abuse and Violence

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

Sec. 1. 4 MRSA §1553, sub-§2, ¶B, as enacted by PL 2013, c. 406, §1, is amended to read:

B. Core training; and. Core training must include no less than 6 hours on domestic abuse and violence, developed and provided in collaboration with a statewide coalition of domestic violence resource centers, on the following topics:

(1) The domestic abuse tactics affecting adult and child safety and security after separation;

(2) The effects of domestic abuse and violence on children and conditions that support resilience;

(3) Best practices for recognizing, asking about and assessing the effects of abuse on the parenting relationship; and

(4) Methods for reducing post-separation abuse of the nonabusive parent and promoting child safety and security; and

Sec. 2. 4 MRSA §1553, sub-§3, as enacted by PL 2013, c. 406, §1, is amended to read:

3. Continuing education. Continuing education requirements, including no less than 2 hours of training annually on the impact of domestic abuse and violence on children, the services available in the State for victims of domestic abuse and violence and their children and interventions for those who commit domestic abuse and violence;

Sec. 3. Effective date. This Act takes effect January 1, 2022.

Effective January 1, 2022.

**CHAPTER 352
S.P. 470 - L.D. 1420**

**An Act To Conform State Law
to the Peer-to-Peer Car
Sharing Program Model Act**

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

Sec. 1. 24-A MRSA §7402, sub-§5, ¶B, as enacted by PL 2019, c. 367, §1, is amended to read:

B. When the shared vehicle is returned to a location as alternatively agreed upon by the shared vehicle owner and shared vehicle driver as communicated through a program, as long as the alternatively agreed location is incorporated into the car sharing program agreement; and

Sec. 2. 24-A MRSA §7402, sub-§8, as enacted by PL 2019, c. 367, §1, is amended to read:

8. Peer-to-peer car sharing. "Peer-to-peer car sharing" means the authorized use of a motor vehicle by an individual other than the registered owner through a program. "Peer-to-peer car sharing" does not include the business of renting motor vehicles within the meaning of Title 29-A, section 254.

Sec. 3. 24-A MRSA §7402, sub-§9, as enacted by PL 2019, c. 367, §1, is amended to read:

9. Peer-to-peer car sharing program; program. "Peer-to-peer car sharing program" or "program" means a business, including a business platform, that, digitally or otherwise, connects registered owners of motor vehicles with individuals to enable the sharing of motor vehicles for financial consideration. "Peer-to-peer car sharing program" does not include the business of renting motor vehicles within the meaning of Title 29-A, section 254.

Sec. 4. 24-A MRSA §7402, sub-§11, as enacted by PL 2019, c. 367, §1, is amended to read:

11. Shared vehicle. "Shared vehicle" means a motor vehicle that is: available for sharing through a peer-to-peer car sharing program.

~~A. Available for sharing through a peer-to-peer car sharing program;~~

~~B. Used nonexclusively for peer-to-peer car sharing pursuant to a car sharing program agreement; and~~

~~C. Used by the shared vehicle owner for personal use outside of peer-to-peer car sharing.~~

Sec. 5. 24-A MRSA §7402, sub-§12, as enacted by PL 2019, c. 367, §1, is amended to read:

12. Shared vehicle driver. "Shared vehicle driver" means an individual authorized to use a shared vehicle by the shared vehicle owner under a car sharing program agreement.

Sec. 6. 24-A MRSA §7402, sub-§13, as enacted by PL 2019, c. 367, §1, is amended to read:

13. Shared vehicle owner. "Shared vehicle owner" means the registered owner of a shared vehicle, or a person or entity designated by the registered owner of a vehicle made available for sharing to shared vehicle drivers through a peer-to-peer car sharing program. "Shared vehicle owner" does not include a person engaged in the business of renting motor vehicles within the meaning of Title 29-A, section 254.

Sec. 7. 24-A MRSA §7403, as enacted by PL 2019, c. 367, §1, is repealed.

Sec. 8. 24-A MRSA §7403-A is enacted to read:

§7403-A. Insurance requirements for peer-to-peer car sharing

1. Insurance coverage during car sharing period; liability. The following requirements apply to insurance coverage and liability during a car sharing period.

A. A peer-to-peer car sharing program shall assume the liability, except as provided in paragraph B, of a shared vehicle owner for bodily injury or property damage to 3rd parties or uninsured and underinsured motorists or personal injury protection losses during the car sharing period in an amount stated in the car sharing program agreement as long as the amount is not less than minimum requirements in Title 29-A, section 1605.

B. Notwithstanding the definition of "car sharing termination time" as set forth in section 7402, subsection 5, the assumption of liability under paragraph A does not apply when:

- (1) A shared vehicle owner makes an intentional or fraudulent material misrepresentation or omission to the peer-to-peer car sharing program before the car sharing period in which the loss occurred; or

(2) A shared vehicle owner is acting in concert with a shared vehicle driver who fails to return the shared vehicle pursuant to the terms of car sharing program agreement.

C. Notwithstanding the definition of "car sharing termination time" as set forth in section 7402, subsection 5, the assumption of liability under paragraph A applies to bodily injury or property damage to 3rd parties or uninsured and underinsured motorist or personal injury protection losses as required by Title 29-A, section 1605.

D. A peer-to-peer car sharing program shall ensure that, during each car sharing period, the shared vehicle owner and the shared vehicle driver are insured under a motor vehicle liability insurance policy that provides insurance coverage in amounts not less than the minimum amounts set forth in Title 29-A, section 1605 and:

- (1) Recognizes that the shared vehicle insured under the policy is made available and used through a peer-to-peer car sharing program; or
- (2) Does not exclude use of a shared vehicle by a shared vehicle driver.

E. The requirement for insurance coverage described under paragraph D may be satisfied by providing evidence of a motor vehicle liability insurance maintained by:

- (1) A shared vehicle owner;
- (2) A shared vehicle driver;
- (3) A peer-to-peer car sharing program; or
- (4) A shared vehicle owner, a shared vehicle driver and a peer-to-peer car sharing program collectively.

F. Insurance coverage that meets the requirements of paragraph D and obtained in accordance with paragraph E must be primary coverage during each car sharing period and, in the event that a claim occurs in another state with minimum financial responsibility limits higher than in Title 29-A, section 1605, during the car sharing period the coverage maintained under paragraph E must satisfy the difference in minimum coverage amounts up to the applicable policy limits.

G. The insurer, insurers or peer-to-peer car sharing program providing coverage in accordance with paragraph D or E shall assume primary liability for a claim when:

- (1) A dispute exists as to who was in control of the shared motor vehicle at the time of the loss and the peer-to-peer car sharing program does not have available, did not retain or fails to provide the information required by section 7404-A subsection 4; or

(2) A dispute exists as to whether the shared vehicle was returned to the alternatively agreed upon location as required under section 7402, subsection 5, paragraph B.

H. If insurance maintained by a shared vehicle owner or shared vehicle driver in accordance with paragraph E has lapsed or does not provide the required coverage, insurance maintained by a peer-to-peer car sharing program must provide the coverage required by paragraph D beginning with the first dollar of a claim, and the peer-to-peer car sharing program has the duty to defend that claim except under circumstances set forth in paragraph B.

I. Coverage under a motor vehicle liability insurance policy maintained by the peer-to-peer car sharing program may not be dependent on another insurer's first denying a claim or a requirement in another insurance policy to first deny a claim.

2. Exclusions in motor vehicle liability insurance policies. An insurer that writes motor vehicle liability insurance in the State may exclude any and all coverage and the duty to defend or indemnify for any claim afforded under a shared vehicle owner's motor vehicle liability insurance policy, including but not limited to:

- A. Liability coverage for bodily injury and property damage;
- B. Personal injury protection coverage;
- C. Uninsured and underinsured motorist coverage;
- D. Medical payments coverage;
- E. Comprehensive physical damage coverage; and
- F. Collision physical damage coverage.

This subsection does not invalidate or limit an exclusion contained in a motor vehicle liability insurance policy, including any insurance policy in use or approved for use that excludes coverage for motor vehicles made available for rent, sharing or hire or for any business use. This subsection does not invalidate, limit or restrict an insurer's ability under existing law to underwrite any insurance policy or to cancel or not renew any insurance policy.

3. Exemption; vicarious liability. A peer-to-peer car sharing program and a shared vehicle owner are exempt from vicarious liability consistent with 49 United States Code, Section 30106 and under any state or local law that imposes liability solely based on vehicle ownership.

4. Contribution against indemnification. An insurer that defends or indemnifies a claim against a shared vehicle that is excluded under the terms of its policy has the right to seek recovery against the insurer of the peer-to-peer car sharing program if the claim is:

A. Made against the shared vehicle owner or the shared vehicle driver for loss or injury that occurs during the car sharing period; and

B. Excluded under the terms of its policy.

5. Insurable interest. Notwithstanding any other law, statute, rule or regulation to the contrary, a peer-to-peer car sharing program has an insurable interest in a shared vehicle during the car sharing period. This section does not impose liability on a peer-to-peer car sharing program to maintain the coverage mandated by subsection 1. A peer-to-peer car sharing program may own and maintain as the named insured one or more policies of motor vehicle liability insurance that provides coverage for:

A. Liabilities assumed by the peer-to-peer car sharing program under a peer-to-peer car sharing program agreement;

B. Any liability of the shared vehicle owner;

C. Damage or loss to the shared motor vehicle; or

D. Any liability of the shared vehicle driver.

6. Construction. This section does not limit the liability of the peer-to-peer car sharing program for any act or omission of the peer-to-peer car sharing program itself that results in injury to any person as a result of the use of a shared vehicle through a peer-to-peer car sharing program or limit the ability of a peer-to-peer car sharing program to, by contract, seek indemnification from the shared vehicle owner or the shared vehicle driver for economic loss sustained by the peer-to-peer car sharing program resulting from a breach of the terms and conditions of the car sharing program agreement.

Sec. 9. 24-A MRSA §7404, as enacted by PL 2019, c. 367, §1, is repealed.

Sec. 10. 24-A MRSA §7404-A is enacted to read:

§7404-A. Responsibilities of peer-to-peer car sharing programs

1. General disclosures. Each car sharing program agreement made in the State must disclose to the shared vehicle owner and the shared vehicle driver:

A. Any right of the peer-to-peer car sharing program to seek indemnification from the shared vehicle owner or the shared vehicle driver for economic loss sustained by the peer-to-peer car sharing program resulting from a breach of the terms and conditions of the car sharing program agreement;

B. That a motor vehicle liability insurance policy issued to the shared vehicle owner for the shared vehicle or to the shared vehicle driver does not provide a defense or indemnification for any claim asserted by the peer-to-peer car sharing program;

C. That the peer-to-peer car sharing program's insurance coverage on the shared vehicle owner and the shared vehicle driver is in effect only during each car sharing period and that, for any use of the shared vehicle by the shared vehicle driver after the car sharing termination time, the shared vehicle driver and the shared vehicle owner may not have insurance coverage;

D. The daily rate, fees and, if applicable, any insurance or protection package costs that are charged to the shared vehicle owner or the shared vehicle driver;

E. That the shared vehicle owner's motor vehicle liability insurance may not provide coverage for a shared vehicle;

F. An emergency telephone number to personnel capable of fielding roadside assistance and other customer service inquiries; and

G. If there are conditions under which a shared vehicle driver must maintain a personal motor vehicle insurance policy with certain applicable coverage limits on a primary basis in order to arrange for use of a shared vehicle.

2. Notification of implications of lien. At the time a vehicle owner registers as a shared vehicle owner with a peer-to-peer car sharing program and prior to the time when the shared vehicle owner makes a shared vehicle available for car sharing with the peer-to-peer car sharing program, the peer-to-peer car sharing program shall notify the shared vehicle owner that, if the shared vehicle has a lien against it, the use of the shared vehicle through a peer-to-peer car sharing program, including use without physical damage coverage, may violate the terms of the contract with the lienholder.

3. Motor vehicle safety recalls. This subsection applies to motor vehicle safety recalls of shared vehicles.

A. At the time a vehicle owner registers as a shared vehicle owner with a peer-to-peer car sharing program and prior to the time when the shared vehicle owner makes a shared vehicle available for car sharing with the peer-to-peer car sharing program, the peer-to-peer car sharing program shall:

(1) Verify that the shared vehicle does not have any safety recalls on the vehicle for which the repairs have not been made; and

(2) Notify the shared vehicle owner of the requirements under paragraph B.

B. If the shared vehicle owner has received an actual notice of a safety recall on the vehicle, a shared vehicle owner may not make a vehicle available as a shared vehicle with a peer-to-peer car sharing program until the safety recall repair has been made.

(1) When the notice of a safety recall is received while the shared vehicle is made available with the peer-to-peer car sharing program, the shared vehicle owner shall remove the shared vehicle as available with the peer-to-peer car sharing program, as soon as practicably possible after receiving the notice of the safety recall and until the safety recall repair has been made; and

(2) When the notice of a safety recall is received while the shared vehicle is being used in the possession of a shared vehicle driver, as soon as practicably possible after receiving the notice of the safety recall the shared vehicle owner shall notify the peer-to-peer car sharing program about the safety recall so that the shared vehicle owner may address the safety recall repair.

4. Recordkeeping; use of vehicle in car sharing. A peer-to-peer car sharing program shall collect and verify records pertaining to the use of a vehicle, including, but not limited to, times used, car sharing period pick up and drop off locations, fees paid by the shared vehicle driver and revenues received by the shared vehicle owner, and shall provide that information upon request to the shared vehicle owner, the shared vehicle owner's insurer or the shared vehicle driver's insurer to facilitate a claim coverage investigation, settlement, negotiation or litigation. The peer-to-peer car sharing program shall retain the records for a time period not less than the applicable personal injury statute of limitations.

5. Driver's license verification and data retention. A peer-to-peer car sharing program may not enter into a peer-to-peer car sharing program agreement with a driver unless the driver who will operate the shared vehicle:

A. Holds a driver's license issued under Title 29-A, section 1251 that authorizes the driver to operate vehicles of the class of the shared vehicle; or

B. Is a nonresident who:

(1) Has a driver's license issued by the state or country of the driver's residence that authorizes the driver in that state or country to drive vehicles of the class of the shared vehicle; and

(2) Is at least the same age as that required of a resident of the State to drive; or

C. Otherwise is specifically authorized by Title 29-A, section 1251 to drive vehicles of the class of the shared vehicle.

A peer-to-peer car sharing program shall keep a record of the name and address of the shared vehicle driver; the number of the driver's license of the shared vehicle driver and each other person, if any, who will operate

the shared vehicle; and the place of issuance of the driver's license.

6. Responsibility for equipment. A peer-to-peer car sharing program has sole responsibility for any equipment, such as a GPS system or other special equipment that is put in or on the vehicle to monitor or facilitate the car sharing transaction, and shall agree to indemnify and hold harmless the vehicle owner for any damage to or theft of such equipment during the sharing period not caused by the vehicle owner. The peer-to-peer car sharing program has the right to seek indemnity from the shared vehicle driver for any loss or damage to such equipment that occurs during the sharing period.

Sec. 11. 24-A MRSA §7405, as enacted by PL 2019, c. 367, §1, is repealed.

See title page for effective date.

CHAPTER 353

H.P. 1095 - L.D. 1480

An Act Regarding the Review of Law Enforcement Use of Deadly Force

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

Sec. 1. 5 MRSA §200-K, sub-§8 is enacted to read:

8. Attorney General's investigation. The Attorney General shall complete an investigation of and submit to the panel the findings regarding the use of deadly force pursuant to section 200-A within 180 days of receiving notice of the use of deadly force by a law enforcement officer. If the Attorney General is unable to complete the investigation and submit the findings within 180 days, the Attorney General shall notify the panel prior to the expiration of the 180-day period. The Attorney General's notice to the panel under this subsection must provide a summary of the investigation up to the date of the notice, identify the reason for the delay and provide an anticipated conclusion date for the investigation and findings, which may not exceed 270 days from receiving notice of the use of deadly force.

Sec. 2. 16 MRSA §806-A is enacted to read:
§806-A. Video depicting use of deadly force

This chapter does not preclude the public dissemination of that portion of a video in the custody of the Attorney General depicting the use of deadly force by law enforcement when the public interest in the evaluation of the use of deadly force by law enforcement and the review and investigation of those incidents by the Attorney General outweighs the harms contemplated in

section 804. Upon receiving a request for video depicting the use of deadly force, the Attorney General shall issue a decision on whether to release the video no later than 30 days after the request and, in the event of denial, shall provide written notice stating in detail the basis for the denial, a time frame for release of all or part of the video and the process to appeal the decision pursuant to Title I, section 409.

See title page for effective date.

**CHAPTER 354
S.P. 506 - L.D. 1563**

**An Act Regarding Travel
Insurance in the Maine
Insurance Code**

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

Sec. 1. 24-A MRSA §708, sub-§1, ¶B, as enacted by PL 1969, c. 132, §1, is amended to read:

B. "Marine protection and indemnity insurance," meaning insurance against, or against legal liability of the insured for, loss, damage or expense arising out of, or incident to, the ownership, operation, chartering, maintenance, use, repair or construction of any vessel, craft or instrumentality in use in ocean or inland waterways, including liability of the insured for personal injury, illness or death or for loss of or damage to the property of another person; and

Sec. 2. 24-A MRSA §708, sub-§1, ¶C is enacted to read:

C. Travel insurance as described in section 1420-F, subsection 1, paragraph H.

Sec. 3. 24-A MRSA §1420-F, sub-§1, ¶H, as repealed and replaced by PL 2015, c. 133, §2, is amended to read:

H. Travel insurance, which is a limited line and which means insurance coverage for personal risks incident to planned travel, including but not limited to:

- (1) Interruption or cancellation of a trip or event;
- (2) Loss of baggage or personal effects;
- (3) Damages to accommodations or rental vehicles; or
- (4) Sickness, accident, disability or death occurring during travel;
- (5) Emergency evacuation;
- (6) Repatriation of remains; or

(7) Any other contractual obligations to indemnify or pay a specified amount to a traveler upon determinable contingencies related to travel as approved by the superintendent.

Travel insurance does not include a major medical plan that provides comprehensive medical protection for travelers on trips lasting longer than 6 months ~~or longer~~, including travelers working or residing overseas as expatriates, or any other product that requires a specific insurance producer license;

Sec. 4. 24-A MRSA §7051-A is enacted to read:

§7051-A. Applicability of chapter

1. Applicability. The requirements of this chapter apply to travel insurance that covers any resident of this State; that is sold, solicited, negotiated or offered in this State; and for which policies and certificates are delivered or issued for delivery in this State. This chapter does not apply to cancellation fee waivers or travel assistance services, except as expressly provided in this chapter.

2. Application of other laws. All other applicable provisions of this State's insurance laws apply to travel insurance except that the specific provisions of this chapter supersede any general provisions of law that would otherwise be applicable to travel insurance.

Sec. 5. 24-A MRSA §7052, as enacted by PL 2015, c. 133, §4, is repealed.

Sec. 6. 24-A MRSA §7052-A is enacted to read:

§7052-A. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Aggregator site. "Aggregator site" means a website that provides access to information regarding insurance products from more than one insurer, including product and insurer information, for use in comparison shopping.

2. Blanket travel insurance. "Blanket travel insurance" means a policy of group travel insurance that provides coverage for specific classes of persons defined in the policy under which coverage is provided to all members of the eligible group without a separate charge to individual members of the eligible group.

3. Cancellation fee waiver. "Cancellation fee waiver" means a contractual agreement between a supplier of travel services and its customer to waive some or all of the nonrefundable cancellation fee provisions of the supplier's underlying travel contract with or without regard to the reason for the cancellation or form of

reimbursement. A cancellation fee waiver is not insurance.

4. Designated responsible producer. "Designated responsible producer" means the individual licensed producer responsible for ensuring compliance by the supervising travel insurance producer and its registrants with travel insurance laws and rules of the State.

5. Eligible group. "Eligible group" means 2 or more persons that are engaged in a common enterprise or have an economic, educational or social affinity or relationship, including but not limited to any of the following:

A. An entity engaged in the business of providing travel or travel services, including but not limited to: tour operators, lodging providers, vacation property owners, hotels and resorts, travel clubs, travel agencies, property managers, cultural exchange programs and common carriers or the operator, owner or lessor of a means of transportation of passengers, including but not limited to airlines, cruise lines, railroads, steamship companies and public bus carriers, wherein, with regard to any particular travel or type of travel or travelers, all members or customers of the entity have a common exposure to risk attendant to such travel, covering all members or customers of the entity;

B. A college, school or other institution of learning, covering students, teachers, employees or volunteers;

C. An employer, covering any group of employees, volunteers, contractors, boards of directors, dependents or guests;

D. A sports team, camp or sponsor of a sports team or camp, covering participants, members, campers, employees, officials, supervisors or volunteers;

E. A religious, charitable, recreational, educational or civic organization or branch thereof, covering any group of members, participants or volunteers;

F. A financial institution or financial institution vendor, or parent holding company, trustee or agent of or designated by one or more financial institutions or financial institution vendors, including account holders, credit card holders, debtors, guarantors or purchasers;

G. An incorporated or unincorporated association, including a labor union, having a common interest, constitution and bylaws, and organized and maintained in good faith for purposes other than obtaining insurance for members or participants of such association, covering its members;

H. A trust or the trustees of a fund established, created or maintained for the benefit of and covering members, employees or customers of one or more associations meeting the requirements of paragraph

G, subject to the superintendent's permitting the use of the trust and the premium tax provisions in Title 36, section 2513-C;

I. An entertainment production company, covering any group of participants, volunteers, audience members, contestants, employees or contractors;

J. A volunteer fire department or an ambulance, rescue, police, court, first aid or civil defense volunteer group or other similar volunteer group;

K. A preschool, day care institution for children or adults or senior citizen club;

L. An automobile or truck rental or leasing company, covering a group of individuals who may become renters, lessees or passengers, as defined by their travel status with regard to the rented or leased vehicles, as long as the automobile or truck rental or leasing company is the policyholder under a policy to which this chapter applies; or

M. Any other group with regard to which the superintendent has determined that the members are engaged in a common enterprise or have an economic, educational or social affinity or relationship and that issuance of the policy would not be contrary to the public interest.

6. Fulfillment materials. "Fulfillment materials" means documentation provided to the purchaser of a travel protection plan confirming the purchase and providing the travel protection plan's coverage and travel assistance services details.

7. Group travel insurance. "Group travel insurance" means travel insurance issued to an eligible group.

8. Offer and disseminate. "Offer and disseminate" means to provide general information, including a description of the coverage and price, as well as to process the application and collect premiums.

9. Primary certificate holder. "Primary certificate holder" means an individual who elects and purchases travel insurance under a group travel insurance policy.

10. Primary policyholder. "Primary policyholder" means an individual who elects and purchases individual travel insurance.

11. Supervising travel insurance producer. "Supervising travel insurance producer" means a business entity licensed in accordance with this chapter to sell, solicit and negotiate travel insurance that is offered and disseminated by travel retailers. "Supervising travel insurance producer" includes a:

A. Licensed managing general agent or 3rd-party administrator;

B. Licensed insurance producer, including a limited lines producer; and

C. Travel administrator.

12. Travel administrator. "Travel administrator" means a person that directly or indirectly underwrites, collects charges, collateral or premiums from or adjusts or settles claims on residents of the State in connection with travel insurance, except that a person is not a travel administrator if that person's only actions that would otherwise cause that person to be a travel administrator are among the following:

A. The person works for a travel administrator, if the person's activities are subject to the supervision and control of the travel administrator;

B. The person is an insurance producer selling insurance or engaged in administrative and claims-related activities within the scope of the insurance producer's license;

C. The person is a travel retailer offering and disseminating travel insurance and is registered under the license of a supervising travel insurance producer in accordance with this chapter;

D. The person is an individual adjusting or settling claims in the normal course of that individual's practice or employment as an attorney-at-law and who does not collect charges or premiums in connection with insurance coverage; and

E. The person is a business entity that is affiliated with a licensed insurer and acts as a travel administrator for the direct and assumed insurance business of the affiliated insurer.

13. Travel assistance services. "Travel assistance services" means noninsurance services for which the consumer is not indemnified against a fortuitous event and for which providing the services does not result in transfer or shifting of risk that would constitute the business of insurance. "Travel assistance services" includes, but is not limited to: security advisories; destination information; vaccination and immunization information services; travel reservation services; entertainment; activity and event planning; translation assistance; emergency messaging; international legal and medical referrals; medical case monitoring; coordination of transportation arrangements; emergency cash transfer assistance; medical prescription replacement assistance; passport and travel document replacement assistance; lost baggage assistance; concierge services; and any other services that are furnished in connection with planned travel. Travel assistance services are not insurance and not related to insurance.

14. Travel insurance. "Travel insurance" means insurance coverage as defined in section 1420-F, subsection 1, paragraph H.

15. Travel protection plan. "Travel protection plan" means a plan that provides one or more of the following: travel insurance, travel assistance services and a cancellation fee waiver.

16. Travel retailer. "Travel retailer" means a business entity that makes, arranges or offers planned travel and that may offer and disseminate travel insurance as a service to its customers on behalf of and under the direction of a supervising travel insurance producer.

Sec. 7. 24-A MRSA §7053, sub-§1, as enacted by PL 2015, c. 133, §4, is repealed and the following enacted in its place:

1. Issuance of license. The issuance of a license is governed by this subsection.

A. Upon receipt of an application in the form and manner prescribed by the superintendent, the superintendent may issue a supervising travel insurance producer license, which is a limited license, to a business entity authorizing the business entity to sell, solicit or negotiate travel insurance as a supervising travel insurance producer on behalf of a licensed insurer. A person may not act as a supervising travel insurance producer unless licensed under this subsection or as provided in section 7052-A, subsection 11. A travel retailer may not sell, solicit or negotiate travel insurance unless licensed as a producer or registered in accordance with section 7054, subsection 2.

B. A person licensed in a major line of authority as an insurance producer may sell, solicit and negotiate travel insurance.

Sec. 8. 24-A MRSA §7053, sub-§3, as enacted by PL 2015, c. 133, §4, is amended to read:

3. Compensation. If Notwithstanding any provision of law to the contrary, if the insurance-related activities of a travel retailer and its employees and authorized representatives are limited to offering and disseminating travel insurance on behalf of and under the direction of a supervising travel insurance producer, and the travel retailer is registered pursuant to section 7054, subsection 2, the travel retailer and its employees and authorized representatives are permitted to receive related compensation on sales made in accordance with this chapter.

Sec. 9. 24-A MRSA §7054, sub-§1, as enacted by PL 2015, c. 133, §4, is amended to read:

1. Disclosure. The supervising travel insurance producer or travel retailer shall provide to purchasers of travel insurance brochures or other written materials that have been approved by the issuing insurer and include:

A. A description of the material terms of the insurance coverage including:

(1) The identity and contact information of the insurer, supervising travel insurance producer and designated responsible producer;

(2) The amount of any applicable deductible and how it is to be paid;

- (3) The benefits of the coverage; and
- (4) Key terms and conditions of coverage;

B. An explanation that the purchase of travel insurance is not required in order to purchase any other product or service from the travel retailer;

C. An explanation that a travel retailer that is not licensed as an insurance producer is only permitted to provide general information about the insurance offered by the supervising travel insurance producer or insurer, including a description of the coverage and price, but is not qualified or authorized to answer technical questions about the terms and conditions of the insurance offered by the travel retailer or to evaluate the adequacy of the customer's existing insurance coverage;

D. A description of the process for filing a claim; and

E. A description of the review or cancellation process for the travel insurance policy.

Sec. 10. 24-A MRSA §7054, sub-§2, as enacted by PL 2015, c. 133, §4, is amended to read:

2. Registry of travel retailers; grounds for suspension and revocation; penalties. The supervising travel insurance producer shall establish and update a register on a form prescribed by the superintendent of each travel retailer that offers travel insurance on the supervising travel insurance producer's behalf. The register must include the name, address and contact information of the travel retailer and an officer or person who directs or controls the travel retailer's operations and the travel retailer's federal employer identification number. The supervising travel insurance producer shall submit the register to the superintendent upon request. The supervising travel insurance producer shall certify that the registered travel retailer complies with 18 United States Code, Section 1033. The grounds for suspension and revocation and the penalties applicable to insurance producers under section 1420-K are applicable to supervising travel insurance producers and travel retailers.

Sec. 11. 24-A MRSA §7054, sub-§6, as enacted by PL 2015, c. 133, §4, is amended to read:

6. Training. The supervising travel insurance producer shall require each employee of the travel retailer whose duties include offering and disseminating travel insurance to receive a program of instruction or training, which may be subject to review and approval by the superintendent. The training material must, at a minimum, contain instructions on the types of insurance offered, ethical sales practices and required brochures or other written materials provided to prospective customers.

Sec. 12. 24-A MRSA §7054, sub-§7 is enacted to read:

7. Notice to the superintendent. Any business entity acting as a supervising travel insurance producer without being specifically licensed as such in accordance with section 7053, subsection 1 shall provide notice to the superintendent of the following:

A. The fact that the business entity is acting as a supervising travel insurance producer;

B. The identity of any travel retailers that offer travel insurance on the business entity's behalf in accordance with subsection 2; and

C. The name and license number of the business entity's designated responsible producer.

The notice required by this subsection must be provided within 30 days of the commencement of the business entity's supervising travel insurance producer activities in the State on a form required by the superintendent.

Sec. 13. 24-A MRSA §7056, as enacted by PL 2015, c. 133, §4, is amended to read:

§7056. Policy; responsibilities; enforcement; standards

1. Policy. Notwithstanding any provision of this Title to the contrary, travel insurance rates and forms must be filed with and approved by the superintendent. For purposes of such filings, travel insurance must be classified and filed for purposes of rates and forms as inland marine insurance, except that travel insurance that provides coverage for sickness, accident, disability or death occurring during travel, either exclusively or in conjunction with related coverages of emergency evacuation or repatriation of remains, or incidental limited property and casualty benefits such as lost baggage or trip cancellation, may, subject to the superintendent's discretion, be filed as either health insurance or inland marine insurance. Travel insurance may be provided under an individual policy or under a group or ~~master~~ blanket travel insurance policy.

2. Responsibility. A As the insurer's designee, a supervising travel insurance producer is responsible for the acts of a travel retailer offering and disseminating travel insurance under the supervising travel insurance producer's authority and shall use reasonable means to ensure compliance by the travel retailer with this chapter.

3. Enforcement. A supervising travel insurance producer and any travel retailer offering and disseminating travel insurance are subject to chapters 16 and 23.

4. Eligibility and underwriting standards. Eligibility and underwriting standards for travel insurance may be developed and provided based on travel protection plans designed for individual or identified marketing or distribution channels, as long as those standards also meet the State's underwriting standards for inland marine insurance.

Sec. 14. 24-A MRSA §7057 is enacted to read:
§7057. Travel protection plans

A travel protection plan composed of combined features may be offered for one price if:

1. Disclosures. The travel protection plan clearly discloses to the consumer, at or prior to the time of purchase, that it includes travel insurance, travel assistance services and cancellation fee waivers, as applicable, and provides information and an opportunity, at or prior to the time of purchase, for the consumer to obtain additional information regarding the features and pricing of each; and

2. Fulfillment material requirements. The fulfillment materials must:

A. Describe and delineate the travel insurance, travel assistance services and cancellation fee waivers in the travel protection plan; and

B. Include the travel insurance disclosures under subsection 1 and the contact information for persons providing travel assistance services and cancellation fee waivers, as applicable.

Sec. 15. 24-A MRSA §7058 is enacted to read:
§7058. Sales practices

1. Trade practices and frauds applicability. All persons offering travel insurance to residents of this State are subject to chapter 23, except as otherwise provided in this section. In the event of a conflict between this chapter and other provisions of this Title regarding the sale and marketing of travel insurance and travel protection plans, the provisions of this chapter control.

2. Deceptive travel insurance. Offering or selling a travel insurance policy that could never result in payment of any claims for any insured under the policy is an unfair trade practice under chapter 23.

3. Marketing. All persons offering travel insurance to residents of this State shall comply with the marketing requirements in this subsection.

A. All documents provided to consumers prior to the purchase of travel insurance, including but not limited to policy summaries, sales materials, advertising materials and marketing materials, must be consistent with the travel insurance policy, including but not limited to forms, endorsements, policies, rate filings and certificates of insurance.

B. For travel insurance policies or certificates that contain preexisting condition exclusions, information and a reasonable opportunity to learn more about the preexisting condition exclusions must be provided prior to the time of purchase and in the fulfillment materials under section 7057, subsection 2.

C. The fulfillment materials under section 7057, subsection 2 and the information described in section 7054, subsection 1, paragraphs A, D and E must be provided to a primary policyholder or primary certificate holder as soon as practicable following the purchase of a travel protection plan. Unless the insured has either started a covered trip or filed a claim under the travel insurance coverage, a primary policyholder or primary certificate holder may cancel a policy or certificate for a full refund of the travel protection plan price from the date of purchase of a travel protection plan until at least:

(1) Fifteen days following the date of delivery of the travel protection plan's fulfillment materials by mail; or

(2) Ten days following the date of delivery of the travel protection plan's fulfillment materials by means other than mail.

For the purposes of this paragraph, "delivery" means handing fulfillment materials to the primary policyholder or primary certificate holder or sending fulfillment materials by mail or electronic means to the primary policyholder or primary certificate holder.

D. The insurer shall disclose in the policy documentation and fulfillment materials whether the travel insurance is primary or secondary to other applicable coverage.

E. When travel insurance is marketed directly to a consumer through an insurer's website or by others through an aggregator site, it is not an unfair trade practice or other violation of law for an accurate summary or short description of coverage to be provided on the website or through an aggregator site, so long as the consumer has access to the full provisions of the policy through electronic means.

4. Opt-out format. A person offering, soliciting or negotiating travel insurance or travel protection plans on an individual or group basis may not do so by using a negative option or opt-out format that requires a consumer to take an affirmative action to deselect coverage, such as unchecking a box on an electronic form, when the consumer purchases a trip.

5. Blanket travel insurance. It is an unfair trade practice to market blanket travel insurance coverage as free.

6. Jurisdiction dictating coverage. When a consumer's destination jurisdiction requires insurance coverage, it is not an unfair trade practice to require that a consumer choose between the following options as a condition of purchasing a trip or travel package:

A. Purchasing the coverage required by the destination jurisdiction through the travel retailer or supervising travel insurance producer supplying the trip or travel package; or

B. Agreeing to obtain and provide proof of coverage that meets the destination jurisdiction's requirements prior to departure.

Sec. 16. 24-A MRSA §7059 is enacted to read:
§7059. Travel administrators

1. License required. Notwithstanding any provision of this Title to the contrary, a person may not act or represent itself as a travel administrator for travel insurance in the State unless that person:

A. Is a licensed property and casualty insurance producer in the State for activities permitted under that producer license;

B. Holds a valid managing general agent license in the State; or

C. Holds a valid 3rd-party administrator license in the State.

2. Exemption from adjuster license requirements. A travel administrator and its employees are exempt from the licensing requirements for adjusters in chapter 16 for travel insurance the travel administrator administers.

3. Insurer responsible. An insurer is responsible for the acts of a travel administrator administering travel insurance underwritten by the insurer, including any affiliate of the insurer acting as a travel administrator for the direct and assumed insurance business of the affiliated insurer, and is responsible for ensuring that the travel administrator maintains all books and records relevant to the insurer to be made available by the travel administrator to the superintendent upon request.

Sec. 17. 24-A MRSA §7060 is enacted to read:
§7060. Rulemaking

The superintendent may adopt rules to implement the provisions of this chapter. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 18. 36 MRSA §2513-C is enacted to read:
§2513-C. Premium tax on travel insurance premiums

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

A. "Blanket travel insurance" has the same meaning as in Title 24-A, section 7052 A, subsection 2.

B. "Cancellation fee waiver" has the same meaning as in Title 24-A, section 7052 A, subsection 3.

C. "Primary certificate holder" has the same meaning as in Title 24-A, section 7052 A, subsection 9.

D. "Primary policyholder" has the same meaning as in Title 24-A, section 7052 A, subsection 10.

E. "Travel assistance services" has the same meaning as in Title 24-A, section 7052 A, subsection 13.

F. "Travel insurance" has the same meaning as in Title 24-A, section 7052 A, subsection 14.

2. Paying premium tax. An insurer shall pay a premium tax as provided in section 2513 on travel insurance premiums paid by any of the following:

A. A primary policyholder who is a resident of the State;

B. A primary certificate holder who is a resident of the State; and

C. A blanket travel insurance policyholder that is a resident of the State or has its principal place of business in the State, or in the case of an affiliate's or subsidiary's purchasing blanket travel insurance for eligible blanket travel insurance group members, the policyholder's affiliate or subsidiary has its principal place of business in the State, subject to any apportionment rules that apply to the insurer across multiple taxing jurisdictions or that permit the insurer to allocate premiums on an apportioned basis in a reasonable and equitable manner in those jurisdictions as determined by the assessor.

3. Insurer requirements. An insurer shall:

A. Document the state of residence or principal place of business of the policyholder or certificate holder described in subsection 1; and

B. Report as premiums only the amount allocable to travel insurance and not any amounts received for travel assistance services or cancellation fee waivers.

See title page for effective date.

CHAPTER 355
H.P. 1206 - L.D. 1617

An Act To Amend the Victim Services Laws To Define "Restorative Justice"

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

Sec. 1. 34-A MRSA §1001, sub-§15-B is enacted to read:

15-B. Restorative justice. "Restorative justice" means a practice in which offenders take responsibility for causing harm and engage in a facilitated process with victims, family members, community members,

advocates and others impacted by the harm that focuses on repairing the harm, addressing needs and preventing future harm.

See title page for effective date.

CHAPTER 356

S.P. 515 - L.D. 1622

An Act To Promote Individual Retirement Savings through a Public-Private Partnership

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

Sec. 1. 5 MRSA c. 7-A is enacted to read:

CHAPTER 7-A

MAINE RETIREMENT SAVINGS BOARD

§171. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Board. "Board" means the Maine Retirement Savings Board under section 172.

2. Covered employee. "Covered employee" means an individual who is 18 years of age or older who is employed by a covered employer and who has wages or other compensation that are allocable to the State during a calendar year. "Covered employee" does not include:

A. An employee covered under the federal Railway Labor Act, 45 United States Code, Section 151;

B. An employee on whose behalf an employer makes contributions to a multiemployer pension trust fund authorized by the federal Labor Management Relations Act, 1947, Public Law 80-101, known as the Taft-Hartley Act; or

C. An individual who is an employee of the Federal Government, the State or any other state, any county or municipal corporation or any of the State's or any other state's units or instrumentalities.

"Covered employee" may include a part-time, seasonal or temporary employee only to the extent permitted in rules adopted by the board pursuant to section 174.

3. Covered employer. "Covered employer" means a person or entity engaged in a business, industry, profession, trade or other enterprise in the State, whether for profit or not for profit, that has not offered to its employees, effective in form or operation at any

time within the current calendar year or 2 preceding calendar years, a specified tax-favored retirement plan. "Covered employer" does not include:

A. The Federal Government, the State or any other state, any county or municipal corporation or any of the State's or any other state's units or instrumentalities; or

B. An employer that has not been in business during both the current calendar year and the preceding calendar year.

If an employer does not maintain a specified tax-favored retirement plan for a portion of a calendar year ending on or after the effective date of this chapter, but does adopt such a plan for the remainder of that calendar year, the employer is not a covered employer for the remainder of the year.

4. Enterprise fund. "Enterprise fund" means the Maine Retirement Savings Program Enterprise Fund established in section 178.

5. ERISA. "ERISA" means the federal Employee Retirement Income Security Act of 1974, as amended, 29 United States Code, Section 1001 et seq.

6. Internal Revenue Code. "Internal Revenue Code" means the United States Internal Revenue Code of 1986, as amended.

7. IRA. "IRA" means a traditional IRA or Roth IRA.

8. Participant. "Participant" means an individual who has an IRA under the program.

9. Payroll deduction IRA or payroll deduction IRA arrangement. "Payroll deduction IRA" or "payroll deduction IRA arrangement" means an arrangement by which an employer allows employees to contribute to an IRA by means of payroll deduction.

10. Program. "Program" means the Maine Retirement Savings Program established in accordance with this chapter.

11. Retirement system. "Retirement system" means the Maine Public Employees Retirement System established in section 17101.

12. Roth IRA. "Roth IRA" means a Roth individual retirement account or Roth individual retirement annuity described in Section 408A of the Internal Revenue Code.

13. Specified tax-favored retirement plan. "Specified tax-favored retirement plan" means a plan, program or arrangement that is tax-qualified under or described in, and satisfies the requirements of, Section 401(a), Section 401(k), Section 403(a), Section 403(b), Section 408(k), Section 408(p) or Section 457(b) of the Internal Revenue Code, without regard to whether it constitutes an employee benefit plan under ERISA.

14. Traditional IRA. "Traditional IRA" means a traditional individual retirement account or traditional individual retirement annuity described in Section 408(a) or Section 408(b) of the Internal Revenue Code.

15. Wages. "Wages" means any compensation within the meaning of Section 219(f)(1) of the Internal Revenue Code that is received by an employee from an employer during a calendar year.

§172. Maine Retirement Savings Board

The Maine Retirement Savings Board is established pursuant to section 12004-G, subsection 33-G to develop and maintain the Maine Retirement Savings Program for individuals employed or self-employed for wages or other compensation in this State.

1. Appointments. The board consists of 9 voting members as follows:

A. The Treasurer of State, or the Treasurer of State's designee; and

B. Eight members appointed by the Governor:

(1) A member who has skill, knowledge and experience relating to the interests of employees in achieving financial security and developing financial capability, including through retirement saving;

(2) A member who is a representative of an association representing employees, including covered employees, or who has skill, knowledge and experience relating to the interests of employees in retirement saving;

(3) A member who is a representative of employers, including covered employers, or who has skill, knowledge and experience relating to the interests of small employers in retirement saving;

(4) A member of the public who is retired and is a representative of the interests of retirees and employees;

(5) A member who has skill, knowledge and experience in the field of retirement saving, retirement plans and retirement investment;

(6) A member who has expertise and experience in stakeholder outreach and engagement and marketing;

(7) A member who has expertise and experience in developing or maintaining online platforms and systems; and

(8) A member who has expertise and experience in program development and management.

2. Confirmation of members. The 8 members of the board appointed by the Governor are subject to

approval by the joint standing committee of the Legislature having jurisdiction over financial services matters and confirmation by the Senate.

3. Terms; vacancy. The term of office of each member of the board appointed by the Governor is 4 years. A member is eligible for reappointment. If there is a vacancy for any cause for a member appointed by the Governor, the Governor shall make an appointment to become immediately effective for the unexpired term.

4. Chair. The members of the board shall elect one of its members annually to serve as the chair of the board.

5. Quorum. A majority of the voting members of the board constitutes a quorum for the transaction of business.

6. Compensation. A member of the board, except for the Treasurer of State and any designee of the Treasurer of State, must be compensated according to the provisions of section 12004-G, subsection 33-G.

7. Staffing. Except as otherwise provided, the Office of the Treasurer of State shall provide staff support to the board. The board shall reimburse the Office of the Treasurer of State for the full cost of any staff time provided to the board.

8. Meetings. The board shall meet monthly beginning no later than May 2022 and may also meet at other times at the call of the chair. All meetings of the board are public proceedings within the meaning of Title 1, chapter 13, subchapter 1.

§173. Duties of board; requirements of program

1. Duties. In carrying out the purposes of this chapter, the board shall:

A. Develop, establish, implement and maintain the program and, to that end, may conduct market, legal and feasibility analyses if the board considers them advisable;

B. Adopt rules the board considers necessary or advisable for the implementation and general administration and operation of the program as provided in section 174, consistent with the Internal Revenue Code and regulations under that Code, including to ensure that the program satisfies all criteria for favorable federal tax treatment and complies, to the extent necessary, with any other applicable federal or state law;

C. Use private sector partnerships to contract with a program administrator to administer the program and manage the investments under the supervision and guidance of the board in accordance with this chapter;

D. Cause funds to be held and invested and reinvested under the program;

E. Develop and implement an investment policy that defines the program's investment objectives consistent with the objectives of the program and that provides for policies and procedures consistent with those investment objectives. The board shall strive to select and offer investment options available to participants and other program features that are intended to achieve maximum possible income replacement balanced with an appropriate level of risk in an IRA-based environment consistent with the investment objectives under the policy. The investment options may encompass a range of risk and return opportunities and allow for a rate of return commensurate with an appropriate level of risk in view of the investment objectives under the policy. The menu of investment options must be determined by considering the nature and objectives of the program, the desirability based on behavioral research findings of limiting investment options under the program to a reasonable number and the extensive investment options available to participants in the event that they roll over funds in an IRA established under the program to an IRA outside the program. In accordance with paragraphs K and O, the board, in carrying out its responsibilities and exercising its powers under this chapter, shall employ or retain appropriate entities or personnel to assist or advise it and to whom to delegate the carrying out of such responsibilities and exercise of such powers;

F. Arrange for collective, common and pooled investment of assets of the program and enterprise fund, including investments in conjunction with other funds with which these assets are permitted to be collectively invested, with a view to saving costs through efficiencies and economies of scale;

G. Cause the program, enterprise fund and arrangements and accounts established under the program to be designed, established and operated:

- (1) In accordance with best practices for retirement savings accounts;
- (2) To encourage participation and saving and to make it simple, easy and convenient for participants to contribute and manage their savings;
- (3) To promote sound investment practices and appropriate investment menus and default investments;
- (4) To maximize simplicity and ease of administration for covered employers;
- (5) To minimize costs, including by collective investment and economies of scale;
- (6) To promote portability of benefits; and
- (7) To avoid preemption of the program by federal law;

H. Educate participants and potential participants on the benefits of planning and saving for retirement, help them decide the level of participation and saving strategies that may be appropriate for them and help them develop greater financial capability and financial literacy, including through partnerships with organizations based in the State specializing in financial literacy education;

I. In accordance with rules adopted by the board, determine the eligibility of an employer, employee or other individual to participate in the program, including conditions under which an employer that terminates the offering of a specified tax-favored retirement plan can become a covered employer eligible to participate in the program;

J. Arrange for and facilitate compliance by the program or arrangements established under the program with all requirements applicable to the program under the Internal Revenue Code, including requirements for favorable tax treatment of the IRAs, and any other applicable federal or state law or accounting requirements, including using its best efforts to implement procedures minimizing the risk that covered employees will exceed the limits on tax-favored IRA contributions that they are eligible to make and otherwise providing or arranging for assistance to covered employers and covered employees in complying with applicable law and tax-related requirements in a cost-effective manner. The board may establish any processes it reasonably considers to be necessary or advisable to verify whether an employer is a covered employer, including reference to online data and possible use of questions in employer state tax filings, consistent with the objective of avoiding to the fullest extent practicable any need to require employers that are not covered employers to register with the program or take other action to demonstrate that they maintain specified tax-favored retirement plans or are exempt for other reasons from being treated as covered employers;

K. Employ or otherwise retain a program administrator, an executive director, staff, a trustee, a record keeper, investment managers, investment advisors, other administrative, professional and expert advisors and service providers, none of whom may be members of the board and all of whom serve at the pleasure of the board, and the board shall determine their duties and compensation. The board may authorize the executive director employed by the board to enter into contracts, as described in paragraph O, on behalf of the board or conduct any business necessary for the efficient operation of the board;

L. Discharge its duties and ensure that the members of the board discharge their duties with respect

to the program solely in the interest of the participants as follows:

(1) For the exclusive purpose of providing benefits to participants and defraying reasonable expenses of administering the program; and

(2) With the care, skill, prudence and diligence under the circumstances then prevailing that persons of prudence, discretion and intelligence, acting in a like capacity and familiar with those matters, would use in the conduct of an enterprise of a like character and with like aims;

M. Make provision for costs and expenses incurred to initiate, implement, maintain, manage and administer the program and its investments to be paid or defrayed from investment returns or assets of the program or from the charging and collection of other fees, charges or funds, whether account-based, asset-based, per capita or otherwise, by or for the program or pursuant to arrangements established under the program to the extent permitted under federal and state law;

N. Accept any grants, gifts, legislative appropriation, loans and other funds from the State, any unit of federal, state or local government or any other person, firm or entity to defray the costs of administering and operating the program in accordance with the requirements of section 178, subsection 1;

O. Make and enter into contracts, agreements or arrangements for and collaborate and cooperate with and retain, employ and contract with or for any of the following to the extent the board considers necessary or advisable for the effective and efficient design, implementation and administration of the program consistent with the purposes set forth in this chapter and to maximize outreach to covered employers and covered employees:

(1) Services of private and public financial institutions, depositories, consultants, actuaries, counsel, auditors, investment advisors, investment administrators, investment management firms, other investment firms, 3rd-party administrators, other professionals and service providers, the retirement system, the Office of the Treasurer of State, other state treasurers and other state public retirement systems;

(2) Research, technical, financial, administrative and other services;

(3) Services of other state agencies and instrumentalities, including without limitation those with responsibilities for tax collection, budget, finance, labor and employment regulation, consumer protection, business regulation and liaison, benefits and public assistance, to assist

the board in the exercise of its powers and duties, and all such agencies and instrumentalities shall provide such assistance at the board's request; or

(4) Services to develop and implement outreach efforts to gain input and disseminate information regarding the program and retirement saving in general, including timely information to covered employers regarding the program and how it applies to them, with special emphasis on their ability at any time to sponsor a specified tax-favored retirement plan that would exempt them from any responsibilities under the program;

P. Ensure that all contributions to an IRA under the program are used only to pay benefits to participants under the program, pay the cost of administering the program or make investments for the benefit of the program and that no assets of the program or enterprise fund are transferred to the General Fund or to any other fund of the State or are otherwise encumbered or used for any other purpose;

Q. Consider whether procedures should be adopted to allow employers that are not covered employers because they are exempt from covered employer status to voluntarily participate in the program by automatically enrolling their employees, considering, among other factors, the potential legal consequences and the degree of employer demand to participate or facilitate participation by employees;

R. Evaluate the need for, and procure if and as considered necessary, insurance against any loss in connection with the property, assets or activities of the program, including, if and as considered necessary, pooled private insurance;

S. Indemnify, including procurement of insurance if and as needed for this purpose, each member of the board from personal loss or liability resulting from a member's action or inaction as a member of the board;

T. Collaborate with, and evaluate the role of, financial advisors or other financial professionals, including in assisting and providing guidance for covered employees;

U. Along with its members, the program administrator and other staff of the board, comply with any applicable state ethics and gift laws, procurement codes and restrictions and restrictions on honoraria and may not:

(1) Directly or indirectly have any interest in the making of any investment under the program or in gains or profits accruing from any such investment;

(2) Borrow any program-related funds or deposits, or use any such funds or deposits in any manner, for the benefit of the board or any member or as an agent or partner of others; or

(3) Become an endorser, surety or obligor on investments made under the program; and

V. Carry out its powers and duties under the program pursuant to this chapter and exercise any other powers as are appropriate for the effectuation of the purposes, objectives and provisions of this chapter pertaining to the program.

2. Required elements of program. In accordance with the implementation dates set forth in subsection 3, the program must:

A. Allow an eligible individual in this State to choose whether or not to contribute to an IRA under the program, including allowing a covered employee in the State the choice to contribute to an IRA under the program through a payroll deduction IRA arrangement;

B. Notwithstanding any provision of state law related to payroll deduction to the contrary, require each covered employer to offer its covered employees the choice whether or not to contribute to a payroll deduction IRA by automatically enrolling them in the payroll deduction IRA with the opportunity to opt out. A covered employee who is not a participant because that employee has opted out will be automatically reenrolled with the opportunity to opt out again at regular or ad hoc intervals determined by the board in its discretion, but not more frequently than annually;

C. Provide that the IRA to which contributions are made is a Roth IRA, except that the board has the authority at any time, in its discretion, to add an option for all participants to affirmatively elect to contribute to a traditional IRA as an alternative to the Roth IRA;

D. Provide that, unless otherwise specified by the covered employee, a covered employee must automatically initially contribute 5% of the covered employee's salary or wages to the program and may elect to opt out of the program at any time or contribute at any higher or lower rate, expressed as a percentage of salary or wages, or, if the board in its discretion permits, expressed as a flat dollar amount, subject in all cases to the IRA contribution and income eligibility limits applicable under the Internal Revenue Code at no additional charge. The board is authorized to change, from time to time, the 5% automatic initial default contribution rate for all covered employees in its discretion;

E. Provide on a uniform basis, if and when the board so determines in its discretion, for an annual increase of each participant's contribution rate, by

not more than 1% of salary or wages per year up to a maximum of 8%. Any such increases must apply to participants, as determined by the board in its discretion, either by default or only if initiated by affirmative participant election and are in either case subject to the IRA contribution and income eligibility limits applicable under the Internal Revenue Code;

F. Provide for direct deposit of contributions into investments under the program, including, but not limited to, a default investment such as a series of target date funds and a limited number of investment alternatives including a principal preservation option determined by the board. In addition, the board may provide that each participant's initial contributions, up to a specified dollar amount or for a specified period of time, are required to be invested in a principal preservation investment or, in the board's discretion, must be defaulted into such an investment unless the participant affirmatively opts for a different investment for those contributions. The board shall determine how often participants will have the opportunity to change their selections of investments for future contributions or existing balances or both;

G. Provide that employer contributions by a covered employer are not required or permitted;

H. Be professionally managed;

I. When possible and practicable, use existing employer and public infrastructure to facilitate contributions, record keeping and outreach and use pooled or collective investment arrangements for amounts contributed to the program;

J. Require the maintenance of separate records and accounting for each account under the program and allow for participants to maintain their accounts regardless of place of employment and to roll over funds into other IRAs or other retirement accounts;

K. Provide for reports on the status of each participant's account to be provided to each participant at least annually and make best efforts to provide each participant frequent or continual online access to information on the status of that participant's account;

L. Provide that each participant owns the contributions to and earnings on amounts contributed to the participant's account under the program and that the State and covered employers have no proprietary interest in those contributions or earnings;

M. Be designed and implemented in a manner consistent with federal law to the extent that it applies and consistent with the program not being preempted by, and the payroll deduction IRAs and covered employers not being subject to, ERISA;

N. Promote expanded retirement saving by encouraging employers in the State that would otherwise be covered employers to instead adopt a specified tax-favored retirement plan;

O. Make provision for participation in the program by individuals who are not employees, such as self-employed individuals and independent contractors, as provided in rules adopted pursuant to section 174, subsection 2;

P. Seek to keep fees, costs and expenses of the program as low as practicable, except that any administrative fee imposed on a covered employee for participating in the program may not exceed a reasonable amount relative to fees charged by similar established programs in other states. The fee may be an asset-based or investment return fee, flat fee or hybrid of the permissible fee structures identified in this paragraph;

Q. Adopt rules and establish procedures governing the distribution of funds from the program, including such distributions as may be permitted or required by the program and any applicable provisions of tax laws, with the objectives of maximizing financial security in retirement, helping to protect spousal rights and assisting participants with the challenges of decumulation of savings. The board has the authority to provide for one or more reasonably priced distribution options to provide a source of regular retirement income, including income for life or for the participant's life expectancy or for joint lives and life expectancies, as applicable;

R. Adopt rules and establish procedures promoting portability of benefits, including the ability to make tax-free rollovers or transfers from IRAs under the program to other IRAs or to tax-qualified plans that accept such rollovers or transfers;

S. Establish penalties in accordance with subsection 4 for a covered employer that fails without reasonable cause to enroll a covered employee in the program as required or that fails to transmit a payroll deduction IRA contribution to the program as required;

T. In accordance with subsection 1, paragraph C, use private sector entities to administer the program and invest the contributions to the program under the supervision and guidance of the board; and

U. Allow the board to provide for the establishment, maintenance, administration, operation and implementation of the program to be carried out jointly with, or in partnership, collaboration, coordination or alliance with one or more other states, the Federal Government or any federal, state or local agencies or instrumentalities.

3. Implementation. The board shall implement the program in phases as required in this subsection.

A. Beginning April 1, 2023, the board shall require a covered employer with 25 or more covered employees to offer the program to its covered employees.

B. Beginning October 1, 2023, the board shall require a covered employer with 15 to 24 covered employees to offer the program to its covered employees.

C. Beginning April 1, 2024, the board shall require a covered employer with 5 to 14 covered employees to offer the program to its covered employees.

Notwithstanding paragraphs A to C, a covered employer may voluntarily offer the program to its covered employees on or after April 1, 2023. A covered employer with fewer than 5 employees is not required to offer the program to its covered employees but may offer the program to its employees at the option of the employer and in accordance with rules established by the board.

4. Penalties. The board shall establish and enforce penalties in accordance with this subsection.

A. If a covered employer fails to enroll a covered employee without reasonable cause, the covered employer is subject to a penalty for each covered employee for each calendar year or portion of a calendar year during which the covered employee was not enrolled in the program or had not opted out of participation in the program and, for each calendar year beginning after the date on which a penalty has been assessed with respect to a covered employee, is subject to a penalty for any portion of that calendar year during which the covered employee continues to be unenrolled without opting out of participation in the program. The amount of any penalty imposed on a covered employer for the failure to enroll a covered employee without reasonable cause is determined as follows:

(1) Prior to April 1, 2024, the maximum penalty per covered employee is \$10;

(2) From April 1, 2024 to March 31, 2025, the maximum penalty per covered employee is \$20;

(3) From April 1, 2025 to September 30, 2026, the maximum penalty per covered employee is \$50; and

(4) On or after October 1, 2026, the maximum penalty per covered employee is \$100.

B. A penalty may not be imposed on a covered employer for any failure to enroll a covered employee for which it is established that the covered employer did not know that the failure existed and

exercised reasonable diligence to meet the requirements of this chapter.

C. A penalty may not be imposed on a covered employer for any failure to enroll a covered employee if the covered employer exercised reasonable diligence to meet the requirements of this chapter and the covered employer complies with those requirements with respect to each covered employee by the end of the 90-day period beginning on the first date the covered employer knew, or exercising reasonable diligence would have known, that the failure existed.

D. In the case of a failure that is due to reasonable cause and not to willful neglect, all or part of the penalty may be waived to the extent that the payment of the penalty would be excessive or otherwise inequitable relative to the failure involved.

E. If a covered employer fails to remit a payroll deduction contribution to the program on the earliest date the amount withheld from the covered employee's compensation can reasonably be segregated from the covered employer's assets, but not later than the 15th day of the month following the month in which the covered employee's contribution amounts are withheld from the covered employee's paycheck, the failure to remit the contribution on a timely basis is subject to the same penalties as apply to employer misappropriation of employee wage withholdings and to the penalties specified in paragraph A.

F. The Attorney General shall represent the board in enforcement and collection of penalties.

§174. Rules

1. Authority. The board may adopt rules as necessary to implement this chapter, except that the board shall adopt rules required pursuant to subsection 2. Rules adopted pursuant to this chapter are routine technical rules as defined in chapter 375, subchapter 2-A.

2. Required rules. The board shall adopt rules to:

A. Establish the processes for enrollment and contributions to an IRA under the program, notwithstanding any provision of state law related to payroll deductions to the contrary, including withholding by covered employers of employee payroll deduction contributions from wages and remittance for deposit to an IRA, automatic enrollment in a payroll deduction IRA and opt-outs by covered employees, voluntary contributions by others, including self-employed individuals and independent contractors, through payroll deduction or otherwise, the making of default contributions using default investments and participant selection of alternative contribution rates or amounts and alternative investments from among the options offered under the program;

B. Establish the processes for withdrawals, rollovers and direct transfers from an IRA under the program in the interest of facilitating portability of benefits;

C. Establish processes for phasing in enrollment of eligible individuals, including phasing in enrollment of covered employees by size or type of covered employer in accordance with section 173, subsection 3;

D. Establish requirements for the determination of whether a part-time, seasonal or temporary employee is a covered employee eligible to participate in the program;

E. Establish a process for a participant to make nonpayroll contributions to accounts under the program;

F. Establish a process for an employer to be determined to be exempt from the program because the employer sponsors a specified tax-favored retirement plan; and

G. Conduct outreach to individuals, employers, other stakeholders and the public regarding the program, including specifying the contents, frequency, timing and means of required disclosures from the program to covered employees, participants, other individuals eligible to participate in the program, covered employers and other interested parties. These disclosures must include, but are not limited to, the following:

(1) The benefits and risks associated with tax-favored retirement saving under the program;

(2) The potential advantages and disadvantages associated with contributing to a Roth IRA and, if applicable, a traditional IRA under the program;

(3) The eligibility rules for a Roth IRA and, if applicable, a traditional IRA;

(4) That the individual and not the employer, the State, the board, any board member or other state official or the program is solely responsible for determining whether, and, if so, how much, the individual is eligible to contribute on a tax-favored basis to an IRA;

(5) The penalty for excess contributions to an IRA and the method of correcting excess contributions;

(6) Instructions for enrolling, opting out of participation, making contributions and making withdrawals, including the possibility of contributing to an IRA, whether offered under the program or not, by means other than automatic enrollment in a payroll deduction IRA;

(7) Instructions for opting out of each of the Roth IRA, the default contribution rate and the default investment if the covered employee prefers a traditional IRA, including the possibility of contributing to a traditional IRA, if offered as an option under the program, a higher or lower contribution rate or different investment alternatives;

(8) The potential availability of a saver's tax credit, including the eligibility conditions for the credit and instructions on how to claim it;

(9) That employees seeking tax, investment or other financial advice should contact appropriate professional advisors and that covered employers are not in a position to provide such advice and are not liable for decisions individuals make in relation to the program;

(10) That the payroll deduction IRA is intended not to be an employer-sponsored retirement plan and that the program is not an employer-sponsored retirement plan;

(11) The potential implications of account balances under the program for the application of asset limits under certain public assistance programs;

(12) That the participant is solely responsible for investment performance, including market gains and losses, and that IRAs and rates of return are not guaranteed by any employer, the State, the board, any board member or state official or the program;

(13) Additional information about retirement and saving and other information designed to promote financial literacy and capability, which may take the form of links to, or explanations of how to obtain, such information; and

(14) How to obtain additional information about the program.

§175. Protection from liability

1. Employer protection from liability. A covered employer or other employer is not and may not be considered a fiduciary in relation to the program or enterprise fund or any other arrangement under the program. A covered employer or other employer is not and may not be liable for and does not and may not bear responsibility for:

A. An employee's decision to participate in or opt out of the program;

B. Investment decisions of the board or any participant;

C. The administration, investment, investment returns or investment performance of the program,

including without limitation any interest rate or other rate of return on any contribution or account balance;

D. The program design or the benefits paid to participants;

E. An individual's awareness of or compliance with the conditions and other provisions of the tax laws that determine which individuals are eligible to make tax-favored contributions to an IRA, in what amount and in what time frame and manner; or

F. Any loss, deficiency, failure to realize any gain or any other adverse consequences, including without limitation any adverse tax consequences or loss of favorable tax treatment, public assistance or other benefits, incurred by any person as a result of participating in the program.

2. Protection for the State and others. The State, the board, each member of the board or other state official and any other state board, commission or agency, and any member, officer or employee of any of these entities, and the program:

A. Have no responsibility for compliance by individuals with the conditions and other provisions of the Internal Revenue Code that determine which individuals are eligible to make tax-favored contributions to IRAs, in what amount and in what time frame and manner;

B. Have no duty, responsibility or liability to any party for the payment of any benefits under the program, regardless of whether sufficient funds are available under the program to pay such benefits;

C. Do not and may not guarantee any interest rate or other rate of return on or investment performance of any contribution or account balance; and

D. Are not and may not be liable or responsible for any loss, deficiency, failure to realize any gain or any other adverse consequences, including without limitation any adverse tax consequences or loss of favorable tax treatment, public assistance or other benefits, incurred by any person as a result of participating in the program.

3. Debts, contracts and obligations. The debts, contracts and obligations of the program or the board are not the debts, contracts and obligations of the State, and the faith and credit or the taxing power of the State is not pledged directly or indirectly to the payment of the debts, contracts and obligations of the program or the board.

4. Immunity of board members. The board and its staff are immune from suit on any and all tort claims seeking recovery of damages to the same extent as governmental entities under the Maine Tort Claims Act.

5. Legal representation and defense of board. The Attorney General is legal counsel to the board and

shall represent and defend the board, as a group and individually, in connection with any claim, suit or action at law arising out of the performance or nonperformance of any actions related to the program under this chapter to the same extent as provided for governmental entities in the Maine Tort Claims Act.

§176. Confidentiality of account information

1. Individual account information. Individual account information for accounts under the program, including, but not limited to, names, residential addresses, e-mail addresses, telephone numbers, personal identification information, amounts contributed and earnings on amounts contributed, is confidential and must be maintained as confidential except to the extent necessary to administer the program in a manner consistent with this chapter, the tax laws of this State and the Internal Revenue Code or unless the person who provides the information or is the subject of the information expressly agrees in writing that the information may be disclosed.

2. Restriction on use of personal information. An individual or organization that has access to personal information of participants solely because of its contracts or agreements with the board to provide services or support to the program, including plan administration, may not use that information to market its products or services not associated with the program to participants unless the participant affirmatively consents to receive such information.

§177. Intergovernmental collaboration and cooperation

The board may enter into an intergovernmental agreement or memorandum of understanding with the State and any agency or instrumentality of the State to receive outreach, technical assistance, enforcement and compliance services, collection or dissemination of information pertinent to the program, subject to such obligations of confidentiality as may be agreed to or required by law, or other services or assistance. The State and any agencies or instrumentalities of the State that enter into such agreements or memoranda of understanding shall collaborate to provide the outreach, assistance, information and compliance or other services or assistance to the board. The agreements or memoranda of understanding may cover the sharing of costs incurred in gathering and disseminating information and the reimbursement of costs for any enforcement activities or assistance.

§178. Maine Retirement Savings Program Enterprise Fund

1. Fund established. The Maine Retirement Savings Program Enterprise Fund is established as an enterprise fund. The board shall use funds deposited in the enterprise fund in accordance with this section. The enterprise fund may receive grants, gifts, donations,

appropriations, loans or other funds designated for administrative expenses or otherwise transferred to the enterprise fund from or deposited in the enterprise fund by the State or a unit of federal, state or local government or any other person, firm, partnership or corporation, including appropriations to the enterprise fund by the Legislature and funds from the payment of application, account, administrative or other fees and the payment of other funds due the board. Interest or other investment earnings or returns that are attributable to funds in the enterprise fund must be deposited into or retained in the enterprise fund. The enterprise fund may not lapse but must be carried forward to carry out the purposes of this chapter. The board shall amortize any amounts appropriated to the enterprise fund by the Legislature to ensure that those amounts are paid back to the funding sources based on an amortization schedule determined by the board, but no later than 5 years after the program is fully implemented.

2. Borrowing. To enable or facilitate the start-up and continuing operation, maintenance, administration and management of the program until the program accumulates sufficient balances and can generate sufficient funding through fees assessed on program accounts for the program to become financially self-sustaining, the board may borrow from the State, any unit of federal, state or local government or any other person, firm, partnership or corporation working capital funds and other funds as may be necessary for this purpose, as long as such funds are borrowed in the name of the program and board only and that any such borrowing is repaid solely from the revenues of the program. The board may not borrow from the retirement system for any purpose. The board may enter into long-term procurement contracts with one or more financial or service providers that provide a fee structure that would assist the program in avoiding or minimizing the need to borrow or to rely upon general assets of the State.

3. Administrative costs. Subject to appropriation by the Legislature, the State may pay administrative costs associated with the creation, maintenance, operation and management of the program and provide funding for the program until sufficient assets are available in the enterprise fund for that purpose. Thereafter, all administrative costs of the enterprise fund, including any repayment of start-up funds provided by the State, must be repaid only out of money on deposit in the enterprise fund. However, private funds or federal funding received in order to implement the program until the enterprise fund is self-sustaining may not be repaid unless those funds were offered contingent upon the promise of such repayment.

4. Use of enterprise fund. The board shall use the money in the enterprise fund solely to pay the administrative costs and expenses of the program and the administrative costs and expenses the board incurs in the performance of its duties under this chapter.

§179. Accounting and annual report

1. Account; audit. The board shall cause an accurate account of all of the program's, enterprise fund's and board's activities, operations, receipts and expenditures to be maintained on a calendar year basis. A full audit of the books and accounts of the board pertaining to those activities, operations, receipts and expenditures must be conducted by a certified public accountant, including, but not limited to, direct and indirect costs attributable to the use of outside consultants, independent contractors and any other persons who are not state employees for the administration of the program. For the purposes of the audit, the auditors must have access to the properties and records of the program and board and may prescribe methods of accounting and the rendering of periodic reports in relation to projects undertaken by the program.

2. Submission of report. Beginning February 1, 2024 and annually thereafter, the board shall submit to the Governor, the Treasurer of State and the Legislature an audited financial report, prepared in accordance with generally accepted accounting principles, detailing the activities, operations, receipts and expenditures of the program and board during the preceding calendar year. The report must include the number of participants, the investment options and their rates of return and other information regarding the program and must also include projected activities of the program for the current calendar year.

Sec. 2. 5 MRSA §12004-G, sub-§33-G is enacted to read:

33-G.

Treasurer of State	Maine Retirement Savings Board	Legislative Per Diem and Expenses	5 MRSA §172
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Sec. 3. Implementation of Maine Retirement Savings Program. Except as provided in this section, the Maine Retirement Savings Board shall establish the Maine Retirement Savings Program as required under this Act so that individuals may begin making contributions under the program no later than April 1, 2023.

1. Phase in of program; implementation. The board shall phase in the program with regard to covered employers and accept contributions from covered employees employed by those covered employers as required under this Act and may in its discretion phase in the program for individuals who are not employees, such as self-employed individuals or independent contractors, except that any implementation schedule set by the board must be such that all individuals may begin making contributions under the program no later than January 1, 2025. The board may not implement the program if and to the extent that the board determines that the program is preempted by the federal Employee Retirement Income Security Act of 1974, as amended, 29

United States Code, Section 1001 et seq. If and to the extent that the board determines that a portion or aspect of the program is preempted by the federal Employee Retirement Income Security Act of 1974, the board may not implement that portion or aspect of the program but shall proceed to implement the remainder of the program to the extent practicable.

2. Effect of federal Employee Retirement Income Security Act of 1974 on program. If the board determines that some but not all of the payroll deduction individual retirement account arrangements or other arrangements under the program are or would be employee benefit plans under the federal Employee Retirement Income Security Act of 1974, the board shall implement the program with respect to the other arrangements under the program to the extent practicable and may not implement the program with respect to plans covered by the federal Employee Retirement Income Security Act of 1974 or the board shall proceed to implement the program with respect to plans covered by the federal Employee Retirement Income Security Act of 1974 on a basis reflecting their status or possible status as such, as long as such actions do not create an undue risk of causing the federal Employee Retirement Income Security Act of 1974 to preempt state law with respect to other portions of the program or causing other arrangements under the program to be treated as plans covered by the federal Employee Retirement Income Security Act of 1974.

Sec. 4. Staggered terms. Notwithstanding the Maine Revised Statutes, Title 5, section 172, subsection 3, with regard to the original appointments of the members of the Maine Retirement Savings Board, the Governor shall appoint one member for a one-year term, 2 members for a 2-year term, 3 members for a 3-year term and any other member for a 4-year term. The Governor shall appoint the initial members of the board no later than April 1, 2022.

Sec. 5. Transfer of settlement funds; fiscal year 2021-22. Notwithstanding any provision of law to the contrary, no later than February 1, 2022, the State Controller shall transfer \$1,600,000 of the funds received pursuant to the multistate settlement agreement in The Matter of Moody's Corporation, Moody's Investors Services, Inc. and Moody's Analytics, Inc. signed February 3, 2017 to the Maine Retirement Savings Program Enterprise Fund established in the Maine Revised Statutes, Title 5, section 178. Funds transferred pursuant to this section must be used solely for consumer and antitrust activities identified in the court decree and approved by the Attorney General with the consent of the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate and the Minority Leader of the House of Representatives.

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

MAINE RETIREMENT SAVINGS BOARD

Maine Retirement Savings Program N347

Initiative: Allocates funds to the Maine Retirement Savings Program Enterprise Fund to be used in accordance with the Maine Revised Statutes, Title 5, chapter 7-A.

MAINE RETIREMENT SAVINGS PROGRAM ENTERPRISE FUND	2021-22	2022-23
All Other	\$1,600,000	\$500
MAINE RETIREMENT SAVINGS PROGRAM ENTERPRISE FUND TOTAL	\$1,600,000	\$500

See title page for effective date.

**CHAPTER 357
S.P. 530 - L.D. 1645**

**An Act To Establish
Protections for Private Student
Loan Borrowers and a Registry
of Lenders**

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

Sec. 1. 9-A MRSA Art. 15 is enacted to read:

ARTICLE 15

PRIVATE STUDENT LENDER REGISTRY

§15-101. Definitions

As used in this Article, unless the context indicates otherwise, the following terms have the following meanings.

1. Provider of postsecondary education. "Provider of postsecondary education" means a person engaged in the business of providing postsecondary education directly, by correspondence or by the Internet to a person located in the State. "Provider of postsecondary education" also includes a person not authorized to operate as and not accredited as a postsecondary educational institution in the State.

2. Student financing. "Student financing" means an extension of credit or a debt or obligation owned or incurred by a student, contractual or otherwise, that:

A. Is not made, insured or guaranteed under the federal Higher Education Act of 1965, 20 United States Code, Chapter 28, Subchapter IV; and

B. Is extended to or owned or incurred by a student expressly for postsecondary education expenses regardless of whether the extension of credit or a debt or obligation owned or incurred is provided by or owed to the provider of postsecondary education that the student attends.

"Student financing" does not include a loan secured by real property or a dwelling.

3. Student financing company. "Student financing company" means a person engaged in the business of making or extending credit to a student for postsecondary education expenses or a holder of debt or obligation owned or incurred by a student to finance postsecondary education expenses. "Student financing company" does not include a supervised financial organization; a financial institution holding company as defined in Title 9-B, section 1011, subsection 1; a mutual holding company as defined in Title 9-B, section 1052, subsection 2; a wholly owned subsidiary of a supervised financial organization, financial institution holding company or mutual holding company; or the Finance Authority of Maine. Only to the extent that state regulation is preempted by federal law, "student financing company" does not include:

A. A federally chartered bank, savings bank, savings and loan association or credit union;

B. A wholly owned subsidiary of a federally chartered bank or credit union; or

C. An operating subsidiary of a wholly owned subsidiary of a federally chartered bank or credit union in which each owner of the operating subsidiary is wholly owned by the same federally chartered bank or credit union.

4. Superintendent. "Superintendent" means the Superintendent of Consumer Credit Protection within the Department of Professional and Financial Regulation.

§15-102. Private student lender registry

1. Private student lender registry. A person may not engage in the business of student financing as a student financing company in the State unless the person:

A. Registers with the superintendent under rules or procedures adopted by the superintendent, including the payment of a fee of not less than \$500 annually; and

B. Provides the superintendent, at the time of registration under paragraph A and annually after registration, with the following information for the previous year:

(1) A list of all providers of postsecondary education for which the person has provided student financing to a student residing in the State;

(2) The number of student financing transactions made to students residing in the State;

(3) The number of student financing transactions made for each provider of postsecondary education listed in subparagraph (1);

(4) The default rate for a student obtaining student financing from the person; and

(5) A sample copy of the promissory note, agreement, contract or other instrument used by the person to extend student financing.

2. Publicly accessible website. By November 15, 2022, the superintendent shall list on a publicly accessible website the following information, which must be updated on at least an annual basis:

A. The name, address, telephone number and website address for each student financing company registered under this section;

B. A summary of the information required under subsection 1, paragraph B, subparagraphs (1) to (4); and

C. A sample copy of each promissory note, agreement, contract or other instrument provided to the superintendent pursuant to subsection 1, paragraph B, subparagraph (5).

§15-103. Violations

1. Fine. The superintendent may impose a fine of up to \$25,000 on a person for any violation of this Article. Each violation of this Article or of any rule adopted pursuant to section 15-104 is a separate offense for the purposes of this section.

2. Suspended from operating in State. If the superintendent finds that a person has knowingly violated any provision of this Article and the violation caused financial harm to a student, the superintendent may suspend the person from operating as or bar the person from being a stockholder, officer, director, partner, owner or employee of a student financing company for a period of up to 10 years.

3. Crime. A violation of this Article is a Class E crime.

4. Private right of action. A student financing company that fails to comply with this Article is liable to any person or class of persons obligated on such student financing contract for any of the following:

A. Actual damages or \$500, whichever is greater;

B. An order enjoining the methods, acts or practices;

C. Restitution of property;

D. Punitive damages;

E. Attorney's fees; and

F. Any other relief that the court determines proper, including a declaration that the contract between the person or class of persons and the student financing company is void and unenforceable.

5. Remedies. Any violation of this Article is subject to the remedies provided in this section in addition to remedies otherwise provided by law.

§15-104. Rules

The superintendent may adopt rules to carry out the purposes of this Article. Rules adopted under this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 9-A MRSA Art. 16 is enacted to read:

ARTICLE 16

PRIVATE EDUCATION LENDING

§16-101. Definitions

As used in this Article, unless the context otherwise indicates, the following terms have the following meanings.

1. Cosigner. "Cosigner" means an individual who is liable for the loan obligation of another, regardless of how the individual is designated in the loan contract or instrument with respect to that obligation, including an obligation under a private education loan extended to consolidate a borrower's preexisting private education loan. "Cosigner" includes an individual whose signature is requested as a condition to grant credit or forbear a collection. "Cosigner" does not include a spouse of a borrower or cosigner whose signature is needed solely to perfect the security interest in the loan.

2. Cosigner release. "Cosigner release" means the release of the obligations of a cosigner on a private education loan.

3. Creditor. "Creditor" means:

A. The original creditor of a private education loan if ownership of the loan has not been sold, assigned or transferred;

B. A person that owns a private education loan at the time the private education loan is defaulted if the loan has not been subsequently sold, transferred or assigned, regardless of whether the person is the original creditor; or

C. A person that purchases a defaulted private education loan for collection purposes, regardless of whether the person collects on the loan itself, hires a 3rd party for collection or hires an attorney for collection litigation.

4. Original creditor. "Original creditor" means the private education lender identified in a promissory note, loan agreement or loan contract entered into with a private education loan borrower or cosigner.

5. Private education lender. "Private education lender" or "lender" means any person engaged in the business of securing, making or extending private education loans or any holder of a private education loan.

"Private education lender" does not include a supervised financial organization; a financial institution holding company as defined in Title 9-B, section 1011, subsection 1; a mutual holding company as defined in Title 9-B, section 1052, subsection 2; a wholly owned subsidiary of a supervised financial organization, financial institution holding company or mutual holding company; or the Finance Authority of Maine. Only to the extent that state regulation is preempted by federal law, "private education lender" does not include the following persons:

A. Any federally chartered bank, savings bank, savings and loan association or credit union;

B. Any wholly owned subsidiary of a federally chartered bank or credit union; and

C. An operating subsidiary of a wholly owned subsidiary of a federally chartered bank or credit union in which each owner of the operating subsidiary is wholly owned by the same federally chartered bank or credit union.

6. Private education loan. "Private education loan" means an extension of credit that is extended to a consumer expressly, in whole or in part, for postsecondary education expenses, regardless of whether the loan is provided by the education institution that the student attends, and that is not made, insured or guaranteed under the federal Higher Education Act of 1965, 20 United States Code, Chapter 28, Subchapter IV. "Private education loan" does not include:

A. An open-ended credit or any loan that is secured by real property or a dwelling; or

B. An extension of credit in which the covered education institution is the creditor if:

(1) The term of the extension of credit is 90 days or less; or

(2) An interest rate is not applied to the credit balance and the term of the extension of credit is one year or less, regardless of whether the credit is payable in more than 4 installments.

7. Private education loan borrower. "Private education loan borrower" or "borrower" means any resident of this State who has received or agreed to pay a private education loan for the borrower's own education expenses.

8. Private education loan collector. "Private education loan collector" means a person collecting or attempting to collect on a defaulted private education loan.

9. Private education loan collection action. "Private education loan collection action" means any judicial action in which a claim is asserted to collect on a defaulted private education loan.

10. Total and permanent disability. "Total and permanent disability" means the condition of an individual who:

A. Has been determined by the United States Secretary of Veterans Affairs to be unemployable due to a service-connected disability; or

B. Is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death, has lasted for a continuous period of not less than 12 months or can be expected to last for a continuous period of not less than 12 months.

§16-102. License required

A person may not engage in the business of securing, making or extending a private education loan or holding a private education loan without having first obtained a license as a supervised lender from the administrator pursuant to section 2-301.

§16-103. Cosigned private education loan

1. Information prior to extension of loan. Prior to the extension of a private education loan that requires a cosigner, a private education lender shall deliver the following information to the cosigner:

A. How the private education loan will appear on the cosigner's credit report;

B. How the cosigner will be notified if the private education loan becomes delinquent, and how the cosigner can cure a delinquency to avoid negative credit reporting and loss of cosigner release eligibility; and

C. Eligibility criteria for cosigner release, including the number of on-time payments and any other criteria required to approve the cosigner release.

2. Disclosure. Prior to offering a person a private education loan that is being used to refinance an existing education loan, a private education lender shall provide the person a disclosure that the benefits and protections applicable to the existing loan may be lost due to the refinancing.

3. Form of and access to information and disclosure. A private education lender shall provide the information disclosure required by subsections 1 and 2 on a one-page information sheet in 12-point type written in simple, clear, understandable and easily readable language. A private education lender shall provide a cosigner with access to all documents or records related to a cosigned private education loan that is available to the borrower. If a private education lender provides electronic access to a document or record to a borrower of a cosigned private education loan, the lender shall provide equivalent access to the cosigner. Upon written request of the borrower or cosigner, the lender may

withhold individual contact information from the other party.

§16-104. Cosigner release

1. Annual written notice. A private education lender shall inform the borrower and cosigner of all administrative, nonjudgmental required for cosigner release. A private education lender shall provide the borrower and the cosigner of a cosigned private education loan an annual written notice containing information about cosigner release, including the criteria the lender requires to approve cosigner release and the process for applying for cosigner release.

2. Written notification of eligibility for release. If the borrower of a cosigned private education loan has met the applicable payment requirement to be eligible for cosigner release and the borrower or cosigner has elected to receive electronic communications from the lender, the lender shall send the borrower and the cosigner a written notification by mail and, if the borrower or cosigner has elected to receive electronic communications from the lender, by e-mail informing the borrower and cosigner that the payment requirement to be eligible for cosigner release has been met. The notification must also include information about any additional criteria to qualify for cosigner release and the procedure to apply for cosigner release.

3. Incomplete cosigner release application. If an application by a borrower of a cosigned private education loan for cosigner release is incomplete, the private education lender shall provide written notice to the borrower that the application is incomplete. The written notice must include a description of the information needed to consider the application complete and the date by which the missing information must be received by the lender.

4. Approval or denial of application for cosigner release. Within 30 days after a borrower of a cosigned private education loan submits a completed application for cosigner release, the private education lender shall send the borrower and cosigner a written notice that informs the borrower and cosigner whether the cosigner release application has been approved or denied. If the lender denies a request for cosigner release, the borrower may request any documents or information used in the determination, including, but not limited to, the credit score threshold used by the lender, the borrower's consumer report, the borrower's credit score and any other documents specific to the borrower. The lender shall also provide any adverse action notices required under applicable federal law if the denial is based in whole or in part on any information contained in a consumer report.

5. Request for cosigner release. In response to a written or oral request for cosigner release, a private education lender shall provide the requestor information

detailing the criteria to qualify for cosigner release and the procedure to apply for cosigner release.

6. Prohibition on restriction from cosigner release. A private education lender may not impose any restriction that permanently bars a borrower of a cosigned private education loan from qualifying for cosigner release, including restricting the number of times the borrower may apply for cosigner release.

7. Prohibition on negative consequences. A private education lender may not impose any negative consequences on any borrower or cosigner of a cosigned private education loan during the 60 days following the issuance of the notice under subsection 3 or until the lender makes a final determination about a borrower's cosigner release application, whichever is earlier. For the purpose of this subsection, "negative consequences" includes, but is not limited to, the imposition of additional cosigner release eligibility criteria, negative credit reporting, lost eligibility for cosigner release, late fees, interest capitalization and other financial injury.

8. Consecutive on-time payments. For a loan made after the effective date of this section, a private education lender may not require more than 12 consecutive on-time payments as criteria for cosigner release. A borrower of a cosigned private education loan who has paid the equivalent of 12 months of principal and interest payments within any 12-month period satisfies the consecutive on-time payment requirement, regardless of whether the borrower has made payments monthly during the 12-month period.

9. Change in terms. If a borrower or cosigner of a cosigned private education loan requests a change in terms of the loan that restarts the count of consecutive on-time payments required for cosigner release, the private education lender shall notify the borrower and cosigner in writing of an adverse effect of the change and provide the borrower or cosigner the right to withdraw or reverse the request to avoid that adverse effect.

10. Appeal of denial. A borrower of a cosigned private education loan has the right to request an appeal of a private education lender's determination to deny a request for cosigner release and the lender shall permit the borrower to submit additional documentation evidencing the borrower's ability, willingness and stability to meet the payment obligations. The borrower may request review of the cosigner release determination by another employee of the private education lender.

11. Comprehensive record management system. A private education lender shall establish and maintain a comprehensive record management system designed to reasonably ensure the accuracy, integrity and completeness of data and other information about cosigner release applications and to ensure compliance with applicable state and federal laws, including but not limited to the federal Equal Credit Opportunity Act and the federal Fair Credit Reporting Act. The system

required by this subsection must include the number of cosigner release applications received by the lender, the approval and denial rate and the primary reasons for any denial.

§16-105. Disability; discharge of liability

1. Notification of total and permanent disability. A private education lender, when notified of the total and permanent disability of a borrower or cosigner of a cosigned private education loan, shall release a cosigner from the obligations of the cosigner under the loan. The lender may not attempt to collect a payment from a cosigner following a notification of total and permanent disability of a cosigner or borrower. A private education lender shall, when notified of the total and permanent disability of a borrower, discharge the liability of the borrower and cosigner on the loan.

2. Notification of release. If either a cosigner or a borrower is released from the obligations of a cosigned private education loan under this section, the private education lender shall notify the borrower and cosigner within 30 days of the release.

3. Legal authority to act on behalf of borrower. A private education lender that extends a cosigned private education loan shall provide the borrower an option to designate an individual to have the legal authority to act on behalf of the borrower with respect to the private education loan in the event of the total and permanent disability of the borrower.

4. Cosigner release. If a cosigner is released from the obligations of a cosigned private education loan pursuant to subsection 1, the private education lender may not require the borrower to obtain another cosigner on the loan.

5. Prohibition on default or acceleration of loan. A private education lender may not declare a default or accelerate the debt against a borrower on the sole basis of a cosigner release under subsection 1.

6. Prohibited activities after notice of disability of borrower. After receiving a notification of a borrower's total and permanent disability under subsection 1, the private education lender may not:

- A. Attempt to collect on the outstanding liability of the borrower or cosigner; or
- B. Monitor the disability status of the borrower at any point after the date of discharge of liability.

§16-106. Availability of alternative repayment options

1. Flexible repayment option. If a private education lender offers a borrower a flexible repayment option in connection with a private education loan, the private education lender shall make the flexible repayment option available to all borrowers by the lender.

2. Other alternative repayment options. If a private education lender offers alternative repayment options other than flexible repayment options, the lender shall consistently present and offer the alternative repayment options to borrowers with similar financial circumstances.

3. Policies and procedures. A private education lender shall:

A. Provide on its publicly accessible website a description of any alternative repayment options under this section offered by the lender for private education loans; and

B. Establish consistently implemented policies and procedures to evaluate private education loan alternative repayment options requests, including providing accurate information regarding any private education loan alternative repayment options that may be available to a borrower of a private education loan through the promissory note or that may have been marketed to the borrower.

§16-107. Record retention

A private education lender shall establish and maintain records and permit the superintendent to access and copy any records required to be maintained pursuant to this Article. The private education lender shall retain a loan file, including any record specified for retention by rules adopted by the superintendent, for at least 6 years after the termination of the loan account.

§16-108. Prohibition on acceleration of private education loans

1. Prohibition on acceleration. A private education loan executed after the effective date of this section may not include a provision that permits the private education lender to accelerate, in whole or in part, payments on the private education loan, except in cases of payment default. A lender may not place any private education loan or account into default or accelerate a private education loan for any reason, other than for payment default.

2. Private education loans executed prior to effective date of section. For a private education loan executed prior to the effective date of this section:

A. The loan may permit the private education lender to accelerate payments only if the promissory note or loan agreement explicitly authorizes an acceleration and only for the reasons stated in the note or agreement;

B. If a cosigner of the private education loan dies, the lender may not attempt to collect against the cosigner's estate other than for payment default;

C. Upon receiving notification of the death or bankruptcy of a cosigner of the loan, if the loan is not more than 60 days delinquent at the time of the notification, the private education lender may not

change any terms or benefits under the promissory note, repayment schedule, repayment terms or monthly payment amount or any other provision associated with the loan; and

D. The private education lender may not place the loan or account into default or accelerate payments on a loan while a borrower is seeking a loan modification or enrollment in an alternative repayment plan, except that the lender may place a loan or account into default or accelerate a loan for payment default 90 days following the borrower's default.

§16-109. Requirements for collecting on private education loan debt

1. Private education loan collection. This section applies to a private education loan collection action that is maintained by a private education lender or a private education loan collector.

2. Initial collection communication with borrower. In addition to any other information required under applicable federal or state law, a private education loan collector shall provide in the first written collection communication with the borrower, and at any other time the borrower requests, the information listed under subsection 4.

3. Initiation of action. A private education lender or a private education loan collector may not initiate a private education loan collection action unless the private education lender or private education loan collector possesses all of the information listed under subsection 4.

4. Information required. A private education lender or a private education loan collector shall introduce the following information as evidence in a private education loan collection action:

A. The name of the owner of the private education loan;

B. The original creditor's name at the time of default, if applicable;

C. If the original creditor used an account number to identify the private education loan at the time of default, the original creditor's account number used to identify the private education loan at the time of default;

D. The amount due at default;

E. An itemization of interest and fees, if any, incurred after default and claimed to be owed and whether the interest and fees were imposed by the original creditor or any subsequent owners of the private education loan;

F. The date the private education loan was executed;

G. The date of the first partial payment or the date of the first missed payment, whichever is earlier;

H. The date and amount of the last payment, if applicable;

I. Any payments, settlement or financial remuneration of any kind paid to the creditor by a guarantor, cosigner or surety and the amount of payment received;

J. A copy of a self-certification form and any other needs analysis conducted by the original creditor prior to execution of the loan;

K. The names of all persons that owned the private education loan after the time of default, if applicable, and the date of each sale or transfer;

L. A log of all collection attempts made in the last 12 months including the date and time of all calls and written communications;

M. A statement as to whether the creditor is willing to renegotiate the terms of the loan;

N. Copies of all settlement documents made in the last 12 months or a statement that the creditor has not attempted to settle or otherwise renegotiate the loan prior to the private education loan collection action;

O. Documentation establishing that the creditor is the owner of the private education loan at issue. If the private education loan was assigned more than once, the creditor must introduce as evidence each assignment or other writing evidencing the transfer of ownership of the specific individual private education loan to establish an unbroken chain of ownership, beginning with the original creditor to the first subsequent creditor and each additional creditor. Each assignment or other writing evidencing transfer of ownership or the right to collect must contain the original creditor's account number, redacted for security purposes to show only the last 4 digits, of the private education loan purchased or otherwise assigned, must contain the date of purchase and assignment and must clearly show the borrower's correct name associated with the original account number. The assignment or other writing attached must be the assignment or other writing by which the creditor or other assignee acquired the private education loan and not a document prepared for litigation;

P. A copy of all pages of the contract, application or other documents evidencing the borrower's liability for the private education loan, stating all terms and conditions applicable to the private education loan. If a signed writing evidencing the original private education loan does not exist, a copy of a document provided to the borrower before default demonstrating that the private education loan was incurred by the borrower and including all terms and conditions applicable to the private education loan must be introduced as evidence; and

Q. An affidavit stating that a representative of the creditor personally reviewed for factual accuracy the evidence under this subsection submitted to the court and confirmed the factual accuracy of the allegations set forth in the complaint and any supporting affidavits or affirmations filed with the court, as well as the accuracy of any notarizations contained in the supporting documents filed in the action.

5. Statute of limitations. In addition to any other requirement of law or rule, a court may not enter a judgment in favor of a private education lender or a private education loan collector unless the court finds that the applicable statute of limitations for the action on the private education loan owned by the creditor has not expired.

6. Judgment. In addition to any other requirement of law or rule, a court may not enter a judgment in favor of a private education lender or a private education loan collector in a collection action under this section unless the private education lender or private education loan collector introduces the evidence under subsection 4 in accordance with applicable rules of evidence.

7. Violation. Failure to produce to a borrower upon request any documentation described in subsection 4 is a violation of the Maine Unfair Trade Practices Act.

§16-110. Violations

1. Fine. The superintendent may impose a fine of up to \$25,000 on a person for any violation of this Article. Each violation of this Article or of any rule adopted pursuant to section 16-111 is a separate offense for the purposes of this section.

2. Suspended from operating in State. If the superintendent finds that a person has knowingly violated any provision of this Article and the violation caused financial harm to a student, the superintendent may suspend the person from operating as or bar the person from being a stockholder, officer, director, partner, owner or employee of a private education lender for a period of up to 10 years.

3. Crime. A violation of this Article is a Class E crime.

4. Private right of action. A person who suffers damage as a result of the failure of another person to comply with this Article may bring an action against the other person for any of the following:

- A. Actual damages or \$500, whichever is greater;
- B. An order enjoining the methods, acts or practices;
- C. Restitution of property;
- D. Punitive damages;
- E. Attorney's fees; and

F. Any other relief that the court determines proper.

5. Purporting to act as agent for an entity exempt from this Article. A person is subject to the requirements of this Article notwithstanding the fact that the person purports to act as an agent or in another capacity for an entity that is exempt from this Article, if, among other things:

A. The person holds, acquires or maintains, directly or indirectly, the predominant economic interest in the private education loan;

B. The person markets, brokers, arranges or facilitates the loan and holds the right, requirement or right of first refusal to purchase the private education loan or a receivable or interest in the private education loan; or

C. The totality of the circumstances indicate that the person is the private education lender and the transaction is structured to evade the requirements of this Article. Circumstances that weigh in favor of a person being a private education lender include, without limitation, when the person:

- (1) Indemnifies, insures or protects an entity exempt from this Article for any costs or risks related to the private education loan;
- (2) Predominantly designs, controls or operates the private education loan program; or
- (3) Purports to act as an agent or in another capacity for an entity exempt from this Article while acting directly as a private education lender in other states.

6. Remedies. Any violation of this Article is subject to the remedies provided in this section in addition to remedies otherwise provided by law.

§16-111. Rules

The superintendent may adopt rules to carry out the purposes of this Article. Rules adopted under this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Administrative Services - Professional and Financial Regulation 0094

Initiative: Provides funding for the All Other costs of the newly established Principal Consumer Credit Examiner position.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$2,730	\$4,270

OTHER SPECIAL REVENUE	\$2,730	\$4,270
FUNDS TOTAL		

Bureau of Consumer Credit Protection 0091

Initiative: Provides funding for the All Other costs of the newly established Principal Consumer Credit Examiner position.

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
All Other	\$8,994	\$4,270

OTHER SPECIAL REVENUE	\$8,994	\$4,270
FUNDS TOTAL		

Licensing and Enforcement 0352

Initiative: Establishes one Principal Consumer Credit Examiner position to manage the regulation of private education lending.

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
Personal Services	\$78,377	\$109,710

OTHER SPECIAL REVENUE	\$78,377	\$109,710
FUNDS TOTAL		

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
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OTHER SPECIAL REVENUE	\$90,101	\$118,250
FUNDS		

DEPARTMENT TOTAL - ALL FUNDS	\$90,101	\$118,250
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See title page for effective date.

CHAPTER 358

H.P. 1230 - L.D. 1659

An Act To Create the Maine Clean Energy and Sustainability Accelerator

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

Sec. 1. 35-A MRSA §10104, sub-§13 is enacted to read:

13. Maine Clean Energy and Sustainability Accelerator. The trust shall administer the Maine Clean Energy and Sustainability Accelerator under section 10128.

Sec. 2. 35-A MRSA §10128 is enacted to read:
§10128. Maine Clean Energy and Sustainability Accelerator

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

A. "Accelerator" means the Maine Clean Energy and Sustainability Accelerator established under subsection 2.

B. "Alternative fuel vehicle project" means any project, technology, product, service, function or measure that supports the development or deployment of alternative fuels used for electricity generation, alternative fuel vehicles and related infrastructure, including infrastructure for electric vehicle charging stations, and that does not include the combustion of fossil fuels.

C. "Demand response project" means any project, technology, product, service, function or measure that changes the usage of electricity by retail customers from normal consumption patterns in response to:

(1) Changes in the price of electricity over time; or

(2) Incentive payments designed to induce lower electricity use at times of high market prices or when system reliability is jeopardized.

D. "Electrification" means the installation, construction or use of end-use electric technology that replaces existing technology based on fossil fuel consumption.

E. "Energy efficiency project" means any project, technology, product, service, function or measure that results in the reduction of energy use required to achieve the same level of service or output obtained before the application of the project, technology, product, service, function or measure.

F. "Fuel switching" means any project that replaces a heating system or industrial process using fossil fuels with a system or process that uses a different fuel and achieves lower net greenhouse gas emissions.

G. "Greenhouse gas" has the same meaning as in Title 38, section 574, subsection 1.

H. "Microgrid" means a group of interconnected loads and distributed energy resources within clearly defined electrical boundaries that acts as a single controllable entity in a larger electrical grid and that can connect to and disconnect from the larger grid to operate in either grid-connected or isolation mode.

I. "Qualified projects" means the following kinds of technologies and activities that are eligible for financing and investment from the accelerator:

(1) Renewable energy generation, including:

- (a) Solar, wind and geothermal projects;
- (b) Projects using small-scale hydro-power that produce 30 megawatts or less of electricity as long as such a project provides 95% or greater efficiency for upstream and downstream passage for diadromous fish species present downstream of the project;
- (c) Projects using ocean and hydrokinetic power generation;
- (d) Projects using fuel cells to store energy; and
- (e) Projects that are biomass generators fueled by wood or wood waste, landfill gas or anaerobic digestion of agricultural products, by-products or wastes;

- (2) Building energy efficiency, fuel switching and electrification;
- (3) Industrial decarbonization;
- (4) Grid technology such as storage to support clean energy distribution, including microgrids and smart grid applications as described in section 3143;
- (5) Clean transportation, including battery electric vehicles, plug-in hybrid electric vehicles, hydrogen vehicles, other zero-emissions fueled vehicles, related vehicle charging and fueling infrastructure and low-emissions mass public transit; and
- (6) Any other key areas identified by the board as consistent with the mandate of the accelerator as described in subsection 3.

J. "Renewable energy generation" means electricity created by sources that are continually replenished by nature, such as the sun, wind and water.

K. "Renewable energy project" means the development, construction, deployment, alteration or repair of any project, technology, product, service, function or measure that generates electric power from renewable energy.

L. "System efficiency project" means the development, construction, deployment, alteration or repair of any distributed generation system, energy storage system, smart grid technology, advanced battery system, microgrid system, fuel cell system or combined heat and power systems.

M. "Vulnerable communities" means:

- (1) Low-income communities, defined as any geographical unit for which the United States Census Bureau publishes sample data in which 30% or more of the population are individuals with low income;

(2) Low-income households, defined as a household with annual income equal to, or less than, the greater of:

- (a) An amount equal to 80% of the median income of the area in which the household is located, as reported by the federal Department of Housing and Urban Development; and
- (b) Two hundred percent of the federal poverty line; and

(3) Communities of color and tribal communities, which include any geographically distinct area in which the population of color is higher than the average population of color of the State.

2. Establishment. The Maine Clean Energy and Sustainability Accelerator is established under the trust and is administered by the trust as a dedicated, specialized finance program designed to drive private capital into market gaps for goods and services producing low or zero greenhouse gas emissions and use finance tools to mitigate climate change; that does not take deposits; that is funded by government, public, private or charitable contributions; and that invests in or finances projects alone or in conjunction with other investors.

3. Mandate. The accelerator shall help this State combat the causes and effects of climate change through the rapid deployment of mature technologies and the commercialization and scaling of new technologies by maximizing the reduction of greenhouse gas emissions in this State for every dollar deployed by the accelerator, including by:

- A. Providing financing support for investments in low-emissions and zero-emissions technologies and processes in order to rapidly accelerate market penetration;
- B. Catalyzing and mobilizing private capital through public investment and supporting a more robust marketplace for clean technologies, while minimizing competition with private investment;
- C. Enabling communities affected by climate change to benefit from and afford projects and investments that reduce greenhouse gas emissions;
- D. Providing support for workers and communities affected by the transition to a low-carbon economy; and
- E. Causing the rapid transition to a clean energy economy without raising energy costs to end users and seeking to lower costs when possible.

4. Finance and investment. The following provisions govern the finance and investment activities of the accelerator.

A. The accelerator may provide finance and investment services, including but not limited to:

- (1) Originating, evaluating, underwriting and closing financing and investment transactions in qualified projects;
- (2) Partnering with private capital providers and capital markets to attract co-investment from private banks, community development financial institutions, investors and others in order to drive new investment into underpenetrated markets, to increase the efficiency of private capital markets with respect to investing in greenhouse gas reduction projects and to increase total investment caused by the accelerator;
- (3) Managing the accelerator's portfolio of assets to ensure performance and monitor risk;
- (4) Ensuring appropriate debt and risk mitigation products are offered; and
- (5) Overseeing prudent, noncontrolling equity investments.

B. The accelerator may provide capital to qualified projects in the form of:

- (1) Debt financing;
- (2) Credit enhancements, including loan loss reserves and loan guarantees;
- (3) Aggregation and warehousing;
- (4) Equity capital; and
- (5) Any other financial product approved by the board.

5. Zero-emissions fleet and related infrastructure financing program. The accelerator shall explore the establishment of a program to provide low-interest and zero-interest loans, up to 30 years in length, to any school, municipal planning organization or nonprofit organization seeking financing for the acquisition of zero greenhouse gas emissions vehicle fleets or associated infrastructure to support zero greenhouse gas emissions vehicle fleets.

6. Project prioritization and requirements. The following provisions govern project prioritization and requirements.

- A. While investing in projects that mitigate greenhouse gas emissions, the accelerator shall maximize the reduction of greenhouse gas emissions in this State for every dollar deployed by the accelerator.
- B. The accelerator shall ensure that 40% of its investment activity is directed to serve vulnerable communities.

C. For any project exceeding \$100,000 in total costs that is financed in whole or in part by the accelerator, the accelerator shall ensure that, for those portions of the project that are funded by the accelerator, any workers employed by contractors and subcontractors conducting construction work on those portions are paid wages not less than those prevailing on similar construction in the locality.

7. Administration. The following provisions govern administration.

- A. The accelerator may be capitalized with federal funds available from a national clean energy and sustainability accelerator and may accept other federal funds as available.
- B. To sustain operations, the accelerator shall manage revenue from financing fees, interest, repaid loans and other types of funding.
- C. The accelerator shall create a publicly available annual report that describes the financial activities, greenhouse gas emissions reductions and private capital mobilization metrics of the accelerator for the previous year.
- D. The accelerator may not accept deposits.
- E. The accelerator may accept and use philanthropic funds.

See title page for effective date.

CHAPTER 359
H.P. 1245 - L.D. 1674

An Act To Improve Access to Medical Care for and Expand the Rights of Adult Clients of State Correctional Facilities

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

Sec. 1. 34-A MRSA §3014 is enacted to read:

§3014. Input into health care services

1. Input from clients. The chief administrative officer of each correctional facility housing adult clients shall seek input from the clients of that facility on at least a quarterly basis relating to the adequacy of the medical and mental health services being provided and suggestions for the development, expansion and improvement of those services.

2. Diversity of clients providing input. The chief administrative officer of each correctional facility shall solicit input pursuant to subsection 1 from adult clients who are representative of the diversity of adult clients housed by the facility, including diversity with respect to race, ethnicity, age and gender, as well as security classification level.

3. Documentation of input. The chief administrative officer of each correctional facility shall document input under this section from the facility's clients in the facility's yearly reports.

Sec. 2. 34-A MRSA §3031, sub-§2, ¶A-1 is enacted to read:

A-1. A client who is indigent is exempt from fees charged for requesting or obtaining records of medical, dental or mental health care provided to the client pursuant to this subsection.

Sec. 3. 34-A MRSA §3031, sub-§2, ¶B, as amended by PL 2015, c. 291, §5, is further amended to read:

B. Notwithstanding ~~paragraph~~ paragraphs A and A-1, the State may bring a civil action in a court of competent jurisdiction to recover the cost of medical, dental, psychiatric or psychological expenses incurred by the State on behalf of a client incarcerated in a facility. The following assets are not subject to judgment under this paragraph:

- (1) Joint ownership, if any, that the client may have in real property;
- (2) Joint ownership, if any, that the client may have in any assets, earnings or other sources of income; and
- (3) The income, assets, earnings or other property, both real and personal, owned by the client's spouse or family;

Sec. 4. Policies on property searches, strip searches and body cavity searches. The Commissioner of Corrections shall adopt policies distinguishing between searches of a client's physical property and cell or living space and searches of a client's person, including strip searches and body cavity searches, and establishing processes for conducting strip searches and body cavity searches. The policies must establish processes for conducting strip searches and body cavity searches in a trauma-informed and gender-responsive manner.

See title page for effective date.

CHAPTER 360

S.P. 549 - L.D. 1715

An Act To Amend the Laws Prohibiting Teachers, Employees and Other Officials from Engaging in Sexual Activity with Students

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

Sec. 1. 17-A MRSA §253, sub-§2, ¶F, as amended by PL 2015, c. 509, §1, is further amended to read:

F. The other person, not the actor's spouse, is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor is a teacher, employee or other official having instructional, supervisory or disciplinary authority over the student or the actor was a substitute teacher who had instructional, supervisory or disciplinary authority over the student at any time during the 12 months prior to the sexual act. Violation of this paragraph is a Class C crime;

Sec. 2. 17-A MRSA §253, sub-§2, ¶G, as amended by PL 2013, c. 179, §2, is further amended to read:

G. The other person, not the actor's spouse, has not attained the age of 18 years and is a resident in or attending a children's home, child care facility, facility operated by a family child care provider, children's residential care facility, drug treatment center, youth camp licensed under Title 22, section 2495 or similar school, facility or institution regularly providing care or services for children, and the actor is a teacher, employee or other person having instructional, supervisory or disciplinary authority over the other person or the actor was a substitute teacher who had instructional, supervisory or disciplinary authority over the student at any time during the 12 months prior to the sexual act. Violation of this paragraph is a Class C crime;

Sec. 3. 17-A MRSA §255-A, sub-§1, ¶K, as amended by PL 2015, c. 509, §2, is further amended to read:

K. The other person, not the actor's spouse, is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor is a teacher, employee or other official having instructional, supervisory or disciplinary authority over the student or the actor was a substitute teacher who had instructional, supervisory or disciplinary authority over the student at any time during the 12 months prior to the sexual contact. Violation of this paragraph is a Class D crime;

Sec. 4. 17-A MRSA §255-A, sub-§1, ¶L, as amended by PL 2015, c. 509, §2, is further amended to read:

L. The other person, not the actor's spouse, is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor is a teacher, employee or other official having instructional, supervisory or disciplinary authority over the student and the sexual contact includes penetration or the actor was a substitute teacher who had instructional, supervisory

or disciplinary authority over the student at any time during the 12 months prior to the sexual contact and the sexual contact included penetration. Violation of this paragraph is a Class C crime;

Sec. 5. 17-A MRSA §260, sub-§1, ¶F, as amended by PL 2015, c. 509, §3, is further amended to read:

F. The other person, not the actor's spouse, is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor is a teacher, employee or other official having instructional, supervisory or disciplinary authority over the student or the actor was a substitute teacher who had instructional, supervisory or disciplinary authority over the student at any time during the 12 months prior to the sexual touching. Violation of this paragraph is a Class D crime;

Sec. 6. 19-A MRSA §1653, sub-§6-A, ¶A, as amended by PL 2015, c. 509, §4, is further amended to read:

A. For the purposes of this section, "child-related sexual offense" means the following sexual offenses if, at the time of the commission of the offense, the victim was under 18 years of age or the victim was a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the person was a teacher, employee or other official having instructional, supervisory or disciplinary authority over the student or the person was a substitute teacher who had instructional, supervisory or disciplinary authority over the student at any time during the 12 months prior to the time of the commission of the offense:

- (1) Sexual exploitation of a minor, under Title 17-A, section 282;
- (2) Gross sexual assault, under Title 17-A, section 253;
- (3) Sexual abuse of a minor, under Title 17-A, section 254;
- (4) Unlawful sexual contact, under Title 17-A, section 255-A or former section 255;
- (5) Visual sexual aggression against a child, under Title 17-A, section 256;
- (6) Sexual misconduct with a child under 14 years of age, under Title 17-A, section 258;
- (6-A) Solicitation of a child to commit a prohibited act, under Title 17-A, section 259-A; or
- (7) An offense in another jurisdiction that involves conduct that is substantially similar to that contained in subparagraph (1), (2), (3),

(4), (5), (6) or (6-A). For purposes of this subparagraph, "another jurisdiction" means the Federal Government, the United States military, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa and each of the several states except Maine. "Another jurisdiction" also means the Passamaquoddy Tribe when that tribe has acted pursuant to Title 30, section 6209-A, subsection 1, paragraph A or B and the Penobscot Nation when that tribe has acted pursuant to Title 30, section 6209-B, subsection 1, paragraph A or B.

See title page for effective date.

CHAPTER 361

S.P. 570 - L.D. 1725

An Act To Clarify the Deferral of the Pooled Market and Link Small Employer Clear Choice to Pooling in the Made for Maine Health Coverage Act

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

Sec. 1. 24-A MRSA §2792, sub-§1, as enacted by PL 2019, c. 653, Pt. B, §2, is amended to read:

1. Pooled market established. Subject to the requirements of subsection 5, all individual and small group health plans offered in this State with effective dates of coverage on or after January 1, ~~2022~~ 2023 must be offered through a pooled market. A health insurance carrier offering an individual health plan subject to this section shall make the plan available to all eligible small employers within the plan's approved service area, and a health insurance carrier offering a small group health plan subject to this section shall make the plan available to all eligible individuals residing within the plan's approved service area. This subsection does not require the Maine Health Insurance Marketplace established in Title 22, chapter 1479 to offer identical choices of health plans to individuals and to small employers under Title 22, chapter 1479.

Sec. 2. 24-A MRSA §2792, sub-§5, as enacted by PL 2019, c. 653, Pt. B, §2, is amended to read:

5. Preconditions for pooled market. This section may not be implemented unless routine technical rules as defined in Title 5, chapter 375, subchapter 2-A are adopted to implement this section and the Federal Government approves a state innovation waiver amendment that extends reinsurance under section 3953 to the pooled market established pursuant to this section based on projections by the superintendent that both average

individual premium rates and average small group premium rates would be the same or lower than they would have been absent the provisions of this section and chapter 54-A. If this section is not implemented, the superintendent shall conduct an analysis of alternative proposals to improve the stability and affordability of the small group market.

Sec. 3. 24-A MRSA §2793, as enacted by PL 2019, c. 653, Pt. B, §2, is amended to read:

§2793. Clear choice designs

The superintendent shall develop clear choice designs for ~~the individual and small group health insurance markets~~ health plans in order to reduce consumer confusion and provide meaningful choices for consumers by promoting a level playing field on which carriers compete on the basis of price and quality.

1. Clear choice design. For the purposes of this section, "clear choice design" means a set of annual copayments, coinsurance and deductibles for all or a designated subset of the essential health benefits. An individual health plan subject to section 2736-C or ~~small group a pooled market~~ health plan subject to section 2792 must conform to one of the clear choice designs developed pursuant to this section unless ~~an opt-out request is granted~~ it is approved as an alternative plan under subsection 4.

2. Development of clear choice designs. The superintendent shall develop clear choice designs in consultation with working groups consisting of consumers, carriers, health policy experts and other interested persons. The superintendent shall adopt rules for clear choice designs, taking into consideration the ability of plans to conform to actuarial value ranges, consumer needs and promotion of benefits with high value and return on investment. The superintendent shall develop at least one clear choice design for each tier of health insurance plan designated as bronze, silver, gold and platinum in accordance with the federal Affordable Care Act. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. Clear choice designs apply to all individual ~~and small group~~ health plans offered in this State with effective dates of coverage on or after January 1, 2022 and to all small group health plans offered through the pooled market under section 2792.

3. Annual review. The superintendent shall consider annually whether to revise, discontinue or add any clear choice designs for use by carriers in the following calendar year, including but not limited to considering whether deductible and copayment levels should be changed to reflect medical inflation and conform with actuarial value and annual maximum out-of-pocket limits.

4. Alternative plan designs. In addition to one or more health plans that include cost-sharing parameters

consistent with a clear choice design developed pursuant to this section, a carrier may offer up to 3 health ~~plans~~ plan designs that modify one or more specific cost-sharing parameters in a clear choice design if the carrier submits an actuarial certification to the satisfaction of the superintendent that the alternative plan design offers significant consumer benefits and does not result in adverse selection. An alternative plan design may be offered only in a service area where the carrier offers at least one clear choice design plan at the same tier.

Sec. 4. 24-A MRSA §3957, sub-§7, as enacted by PL 2011, c. 90, Pt. B, §8, is amended to read:

7. Excess funds. If assessments and other receipts by the association, board or administrator selected pursuant to section 3956 exceed the actual losses and administrative expenses of the association, the board shall hold the excess ~~as at~~ interest and shall use those excess funds to offset future losses or to ~~reduce reinsurance premiums~~ make adjustments to a reinsurance program operated pursuant to section 3953. As used in this subsection, "future losses" includes reserves for claims incurred but not reported.

Sec. 5. 24-A MRSA §3958, sub-§1, as amended by PL 2019, c. 653, Pt. B, §18, is further amended to read:

1. Reinsurance amount. A member insurer offering an individual health plan under section 2736-C must be reinsured by the association to the level of coverage provided in this subsection and is liable to the association for any applicable reinsurance premium at the rate established in accordance with subsection 2. For calendar year ~~2022~~ 2023 and subsequent calendar years, the association shall also reinsure member insurers for small group health plans issued under section 2808-B, unless otherwise provided in rules adopted by the superintendent pursuant to section 2792, subsection 5.

A. Beginning July 1, 2012, except as otherwise provided in paragraph A-1, the association shall reimburse a member insurer for claims incurred with respect to a person designated for reinsurance by the member insurer pursuant to section 3959 after the insurer has incurred an initial level of claims for that person of \$7,500 for covered benefits in a calendar year. In addition, the insurer is responsible for 10% of the next \$25,000 of claims paid during a calendar year. The amount of reimbursement is 90% of the amount incurred between \$7,500 and \$32,500 and 100% of the amount incurred in excess of \$32,500 for claims incurred in that calendar year with respect to that person. For calendar year 2012, only claims incurred on or after July 1st are considered in determining the member insurer's reimbursement. With the approval of the superintendent, the association may annually adjust the initial level of claims and the maximum limit to be retained by the insurer to

reflect changes in costs, utilization, available funding and any other factors affecting the sustainable operation of the association.

A-1. In any plan year in which a pooled market is operating in accordance with section 2792, the association shall operate a retrospective reinsurance program providing coverage to member insurers for all individual and small group health plans issued in this State in that plan year. For plan years beginning in 2022, if the pooled market has not been implemented pursuant to section 2792, subsection 5, the association may operate a retrospective reinsurance program for individual health plans, subject to the approval of the superintendent.

(1) The association shall reimburse member insurers based on the total eligible claims paid during a calendar year for a single individual in excess of the attachment point specified by the board. The board may establish multiple layers of coverage with different attachment points and different percentages of claims payments to be reimbursed by the association.

(2) Eligible claims by all individuals enrolled in individual or small group health plans in this State may not be disqualified for reimbursement on the basis of health conditions, predesignation by the member insurer or any other differentiating factor.

(3) The board shall annually review the attachment points and coinsurance percentages and make any adjustments that are necessary to ensure that the retrospective reinsurance program operates on an actuarially sound basis.

(4) The board shall ensure that any surplus in the retrospective reinsurance program at the conclusion of a plan year is used to lower attachment points, increase coinsurance rates or both for that plan year, consistent with its responsibility to ensure that the program operates on an actuarially sound basis.

B. A member insurer shall apply all managed care, utilization review, case management, preferred provider arrangements, claims processing and other methods of operation without regard to whether claims paid for coverage are reinsured under this subsection. A member insurer shall report for each plan year the name of each high-priced item or service for which its payment exceeded the amount allowed for eligible claims and the name of the provider that received this payment. The association shall annually compile and publish a list of all reported names.

See title page for effective date.

**CHAPTER 362
H.P. 1048 - L.D. 1432**

**An Act To Update the
Municipal Gigabit Broadband
Network Access Fund**

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

Sec. 1. 35-A MRSA §9204-A, sub-§7, as amended by PL 2019, c. 625, §8, is further amended to read:

7. Administer funds. The authority shall administer the ConnectMaine Fund as established pursuant to section 9211 and the Municipal Gigabit Broadband Network Access Fund established pursuant to section 9211-A.

Sec. 2. 35-A MRSA §9204-A, sub-§8, as enacted by PL 2015, c. 284, §7, is amended to read:

8. Limitations on activities of the authority. The Except as provided in section 9211-A, the authority may not develop, acquire, fund, coordinate or otherwise undertake any project or make any grant, direct investment or loan under this chapter unless the authority determines that without the authority's action the installation of adequate advanced communications technology infrastructure in an unserved or underserved area would not occur within the same time period. When providing grants, direct investment or loans for broadband infrastructure investments, the authority shall give preference to those investments that provide the greatest relative improvement to existing broadband service in an unserved or underserved area. Notwithstanding any other provision of this chapter, the authority may not provide any wireline, wireless, satellite, voice, data or video service at retail or wholesale.

Sec. 3. 35-A MRSA §9211-A, as amended by PL 2019, c. 343, Pt. QQ, §§5 and 6, is further amended to read:

§9211-A. Municipal Gigabit Broadband Network Access Fund

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

A. "Applicant" means a ~~community, regional partnership or~~ municipality or group of municipalities that ~~applies~~ apply for a grant under this section.

B. ~~"Community" means a municipality with a population of at least 1,200 people, as determined by the authority in accordance with the United States Census data, or a municipality that has received a waiver from this population requirement from the authority upon a determination that the municipality is in an unserved or underserved area.~~

C. "Fund" means the Municipal Gigabit Broadband Network Access Fund established in this section.

~~D. "Regional partnership" means 2 or more municipalities that do not, on their own, meet the requirements of paragraph B and have joined together with one or more contiguous municipalities in the region to achieve the population requirements of paragraph B.~~

E. "Gigabit fiber-optic broadband network" means a network of fiber-optic cable capable of offering upload and download speeds of at least one gigabit per second.

F. "Open-access network" means an Internet network that is neutral and independent, is available to any Internet service provider based on standardized and transparent pricing and does not compete with Internet service providers to offer retail service of any kind.

G. "Symmetrical high-speed Internet" means retail Internet service that meets minimum standards defined by the authority, which, until 2025, must include at least 100 megabits per second upload and download speeds. Beginning in 2025, the standards must be defined annually by the authority and include upload and download speeds that are at least equal to or better than the minimum speeds available to residents of the majority of urban census blocks in the United States.

2. Fund established. The Municipal Gigabit Broadband Network Access Fund is established as a nonlapsing, revolving fund administered by the authority for the purposes of supporting the activities and projects of the authority under this section. All money in the fund must be continuously applied by the authority to carry out this section. The authority may receive and deposit in the fund funds from the following sources:

- A. Federal funds and awards that may be used for the purposes of this section;
- B. The proceeds of bonds issued for the purposes of this section; and
- C. Any other funds from public or private sources received in support of the purposes for which the fund is established.

3. Purpose of the fund. The fund is established to address the need in the State for access to ~~ultra-high-speed~~ broadband infrastructure that will enhance the State's competitiveness in national and international economies. To the extent funds are available, the fund must be used to provide grants to ~~communities, regional partnerships and~~ municipalities to support public-private partnerships to support a municipal gigabit fiber-optic broadband network in their regions with the following goals:

A. Provide high-speed broadband access to attract, create and grow the State's economy and market the products and services of businesses in the State in national and international markets with ~~ultra-high-speed~~ symmetric connectivity and address challenges in geography;

B. Provide expanded health care services by facilitating access to telemedicine, as defined in Title 24-A, section 4316, subsection 1, and state and local services for senior citizens and persons with disabilities;

C. Expand educational opportunities for students across the State through virtual and distance learning;

D. Facilitate broader access for the public to services provided by municipal and county governments, including, but not limited to, law enforcement entities, the judicial system and child, youth and family social services; and

E. Provide expanded residential services to support employment opportunities.

In order to facilitate the achievement of the goals and policies of this section, the authority shall establish and regularly update, after opportunity for public comment and taking into consideration relevant federal policies, definitions of "gigabit fiber-optic broadband network" and "~~ultra-high-speed~~ broadband infrastructure."

4. Implementation grants; maximum awards.

To the extent funds are available, the authority shall award implementation grants to achieve the purpose of the fund as described in subsection 3 as follows.

~~A. An implementation grant to an applicant may not exceed \$200,000 for each eligible project selected for funding.~~

~~B. An implementation grant may be awarded only to an applicant that has demonstrated to the satisfaction of the authority that it has a viable plan identical or similar to one created in accordance with subsections 5, 6 and 7.~~

C. ~~Municipalities~~ An applicant selected for funding must be required to provide a 25% cash match.

D. ConnectMaine funds may not be used to fund more than 50% of the total cost of a project.

E. An applicant must demonstrate either that no more than one Internet service provider already offers symmetrical high-speed Internet to a majority of the premises to be served or that the grant will be used to construct or expand an open-access network.

5. Planning grants; requirements for applicants. In order to assist applicants with completion of the planning process necessary to achieve the goals of

this section, to the extent funds are available, the authority ~~shall may~~ award planning grants of up to \$20,000 for community applicants and up to \$25,000 for regional partnerships and municipalities, which require a cash match applicants that meet the cash match and other application requirements for the award of planning grants, as established by the authority. The authority shall establish application requirements for planning grants for community and regional applicants that require an applicant to demonstrate to the satisfaction of the authority participation with public and private institutions and local businesses in the development of the grant process. Municipal applicants must provide the authority with the following information:

- A. A plan that identifies how the municipality will use ultra high speed broadband access to fulfill the economic goals of the municipality;
- B. A written commitment to nondiscriminatory open access to the broadband infrastructure by all parties involved in the grant;
- C. A written summary of public forums used to gather information from the public in establishing the goals for the grant that serve the goals of this section;
- D. Information gathered from local public and private institutions that identifies how the broadband services will expand access to state and local services identified under subsection 3; and
- E. A summary of input received from the business community to identify the services that will be used in planning the implementation grant application.

6. Planning grant report requirements. An applicant awarded a planning grant under subsection 5 must provide to the authority, at a minimum:

- A. Identification of the local broadband needs and goals;
- B. An inventory of existing broadband infrastructure assets within the municipality, municipalities or region;
- C. The results of a gap analysis that defines the additional broadband infrastructure necessary to meet identified needs and goals;
- D. One or more potential network designs, cost estimates, operating models and potential business models, based on input from broadband providers operating within the municipality, municipalities or region and any other parties that submit a network design solution, to address any broadband gaps identified in the analysis described in paragraph C; and
- E. An assessment of all existing municipal procedures, policies, rules and ordinances that may have the effect of delaying or increasing the cost of broadband infrastructure deployment.

~~**7. Cash match for planning grants; restrictions.** The cash match required from the applicant for a planning grant under subsection 5 may consist of municipal appropriations, private funds, funding from economic development entities and funding from nonprofit entities.~~

8. Technical assistance; contract for services. The authority may provide technical assistance to applicants that request assistance with the grant application process. The authority may contract for services to assist in the administration, management and evaluation of the fund.

~~**9. Rules; application procedure.** The authority shall adopt rules to implement this section, including rules governing the application process for the fund. Rules adopted under this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.~~

10. Report. Beginning December 15, 2016, the authority shall provide an annual report to the joint standing committee of the Legislature having jurisdiction over energy and utility matters on the grants distributed from the fund and an analysis of the fund's activities that have addressed the need for expansion of ultra high speed broadband access in the State.

See title page for effective date.

CHAPTER 363

H.P. 1178 - L.D. 1589

An Act To Ensure Equity in the Membership of the Marijuana Advisory Commission

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

Sec. 1. 28-B MRSA §902, sub-§1, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

1. Membership. The commission consists of the following ~~15~~ 21 members:

- A. Two members of the Senate, including members from each of the 2 parties holding the largest number of seats in the Legislature, appointed by the President of the Senate;
- B. Two members of the House of Representatives, including members from each of the 2 parties holding the largest number of seats in the Legislature, appointed by the Speaker of the House of Representatives;
- C. The Commissioner of Administrative and Financial Services or the commissioner's designee;

- D. The Commissioner of Agriculture, Conservation and Forestry or the commissioner's designee;
- E. The Commissioner of Health and Human Services or the commissioner's designee;
- F. The Commissioner of ~~Labor~~ Economic and Community Development or the commissioner's designee;
- G. The Commissioner of Public Safety or the commissioner's designee;
- H. The following ~~3~~ 6 members, appointed by the President of the Senate:
 - (1) A representative of a statewide association representing prosecutors;
 - (2) A representative of a statewide association representing the medical marijuana industry; ~~and~~
 - (3) A member of the public; ~~and~~
 - (4) A member of the public with demonstrated expertise in the cultivation of marijuana or the manufacturing of marijuana concentrate and marijuana products;
 - (5) A representative of a statewide association representing defense attorneys; and
 - (6) A representative of a statewide civil rights organization with a primary mission to advance racial equity and racial justice; and
- I. The following ~~3~~ 6 members, appointed by the Speaker of the House of Representatives:
 - (1) A representative of a statewide association representing the adult use marijuana industry;
 - (2) A member of the public with demonstrated expertise and credentials in public health policy; ~~and~~
 - (3) A member of the public;
 - (4) A qualifying patient;
 - (5) A member of a federally recognized Indian tribe in the State; and
 - (6) A representative of the state chapter of a national civil liberties organization.

For all appointments under paragraphs A, B, H and I, an effort must be made in making the appointments to represent the racial and gender diversity of the State.

Sec. 2. 28-B MRSA §902, sub-§5, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

5. Quorum. A quorum of the commission consists of & 11 members.

See title page for effective date.

**CHAPTER 364
S.P. 477 - L.D. 1484**

**An Act To Establish the Maine
Connectivity Authority**

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

Whereas, the Maine Connectivity Authority, established in this legislation, is charged with ensuring the universal availability in the State of high-speed connectivity and secure, affordable, reliable, competitive and sustainable forward-looking advanced communications technology infrastructure to meet the State's future needs; and

Whereas, there exist significant technology infrastructure needs and gaps in the State such that many residents and businesses in the State are unable to take full advantage of the economic, health, educational and other opportunities available through connectivity services; and

Whereas, significant federal funding under the federal American Rescue Plan Act of 2021, which will be used to fund the activities of the Maine Connectivity Authority in addressing such needs and gaps, is anticipated to become available before the expiration of the 90-day period; 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:

Sec. 1. 5 MRSA §12004-G, sub-§33-G is enacted to read:

33-G.

Technology	Maine Connectivity Authority	Not Authorized	35-A <u>MRSA</u> <u>§9404</u>
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Sec. 2. 5 MRSA §12021, sub-§6, ¶G-1 is enacted to read:

G-1. The Maine Connectivity Authority under Title 35-A, section 9404;

Sec. 3. 35-A MRSA c. 94-A is enacted to read:

CHAPTER 94-A
CONNECTIVITY INFRASTRUCTURE

§9401. Short title

This chapter may be known and cited as "the Connectivity Infrastructure Act."

§9402. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Advanced communications technology infrastructure. "Advanced communications technology infrastructure" means any communications technology infrastructure or infrastructure improvement that expands the deployment of, or improves the quality of, broadband availability and wireless service coverage.

2. Authority. "Authority" means the Maine Connectivity Authority established in section 9404.

3. Bonds. "Bonds" means bonds, debts, notes or other evidences of indebtedness.

4. Communications service. "Communications service" means any wireline voice, satellite, data, fixed wireless data or video retail service or cellular voice or data service.

5. Project. "Project" means real property, personal property, equipment, fixtures, materials, wires, cables, labor and other improvements necessary and proper for the provision of advanced communications technology infrastructure.

§9403. State connectivity goals

1. Goals. The goals of the State related to connectivity are that:

A. High-speed connectivity be universally available in the State, including to all residents, businesses and community anchor institutions;

B. There be secure, affordable, reliable, competitive and sustainable forward-looking advanced communications technology infrastructure that can meet current and future needs;

C. All residents, businesses and institutions in the State be able to take full advantage of the economic, health, educational and other opportunities available through connectivity services; and

D. Existing public and private infrastructure be used effectively and efficiently in the public interest to provide advanced communications technology infrastructure in all areas of the State.

§9404. Maine Connectivity Authority

1. Establishment; membership. The Maine Connectivity Authority is established as a body corporate and politic and a public instrumentality of the State, and the exercise by the authority of the powers conferred by this chapter is deemed and held to be the performance of essential governmental functions. The authority consists of the following members:

A. Seven voting members appointed by the Governor and confirmed by the Legislature as follows:

(1) Three members who possess expertise in advanced communications technology infrastructure or communications service, including, but not limited to, expertise in network design, network operations and middle mile infrastructure;

(2) One member representing communities in the State;

(3) One member who possesses expertise in banking or financial lending, including, but not limited to, expertise in the provision of loans or other capital investments for infrastructure deployment in the State;

(4) One member who possesses expertise in education system needs; and

(5) One member who possesses expertise in telehealth delivery and telehealth system needs; and

B. Four ex officio voting members as follows:

(1) The Commissioner of Economic and Community Development or the commissioner's designee;

(2) The Chancellor of the University of Maine System or the chancellor's designee;

(3) The Chief Executive Officer of the Finance Authority of Maine or the officer's designee; and

(4) The Chief Information Officer within the Department of Administrative and Financial Services or the officer's designee.

2. Terms; reappointments; vacancies; chair.

Members appointed by the Governor serve 3-year terms, except that 2 such members first appointed serve a one-year term, 2 such members first appointed serve a 2-year term and 3 such members first appointed serve a 3-year term. Members appointed by the Governor are eligible for reappointment. If a member appointed by the Governor fails to serve until the expiration of the member's term, the Governor may appoint a replacement member for the remainder of that member's term. The Governor shall appoint one member to serve as chair of the authority.

3. President. Upon the recommendation of the authority, the Governor shall appoint a president of the authority subject to confirmation by the Legislature. The president serves a 4-year term and is eligible for reappointment. The president shall manage the authority's programs, services and staff and shall perform other duties the authority considers appropriate.

4. Officers; quorum. The authority may elect a secretary and a treasurer, who may but need not be members of the authority. Six members of the authority

constitute a quorum, and the affirmative vote of 6 members is necessary for any action taken by the authority.

5. Remote participation by members. A member of the authority may participate in a meeting of the authority and place a vote electronically or telephonically as long as members of the public have an opportunity to listen to the deliberations and otherwise participate in or observe the proceedings of the authority.

6. Members not personally liable; indemnification. A member of the authority, while acting within the scope of this chapter, is not subject to any personal liability resulting from the exercise or carrying out of any of the authority's purposes or powers. Each member of the authority must be indemnified by the authority against expenses actually and necessarily incurred by the member in connection with the defense of any action or proceeding in which the member is made a party by reason of being or having been a member of the authority and against any final judgment rendered against the member in that action or proceeding.

7. Conflicts. A member of the authority may not participate in any decision on any contract entered into by the authority under this chapter if that member has any interest, direct or indirect, in any firm, partnership, corporation or association that is party to the contract. The interest must be disclosed to the authority in writing and must be set forth in the minutes of the authority.

§9405. Powers and duties of authority

To carry out the purposes of this chapter, the authority has the following powers with respect to a project together with all powers incidental to or necessary or proper for the performance of these powers and for carrying out its responsibilities in accordance with this chapter:

1. Power to sue and be sued. To sue or initiate or appear in any proceeding. The authority may be sued on its written contracts or to the extent permitted by Title 1, section 409; Title 5, chapter 375; or Title 14, chapter 741;

2. Official seal. To adopt and have an official seal and alter the seal at pleasure;

3. Bylaws; rules. To adopt bylaws and any rule necessary or useful for carrying out any of the authority's powers or duties pursuant to this chapter. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A;

4. Acquire real or personal property. To acquire real or personal property or any interest in real or personal property, including rights or easements, on either a temporary or long-term basis by gift, purchase, transfer, foreclosure, lease or otherwise; to improve, hold, sell with or without public bidding, assign, lease, rent, encumber, mortgage or otherwise dispose of any real or personal property, any interest in real or personal prop-

erty or mortgage interests owned or in its control, custody or possession; and to release or relinquish any right, title claim, lien, interest, easement or demand, however acquired, including upon threat of foreclosure;

5. Prepare and plan projects and facilities. To prepare or cause to be prepared plans, specifications, designs and estimates of costs for the construction and equipping of a project and attendant facilities and from time to time to modify or cause to be modified those plans, specifications, designs or estimates;

6. Improve and equip project and attendant facilities. By contract or contracts to construct, acquire, alter, repair, reconstruct, rehabilitate, improve and equip a project and necessary and usual attendant facilities;

7. Maintain, reconstruct and operate. To maintain, reconstruct and operate, or cause to be maintained, reconstructed and operated, a project;

8. Fix and collect fees. To fix and collect fees, lease-rentals and other charges for the use of any project, equipment or services;

9. Provide for financing or refinancing. To provide financing for a project or to provide for refinancing of existing indebtedness and for the financing of the project and of other necessary and usual attendant facilities;

10. Incur indebtedness. To borrow money for any of the purposes authorized in this chapter, incur debt, which includes the issuance of bonds consistent with section 9406, whether secured or unsecured and whether issued by the authority or through another entity, including, but not limited to, the Maine Municipal Bond Bank, and secure the same by mortgage, pledge, trust agreement, security agreement or other lien on or security interest in the authority's property, rights and privileges of every kind and nature or any part of or interest in any of them;

11. Equity investments; loans, grants, contractual arrangements. To make alone or in participation or cooperation with others direct equity investments, loans, grants or any other contractual arrangement allowed by law with public or private entities in furtherance of the purposes of this chapter, including, but not limited to, the development and financing of a project;

12. Make and execute contracts. To make and execute contracts and other instruments and enter into such transactions as reasonably necessary for the exercise of the authority's powers and functions under this chapter;

13. Agreements; contributions; aid; grants. To enter into agreements with and to accept loans, aid, contributions, grants and the cooperation or assistance of the United States, or any agency of the United States, or of the State or any agency or governmental subdivision in furtherance of the purposes of this chapter, including,

but not limited to, the development and financing of a project, and to do all things necessary in order to avail the authority of those agreements, loans, aid, contributions, grants and cooperation;

14. Acceptance of federal funds and other assistance. To act as the public agency of the State for the purpose of accepting federal funds or other federal assistance or funds or other assistance from any other source in furtherance of the purposes of this chapter, including, but not limited to, the development and financing of projects;

15. Modification of contract, lease, indenture or agreement. To consent to any modification of any contract, lease, indenture or agreement of any kind to which the authority is a party;

16. Manage or operate real and personal property. To manage or operate, or cause to be managed or operated, real and personal property, to take assignments of leases and rentals or to take any other action necessary or incidental to the performance of the authority's duties under this chapter;

17. Lease or rent facilities or equipment used to transmit voice, data or video signals. To lease or rent any facilities or equipment for a project for such amounts as the authority determines to a communications service provider to further the purposes of this chapter, as long as the obligation of the service provider is considered a binding contract with the authority and as long as no liability on account of the authority may be incurred beyond the money available for that purpose or may be considered a liability of the State;

18. Investments. Except as otherwise provided in this chapter, to invest any funds not needed for immediate use, including any funds held in reserve, in property or in securities in which fiduciaries in the State may legally invest funds;

19. Use of revenues. To use only for the purposes of this chapter any revenues derived by the authority from any assessment, transfer of funds, lease, assignment, rental agreement or other disposition or any other revenue;

20. Appearances. To appear on the authority's own behalf before boards, commissions, departments or agencies of a municipality, the State or the United States;

21. Employees. To hire and compensate employees as well as consulting engineers, architects, attorneys, accountants and construction and financial experts and such other individuals as may be necessary in the authority's judgment; and

22. All acts granted or implied. To do any act necessary or convenient to exercise the powers granted in this chapter or reasonably implied by this chapter.

§9406. Issuance of bonds

1. Conclusive authorization. All bonds of the authority must be conclusively presumed to be fully authorized and issued under the laws of the State, and any person or governmental unit is estopped from questioning their authorization, sale, issuance, execution or delivery by the authority.

2. Maturity; interest. The securities of each issue of bonds must be dated, must mature at a time or times not exceeding 30 years from their date and must bear interest at a rate or rates determined by the authority. At the option of the authority, the bonds may be made redeemable before maturity at a price or prices and under terms and conditions fixed prior to their issuance.

3. Form. The authority shall determine the form of the bonds, including any attached interest coupons, the manner of execution of the bonds, the denomination or denominations of the bonds and the place or places for payment of principal and interest, which may be at any financial institution within or without the State. Bonds must be executed in the name of the authority by the manual or facsimile signature of the authorized official or officials. Signatures and facsimiles of signatures on bonds are valid for all purposes even if the authorized official ceases to hold office before delivery of the bonds. The bonds may be issued in coupon or registered form or both as the authority may determine. In addition to this subsection, the authority may provide for transfer of registration of its registered bonds by book entry on the records of the entity designated for that purpose and may enter into such contractual arrangements as may be necessary to accomplish these purposes. In the event a book entry method of transfer is used, principal of and interest on those registered bonds must be payable to the registered owner shown in the book entry or the legal representatives, successors or transferees of the registered owner.

4. Sale. The authority may sell the bonds at a public or private sale, in a manner and at a price it determines is in the best interest of the authority.

5. Credit not pledged. Bonds of the authority do not constitute any debt or liability of the State or of any municipality in the State or any political subdivision of the State, or of the authority or a pledge of the faith and credit of the State or of any such municipality or political subdivision, but are payable solely from the revenues of the project or projects for which they are issued or from other eligible collateral or the revenues or proceeds of other eligible collateral pledged to the payment of the bonds and all such bonds must contain on their face a statement to that effect. The issuance of the bonds does not directly or indirectly or contingently obligate the State or any municipality or political subdivision to levy or to pledge any form of taxation or to make any appropriation for their payment.

6. Anticipatory borrowing. In anticipation of the sale of bonds, the authority may issue temporary notes and renewal notes, the total stated amount of which does

not exceed at any one time outstanding the authorized amount of the bonds. The period of such anticipatory borrowing may not exceed 5 years and the time within which the bonds are to become due may not be extended by the anticipatory borrowing beyond the term permitted by this section.

§9407. Tax exemptions; taxable bonds

1. Bonds exempt from taxation. Bonds of the authority constitute a proper public purpose and the bonds, their transfer and the income from them, including any profits made on their sale, must at all times be exempt from taxation within the State, whether or not those bonds, their transfer or the income from them, including any profits made on their sale, are subject to taxation under the United States Internal Revenue Code of 1986, as amended.

2. Conveyances, leases, mortgages, deeds of trust and trust indentures exempt from taxation. Conveyances by or to the authority and leases, mortgages and deeds of trust or trust indentures by or to the authority are exempt from all taxation by the State or any of its political subdivisions, including, but not limited to, any applicable license, excise or other taxes imposed in respect of the privilege of engaging in any of the activities in which the authority may engage.

3. Property exempt from taxation and other assessments. Property acquired, held or transferred by the authority is exempt from all taxes and from betterments and special assessments of the city, town, county, State or any political subdivision of the State. The authority may agree to make payments in lieu of taxes to the applicable political subdivisions.

4. Taxable bonds. The authority is authorized to agree and consent to the inclusion of interest on any of its bonds, under the United States Internal Revenue Code of 1986 or any subsequent corresponding internal revenue law of the United States, in the gross income of the holders of any such bonds to the same extent and in the same manner that the interest on bills, bonds, notes or other obligations of the United States is includable in the gross income of the holders of such bills, bonds, notes or other obligations under the United States Internal Revenue Code of 1986 or any such subsequent law.

§9408. Collection of data

Subject to the provisions of this section, the authority may collect data from communications service providers and any wireless providers that own or operate advanced communications technology infrastructure in the State concerning infrastructure deployment and costs, revenues and subscribership.

1. Confidential information. If the authority, on its own or upon request of any person or entity, determines that public access to specific information about communications service providers or wireless providers in the State could compromise the security of public

utility systems to the detriment of the public interest or that specific information is of a competitive or proprietary nature, the authority shall issue an order that sets forth its designation of the information as confidential. Information that may be designated as confidential pursuant to this subsection includes, but is not limited to, network diagrams. The authority may designate information as confidential under this subsection only to the minimum extent necessary to protect the public interest and the legitimate competitive or proprietary interests of a communications service provider or a wireless provider. The authority may not designate any information as confidential under this subsection until it has adopted rules to implement this subsection.

Information designated as confidential under this subsection is not a public record under Title 1, section 402, subsection 3.

2. Protection of information. A communications service provider or a wireless provider may request that information provided to the authority that the provider requests be designated as confidential under subsection 1 not be viewed by those members of the authority who could gain a competitive advantage from viewing the information. Upon such a request, the authority shall ensure that the information provided is viewed only by those members of the authority and staff who do not stand to gain a competitive advantage and that there are adequate safeguards to protect that information from members of the authority who could gain a competitive advantage from viewing the information.

§9409. Legislative oversight; report to committee

1. Annual report. No later than January 15, 2022, and annually thereafter, the authority shall provide a report to the joint standing committee of the Legislature having jurisdiction over utilities matters that:

- A. Includes a report on the budget of the authority;
- B. Documents the activities of the authority, including a detailed description of the progress toward the state connectivity goals in section 9403;
- C. Contains a listing of any investments of money in the authority, while maintaining confidentiality for organizations working with the authority; and
- D. Contains an analysis of the availability of communications services and advanced communications technology infrastructure, including an analysis of the competitive market in the State for communications services and advanced communications technology infrastructure and whether the communications services provided in the State are reasonably comparable to services provided regionally and nationwide.

2. Sunset review. As part of the report required under subsection 1 to be submitted to the joint standing committee of the Legislature having jurisdiction over utilities matters no later than January 15, 2030, the

authority shall include findings and recommendations following its review of the effectiveness of the authority in furthering the purposes of this chapter, including:

- A. An analysis of whether the authority has fulfilled its intended purpose under this chapter;
- B. An analysis of whether the activities of the authority should continue for a specified period of time and any recommendations, including proposed legislation, for changes to the powers and duties of the authority to better further the purposes of this chapter; and
- C. An analysis of whether the activities of the authority should be terminated and the laws governing the authority repealed within a specified time frame and any recommendations, including proposed legislation, necessary to facilitate an orderly transition following the termination of activities of the authority, including the appropriate disposition of the assets of the authority.

After receiving a report under this section, the joint standing committee of the Legislature having jurisdiction over utilities matters may report out legislation relating to the authority.

§9410. Liberal construction

This chapter, being necessary for the welfare of the State and its inhabitants, must be liberally construed. In the event of any conflict between this chapter and any other law, this chapter prevails, but the power and authority granted is deemed to be in addition to and not in derogation of power and authority granted by any other law.

Sec. 4. Maine Connectivity Authority; statutory review; report. In consultation with the ConnectMaine Authority established under the Maine Revised Statutes, Title 35-A, section 9203, the Maine Connectivity Authority established under Title 35-A, section 9404 shall review the provisions of Title 35-A, chapters 93 and 94-A and develop recommendations for any necessary changes to either chapter to facilitate the oversight of the ConnectMaine Authority by the Maine Connectivity Authority, which may include, but are not limited to, changes establishing the ConnectMaine Authority as a division of or other unit under the authority of the Maine Connectivity Authority, and any other recommendations relating to the Maine Connectivity Authority or the ConnectMaine Authority. On or before January 15, 2022, the Maine Connectivity Authority shall submit the recommendations resulting from that review, including any proposed legislation, to the Joint Standing Committee on Energy, Utilities and Technology, which it may include in the report required under Title 35-A, section 9409, subsection 1. After reviewing the report, the joint standing committee may report out related legislation to the 130th Legislature.

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

Effective June 24, 2021.

CHAPTER 365

H.P. 1247 - L.D. 1676

An Act To Limit Access to Juvenile Case Records and Protect the Confidentiality of Juvenile History Record Information

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

Sec. 1. 15 MRSA §709, sub-§1-B, as enacted by PL 2011, c. 507, §1, is repealed.

Sec. 2. 15 MRSA §709, sub-§1-C, as enacted by PL 2015, c. 470, §6, is amended to read:

1-C. Administration of juvenile justice. "Administration of juvenile justice" has the same meaning as in section ~~3308-A~~ 3003, subsection 1, ~~paragraph A 1-A.~~

Sec. 3. 15 MRSA §712, sub-§2, as amended by PL 2015, c. 470, §8, is further amended to read:

2. Investigative officers. It is not a violation of this chapter for an investigative officer, or for another employee of the Department of Corrections authorized to exercise law enforcement powers as described in Title 34-A, section 3011, to intercept, disclose or use that communication in the normal course of employment while engaged in any activity that is related to the administration of criminal justice as defined in Title 16, section 703, subsection 1 for the purposes of the Criminal History Record Information Act or as defined in Title 16, section 803, subsection 2 for the purposes of the Intelligence and Investigative Record Information Act; ~~or while engaged in any activity that is related to the administration of juvenile criminal justice if:~~

A. Either the sender or receiver of that communication is a person residing in an adult or juvenile correctional facility administered by the Department of Corrections; and

B. Notice of the possibility of interception is provided in a way sufficient to make the parties to the communication aware of the possibility of interception, which includes:

- (1) Providing the resident with a written notification statement;

(2) Posting written notification next to every telephone at the facility that is subject to monitoring; and

(3) Informing the recipient of a telephone call from the resident by playing a recorded warning before the recipient accepts the call.

This subsection does not authorize any interference with the attorney-client privilege.

Sec. 4. 15 MRSA §713, sub-§2, as amended by PL 2015, c. 470, §10, is further amended to read:

2. Contents obtained under this chapter. The contents of an interception of any oral communication or wire communication that has been legally obtained pursuant to section 712, subsection 2 or 3 are admissible in the courts of this State, subject to the Maine Rules of Evidence, if related to the administration of criminal justice as defined in Title 16, section 703, subsection 1 for the purposes of the Criminal History Record Information Act or as defined in Title 16, section 803, subsection 2 for the purposes of the Intelligence and Investigative Record Information Act; the administration of juvenile justice; ~~the administration of juvenile criminal justice~~; or the statutory functions of a state agency.

Sec. 5. 15 MRSA §3003, sub-§1-A is enacted to read:

1-A. Administration of juvenile justice. "Administration of juvenile justice" means activities related to the anticipation, prevention, detection, monitoring or investigation of known, suspected or possible juvenile crimes and the apprehension or summoning, detention, conditional or unconditional release, informal adjustment, initial appearance, bind-over, adjudication, disposition, custody and supervision or rehabilitation of accused juveniles or adjudicated juvenile criminal offenders. "Administration of juvenile justice" includes the collection, storage and dissemination of juvenile case records and juvenile intelligence and investigative record information relating to the administration of juvenile justice.

Sec. 6. 15 MRSA §3003, sub-§19-C is enacted to read:

19-C. Order of adjudication. "Order of adjudication" means any document, including but not limited to a judgment and commitment order including conditions of juvenile probation if imposed, any dismissal form or any written order that constitutes the final disposition of a juvenile petition.

Sec. 7. 15 MRSA §3003, sub-§28 is enacted to read:

28. Victim. "Victim" has the same meaning as in Title 17-A, section 2101, subsection 2.

Sec. 8. 15 MRSA §3009, sub-§2, as amended by PL 2003, c. 205, §3, is further amended to read:

2. Release of information. Upon the request of the superintendent or the superintendent's designee under subsection 1, the Department of Corrections shall release information as authorized under section ~~3308~~ 3308-C, subsection ~~7~~ 4, paragraph ~~B~~ C, subparagraph (3) and Title 34-A, section 1216, subsection 1, paragraph F to be used by the reintegration team. Information received pursuant to this subsection is confidential and may not be further disseminated, except as otherwise provided by law.

Sec. 9. 15 MRSA §3010 is enacted to read:

§3010. Dissemination of juvenile history record information by a Maine criminal justice agency

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

A. "Confidential juvenile history record information" means all juvenile history record information except public juvenile history record information.

B. "Criminal justice agency" has the same meaning as in Title 16, section 703, subsection 4.

C. "Dissemination" has the same meaning as in Title 16, section 703, subsection 6.

D. "Executive order" has the same meaning as in Title 16, section 703, subsection 7.

E. "Juvenile history record information" means information of record collected by a criminal justice agency or at the direction of a criminal justice agency or kept in the custody of a criminal justice agency that connects a specific, identifiable juvenile with formal involvement in the juvenile justice system either as a person accused of or adjudicated as having committed a juvenile crime. "Juvenile history record information" includes, but is not limited to, identifiable descriptions or notations of: summonses and arrests; detention; petitions charging a juvenile with a juvenile crime or any disposition stemming from such charges; post-plea or post-adjudication disposition; execution of and completion of any disposition alternatives imposed; release and discharge from involuntary commitment; any related pretrial and post-trial appeals; collateral attacks; and petitions for and warrants of pardons, commutations, reprieves and amnesties. "Juvenile history record information" does not include information of record of civil proceedings, including traffic infractions and other civil violations or juvenile intelligence and investigative record information as defined in section 3308-A, subsection 1, paragraph E. As used in this paragraph, "formal involvement in the juvenile justice system either as a person accused of or adjudicated as having committed a juvenile crime" means

being within the jurisdiction of the juvenile justice system commencing with arrest, summons, referral to a juvenile community corrections officer, preliminary investigation or filing of a juvenile petition with the Juvenile Court and concluding with the completion of any informal adjustment agreement or the completion of any disposition entered by the Juvenile Court.

F. "Public juvenile history record information" means information indicating that a juvenile has been adjudicated as having committed a juvenile crime that would constitute murder or a Class A, B or C crime if the juvenile adjudicated were an adult and any resulting disposition imposed.

2. Juvenile history record information confidential. Except as provided in subsection 3, juvenile history record information is confidential and not open to public inspection, and does not constitute public records as defined in Title 1, section 402, subsection 3.

3. Juvenile history record information pertaining to adjudications. Notwithstanding subsection 2, if a juvenile has been adjudicated as having committed a juvenile crime that would constitute murder or a Class A, B or C crime if the juvenile adjudicated were an adult, then that adjudication and any resulting disposition imposed, but no other related juvenile history record information, may be disclosed publicly.

4. Dissemination of juvenile history record information by Maine criminal justice agency. A Maine criminal justice agency, whether directly or through any intermediary, may disseminate confidential juvenile history record information only to:

A. Another criminal justice agency for the purpose of the administration of juvenile justice, the administration of criminal justice or criminal justice agency employment;

B. Any person for any purpose when expressly authorized by a statute, court rule, court decision or court order containing language specifically referring to confidential juvenile history record information or one or more of the types of confidential juvenile history record information; or

C. A public entity for purposes of international travel, such as issuing visas and granting of citizenship.

5. Required inquiry to State Bureau of Identification. A Maine criminal justice agency, other than a court, shall query the Department of Public Safety, State Bureau of Identification before disseminating any confidential juvenile history record information for a noncriminal justice purpose to ensure that the most up-to-date disposition information is being used. For purposes of this subsection, "noncriminal justice purpose" means a purpose other than for the administration

of juvenile justice, the administration of criminal justice or criminal justice agency employment.

6. Unlawful dissemination of confidential juvenile history record information. Any person who intentionally disseminates confidential juvenile history record information knowing it to be in violation of any provision of this chapter commits a civil violation for which a fine of not more than \$1,000 may be adjudged. The District Court has jurisdiction over violations under this subsection.

Sec. 10. 15 MRSA §3307, as amended by PL 2019, c. 525, §16, is further amended to read:

§3307. ~~Publicity and record~~ Disclosure of juvenile's identity

1-A. Disclosure of juvenile's identity. A law enforcement officer, officer of the court, juvenile community corrections officer or other representative of the Department of Corrections may not disclose the identity of any juvenile until a petition is filed charging the juvenile with a juvenile crime described in subsection 2 open to public inspection pursuant to section 3308-C, subsection 2, paragraph A, B or C. This section does not preclude the disclosure of the identity of a juvenile to a complainant or victim if a juvenile community corrections officer decides not to file a petition in accordance with section 3301, subsection 5, paragraph A or B or if the juvenile community corrections officer requests the prosecuting attorney to file a petition in accordance with section 3301, subsection 5, paragraph C, or, if the victim is a minor, to the victim's parent or parents, guardian or legal custodian, to a criminal justice agency for the administration of juvenile justice or to the Department of Health and Human Services if necessary to carry out the statutory functions of that department, regardless of whether a petition has been or will be filed.

This section does not preclude the disclosure of the identity of a juvenile on conditional release pursuant to section 3203-A or on informal adjustment pursuant to section 3301 to a criminal justice agency for the administration of juvenile justice, or to the Department of Health and Human Services if necessary to carry out the statutory functions of that department.

1-B. Disclosure of juvenile's identity to victim. Upon request, the identity of a juvenile subject to Juvenile Court proceedings must be disclosed by the Juvenile Court to:

A. The victim;

B. If the victim is a minor, the parent or parents, guardian or legal custodian of the victim; or

C. If the victim cannot act on the victim's own behalf due to death, age, physical or mental disease or disorder or intellectual disability or autism or

other reason, an immediate family member, guardian, legal custodian or attorney representing the victim.

2. ~~Certain hearings public.~~

~~A. Once a petition is filed, the general public may not be excluded from a proceeding on a juvenile crime that would constitute murder or a Class A, Class B or Class C crime if the juvenile involved were an adult; from a proceeding on a juvenile crime that would constitute a Class D crime if the juvenile involved were an adult and the juvenile has previously been adjudicated of committing a juvenile crime that would constitute a Class D or higher class crime not arising from the same underlying transaction; or from a subsequent dispositional hearing in such cases.~~

~~B. The general public is excluded from all other juvenile hearings and proceedings, except that a juvenile charged with a juvenile crime that would constitute murder or a Class A, Class B or Class C offense and with a juvenile crime that would constitute a juvenile's first Class D offense or Class E offense or with conduct described in section 3103, subsection 1, paragraph B, C or E, arising from the same underlying transaction may elect to have all charges adjudicated in one hearing, and, when a juvenile does so elect, the general public is not excluded from that hearing.~~

3. Record. A verbatim record ~~shall~~ must be made of all detention, bind over, adjudicatory and dispositional hearings.

Sec. 11. 15 MRSA §3308, as amended by PL 2019, c. 525, §17, is repealed.

Sec. 12. 15 MRSA §3308-A, sub-§1, ¶A, as enacted by PL 2013, c. 267, Pt. D, §1, is repealed.

Sec. 13. 15 MRSA §3308-A, sub-§1, ¶C-1 is enacted to read:

C-1. "Dissemination" has the same meaning as in Title 16, section 703, subsection 6.

Sec. 14. 15 MRSA §3308-A, sub-§2, as amended by PL 2019, c. 525, §19, is further amended to read:

2. Information part of juvenile case records. To the extent juvenile intelligence and investigative record information has been made part of the juvenile case records, dissemination of that juvenile intelligence and investigative record information by the court having actual custody of the juvenile case records must be as provided by section ~~3307 and section 3308~~ 3308-C, subsection 4.

Sec. 15. 15 MRSA §3308-A, sub-§3, ¶B-2 is enacted to read:

B-2. A governmental agency or subunit of a governmental agency in this State or another state that pursuant to statute is responsible for investigating abuse, neglect or exploitation of children or a governmental agency in this State or another state responsible for the licensing of child care facilities, family child care providers or children's camp programs or their employees;

Sec. 16. 15 MRSA §3308-A, sub-§3, ¶D, as amended by PL 2019, c. 525, §21, is further amended by amending subparagraph (2) to read:

(2) A court order pursuant to section 3307 or ~~3308~~ 3308-C.

Sec. 17. 15 MRSA §3308-A, sub-§4, as enacted by PL 2019, c. 525, §22, is amended to read:

4. Dissemination of juvenile intelligence and investigative record information subject to reasonable limitations. The dissemination of juvenile intelligence and investigative record information by a criminal justice agency pursuant to subsection 3, paragraphs B, B-1, B-2 and D is subject to limitations to reasonably ensure that dissemination of the information will not:

- A. Interfere with law enforcement proceedings relating to crimes;
- B. Result in public dissemination of prejudicial information concerning an accused person or concerning the prosecution's evidence that will interfere with the ability of a court to impanel an impartial jury;
- C. Constitute an unwarranted invasion of personal privacy, including, but not limited to, the personal privacy of juveniles and victims;
- D. Disclose the identity of a confidential source;
- E. Disclose confidential information furnished only by a confidential source;
- F. Disclose investigative techniques and procedures or security plans and procedures not known by the general public;
- G. Endanger the life or physical safety of any individual, including law enforcement personnel;
- H. Disclose information designated confidential by statute; and
- I. Interfere with proceedings relating to civil violations, civil enforcement proceedings and other civil proceedings conducted by the Department of the Attorney General or by a district attorney's office.

To comply with this subsection a criminal justice agency may deny access in whole or in part to records that contain or constitute juvenile intelligence and investigative record information. A criminal justice agency also may prepare and provide redacted copies of

such records to a person or public or private entity authorized to receive the information under this section.

Sec. 18. 15 MRSA §3308-A, sub-§7 is enacted to read:

7. Unlawful dissemination of confidential juvenile intelligence and investigative record information. Any person who intentionally disseminates confidential juvenile intelligence and investigative record information knowing it to be in violation of any provision of this chapter commits a civil violation for which a fine of not more than \$1,000 may be adjudged. The District Court has jurisdiction over violations under this subsection.

Sec. 19. 15 MRSA §3308-C is enacted to read:
§3308-C. Confidentiality of juvenile case records

1. Confidentiality. Juvenile case records are confidential and may not be disclosed, disseminated or inspected except as expressly authorized by this Part. Juvenile case records open to public inspection may be inspected only at the courthouse. The court may not disseminate any juvenile case records, including those open to public inspection, to the public in any manner, including by any paper or electronic means.

2. Juvenile petitions open to public inspection. Unless Juvenile Court proceedings are suspended pursuant to section 3318-A, subsection 5, the following juvenile petitions are open to public inspection:

A. Any juvenile petition alleging a violation of Title 17-A, section 201, 202 or 203 if the juvenile charged had attained 13 years of age at the time of the alleged juvenile crime, if the Juvenile Court has found there is probable cause to believe the juvenile committed a juvenile crime that would be a violation of Title 17-A, section 201, 202 or 203 if the juvenile involved were an adult.

If the juvenile had not attained 13 years of age at the time of the alleged violation of Title 17-A, section 201, 202 or 203, the Juvenile Court may allow public inspection of the juvenile petition pursuant to paragraph C;

B. Any juvenile petition alleging a juvenile crime that would constitute a Class A crime if committed by an adult if the juvenile charged had attained 13 years of age at the time of the alleged juvenile crime if the Juvenile Court has found there is probable cause to believe the juvenile committed a juvenile crime that would be a Class A crime if the juvenile involved were an adult.

If the juvenile had not attained 13 years of age at the time of the juvenile crime that would constitute a Class A crime if committed by an adult, the Juvenile Court may allow public inspection of the juvenile petition pursuant to paragraph C.

A petition open to public inspection under this paragraph may be made confidential and not open to public inspection if, upon written request by a person to the Juvenile Court, and after notice to the juvenile and the juvenile's parent or parents, guardian or legal custodian, the attorney for the juvenile and the office of the prosecuting attorney, and after a hearing in which the Juvenile Court considers the purposes of this Part, the juvenile's interest in privacy, the alleged victim's interest in privacy, the nature of the juvenile crime alleged and the characteristics of the juvenile and public safety concerns as outlined in section 3101, subsection 4, paragraph D, the court determines that the general public's right to information does not substantially outweigh the juvenile's interest in privacy or the alleged victim's interest in privacy; and

C. Any petition alleging a juvenile crime that would constitute murder or a Class A crime if committed by an adult and the juvenile charged had not attained 13 years of age at the time of the alleged juvenile crime, or any petition alleging a juvenile of any age committed a juvenile crime that would constitute a Class B or C crime if committed by an adult, if:

(1) A written request is filed by any person with the Juvenile Court requesting that the juvenile petition be open to public inspection;

(2) The Juvenile Court has found there is probable cause to believe the juvenile committed a juvenile crime that would constitute murder, a violation of Title 17-A, section 204 or a Class A, B or C crime if the juvenile involved were an adult; and

(3) After notice to the juvenile and the juvenile's parent or parents, guardian or legal custodian, the attorney for the juvenile, the office of the prosecuting attorney and the individual or entity requesting the juvenile petition be open to public inspection and a hearing in which the Juvenile Court considers the purposes of this Part, the juvenile's interest in privacy, the alleged victim's interest in privacy, the nature of the juvenile crime alleged and the characteristics of the juvenile and public safety concerns as outlined in section 3101, subsection 4, paragraph D, the court determines that the general public's right to information substantially outweighs the juvenile's interest in privacy and the alleged victim's interest in privacy.

D. In a juvenile petition alleging multiple juvenile crimes, the juvenile crime that would constitute the highest class of crime if the juvenile were an adult determines whether the petition is open to public inspection.

The prosecuting attorney shall ensure that names and identifying information of any alleged victims are redacted before a petition is filed with the Juvenile Court.

If a request to allow public inspection of a petition under this subsection has been filed, the Juvenile Court shall advise the juvenile and the juvenile's parent or parents, guardian or legal custodian that the request has been made and shall advise them of the juvenile's right to be represented by counsel. The court may not allow the public to inspect a juvenile petition pursuant to paragraph C until authorized by court order.

3. Orders of adjudication open to public inspection. Orders of adjudication for any juvenile crime that would constitute murder or a Class A, B or C crime if the juvenile involved were an adult are open to public inspection. Orders of adjudication for all other juvenile crimes are confidential and not open to public inspection. When an order of adjudication reflects adjudications for both a juvenile crime that would constitute murder or a Class A, B or C crime if the juvenile involved were an adult and another juvenile crime or crimes not constituting murder or a Class A, B or C crime if the juvenile involved were an adult, the juvenile crime that would constitute the highest class of crime if the juvenile were an adult determines whether the order of adjudication is open to public inspection.

4. Dissemination of information contained in juvenile case records. The following provisions apply to the dissemination of information contained in juvenile case records.

A. For purposes of this subsection, unless the context otherwise indicates, the following terms have the following meanings.

(1) "Administration of criminal justice" has the same meaning as in Title 16, section 703, subsection 1.

(2) "Criminal justice agency" has the same meaning as in Title 16, section 703, subsection 4.

(3) "Juvenile intelligence and investigative record information" has the same meaning as in section 3308-A, subsection 1, paragraph E.

B. Nothing in this section precludes sharing of any information contained in juvenile case records by one criminal justice agency with another criminal justice agency for the purpose of administration of criminal justice, administration of juvenile justice or criminal justice agency employment.

C. Nothing in this section precludes dissemination of any information contained in juvenile case records if:

(1) The juvenile has been adjudicated as having committed a juvenile crime;

(2) The information is disseminated by and to persons who directly supervise or report on the health, behavior or progress of the juvenile, the superintendent of the juvenile's school and the superintendent's designees, criminal justice agencies or agencies that are or might become responsible for the health or welfare of the juvenile as a result of a court order or by agreement with the Department of Corrections or the Department of Health and Human Services; and

(3) The information is relevant to and disseminated only for the purpose of creating or maintaining an individualized plan for the juvenile's rehabilitation, including reintegration into a school.

Any information received under this paragraph is confidential and may not be further disclosed or disseminated, except as otherwise provided by law.

D. Nothing in this section precludes dissemination of any information in the juvenile case records in the possession of the Department of Corrections if the person concerning whom the juvenile case records are sought, the juvenile, the person's legal guardian, if any, and, if the person is a minor, the person's parent or parents, guardian or legal custodian have given informed written consent to the dissemination of the juvenile case records.

E. Except as expressly authorized by this section, juvenile intelligence and investigative record information, juvenile community corrections officers' records and all other reports of social and clinical studies contained in juvenile case records may not be open to inspection and may not be disclosed or disseminated except with the consent of the Juvenile Court. The names and identifying information regarding any alleged victims and minors contained in the juvenile case records must be redacted prior to disclosure, dissemination or inspection.

The Juvenile Court may not order the disclosure, dissemination or inspection of juvenile case records unless the juvenile, the juvenile's parent or parents, guardian or legal custodian and either the juvenile's attorney or, if the juvenile does not have an attorney, the juvenile's attorney of record and the prosecuting attorney are given notice of the request and an opportunity to be heard regarding the request. In deciding whether to allow the disclosure, dissemination or inspection of any portion of juvenile case records under this paragraph, the Juvenile Court shall consider the purposes of this Part and the reasons for which the request is being made and may restrict the disclosure, dissemination or inspection of the juvenile case records in any manner the court determines necessary or appropriate.

F. When a juvenile who is adjudicated as having committed a juvenile crime that if committed by an adult would be gross sexual assault under Title 17-A, section 253, subsection 1 is committed to a Department of Corrections juvenile correctional facility or placed on probation, the Department of Corrections shall provide, while the juvenile is committed or on probation, a copy of the juvenile's judgment and commitment to the Department of Health and Human Services, to all law enforcement agencies that have jurisdiction in those areas where the juvenile resides, works or attends school and to the superintendent of any school in which the juvenile attends school during the period of commitment or probation. The Department of Corrections shall provide a copy of the juvenile's judgment and commitment to all licensed day care facility operators located in the municipality where the juvenile resides, works or attends school during the period of commitment or probation. Upon request, the Department of Corrections shall also provide a copy of the juvenile's judgment and commitment to other entities that are involved in the care of children and are located in the municipality where the juvenile resides, works or attends school during the period of commitment or probation. The Department of Corrections may provide a copy of the juvenile's judgment and commitment to any other agency or person that the Department of Corrections determines is appropriate to ensure public safety. Neither the failure of the Department of Corrections to perform the requirements of this paragraph nor compliance with this paragraph subjects the Department of Corrections or its employees to liability in a civil action.

G. Juvenile case records must be open to inspection by and, upon request, be disseminated to the juvenile, the juvenile's parent or parents, guardian or legal custodian, the juvenile's attorney, the prosecuting attorney and any agency to which legal custody of the juvenile was transferred as a result of an adjudication. Juvenile case records must also be open to inspection by and, upon request, be disseminated to the Department of Health and Human Services prior to adjudication if commitment to the Department of Health and Human Services is a proposed disposition.

5. Victim access to juvenile case records. Notwithstanding confidentiality provisions of this section, the juvenile petition and order of adjudication may be inspected by:

A. The victim;

B. If the victim is a minor, the parent or parents, guardian or legal custodian of the victim; or

C. If the victim cannot act on the victim's own behalf due to death, age, physical or mental disease or disorder or intellectual disability or autism or other

reason, an immediate family member, guardian, legal custodian or attorney representing the victim.

Notwithstanding any provision of this section to the contrary, juvenile case records must be open to inspection by or may be disseminated to the Victims' Compensation Board established in Title 5, section 12004-J, subsection 11 if a juvenile is alleged to have committed an offense upon which an application to the board is based.

6. Access to juvenile case records by other persons. With the consent of the Juvenile Court and subject to reasonable limitations to protect the identity, privacy and safety of 3rd parties, including, but not limited to, victims and other accused or adjudicated juveniles, and the interests of justice, juvenile case records, excluding the names of the juvenile and the juvenile's parent or parents, guardian or legal custodian, the juvenile's attorney or any other parties, may be inspected by or disseminated to persons having a legitimate interest in the proceedings or by persons conducting pertinent research studies.

7. Order following determination that juvenile case records are open to public inspection, disclosure or dissemination. Following a determination that a juvenile petition, order of adjudication or other juvenile case records are open to public inspection, disclosure or dissemination under this section, the Juvenile Court shall enter an order specifying which juvenile case records may be inspected, disclosed or disseminated and identifying the individual or agency granted access to those juvenile case records. The Juvenile Court may restrict the further disclosure, dissemination or inspection of the juvenile case records in any manner the court determines necessary or appropriate.

8. Records to Secretary of State. Whenever a juvenile has been adjudicated as having committed a juvenile crime involving the operation of a motor vehicle, or when the Juvenile Court has ordered a disposition pursuant to section 3314, subsection 3, 3-A, or 3-B that includes suspension of the juvenile's right to operate a motor vehicle, the court shall transmit to the Secretary of State an abstract, duly certified, setting forth the name of the juvenile, the offense, the date of the offense, the date of the adjudicatory hearing and any other pertinent facts. These juvenile case records are admissible in evidence in hearings conducted by the Secretary of State or any of the Secretary of State's deputies and are open to public inspection.

Nothing in this Part may be construed to limit the authority of the Secretary of State, pursuant to Title 29-A, to suspend a person's driver's license or permit to operate a motor vehicle, right to operate a motor vehicle or right to apply for or obtain a driver's license.

9. Transmission of information about a committed juvenile. Information regarding a juvenile committed to the custody of the Department of Corrections or

the custody of the Department of Health and Human Services must be provided as follows.

A. The Juvenile Court shall transmit with the commitment order a copy of the petition, the order of adjudication, copies of any social studies, any clinical or educational reports and information pertinent to the care and treatment of the juvenile.

B. The Department of Corrections or the Department of Health and Human Services shall provide the Juvenile Court with any information concerning the juvenile committed to either department's custody that the court at any time may request.

10. Juvenile case records sealed. This subsection governs the sealing of juvenile case records of a person adjudicated as having committed a juvenile crime.

A. A person adjudicated as having committed a juvenile crime that, if the juvenile were an adult, would constitute murder or a Class A, B or C crime or operating under the influence as defined in Title 29-A, section 2411 may petition the Juvenile Court to seal from public inspection all juvenile case records pertaining to the juvenile crime and its disposition and any prior juvenile case records and their dispositions if:

- (1) At least 3 years have passed since the person's discharge from the disposition ordered for that juvenile crime;
- (2) Since the date of disposition, the person has not been adjudicated as having committed a juvenile crime and has not been convicted of committing a crime; and
- (3) There are no current adjudicatory proceedings pending for a juvenile or other crime.

B. The Juvenile Court may grant the petition filed under paragraph A if the court finds that the requirements of paragraph A are satisfied, unless the court finds that the general public's right to information substantially outweighs the juvenile's interest in privacy. The juvenile has a right to appeal the court's denial of the juvenile's petition to seal as provided in chapter 509.

C. At the time a person adjudicated to have committed a juvenile crime other than a crime listed in paragraph A is finally discharged from the disposition imposed for that juvenile crime, the court, upon receipt of appropriate notice of the discharge, shall within 5 business days enter an order sealing from public inspection all records pertaining to the juvenile crime and its disposition. Appropriate notice that the juvenile is discharged from the disposition:

- (1) Must be provided to the court by the Department of Corrections if the juvenile's disposition involved either commitment to the

custody of a Department of Corrections juvenile correctional facility, a period of confinement not to exceed 30 days or any suspended disposition with a period of probation;

(2) Must be provided to the court by the office of the prosecuting attorney if disposition included restitution, community service or a restorative justice event and the court ordered that proof of completion of the obligation be provided to the office of the prosecuting attorney; or

(3) May be provided to the court by the juvenile or the juvenile's attorney. If the notice is provided by the juvenile or the juvenile's attorney, the juvenile or the juvenile's attorney shall serve a copy of the notice on the office of the prosecuting attorney before the court may enter the order sealing the juvenile case records. In all juvenile cases adjudicated subsequent to January 1, 2000, but prior to January 1, 2022, the Juvenile Court may grant the request of the juvenile or the juvenile's attorney for automatic sealing of all juvenile case records pertaining to the juvenile crime and its disposition when notice is provided to the court and the prosecuting attorney pursuant to this subparagraph.

When an order of adjudication includes multiple juvenile crimes, the juvenile crime that would constitute the highest class of crime if the juvenile were an adult determines whether a petition for sealing of juvenile records must be filed pursuant to paragraph A and a finding made pursuant to paragraph B before all juvenile case records pertaining to all of the juvenile crimes adjudicated may be ordered sealed.

When a juvenile petition alleges multiple juvenile crimes and the court holds separate hearings resulting in multiple orders of adjudication, the order of adjudication with the highest class of crime if the juvenile were an adult determines whether a petition for sealing of juvenile records must be filed pursuant to paragraph A and a finding made pursuant to paragraph B before all juvenile case records pertaining to all of the juvenile crimes adjudicated may be ordered sealed.

D. Notwithstanding subsections 2 and 3, subsection 4, paragraphs C, D and F and subsections 5 and 6, a court order sealing juvenile case records pursuant to this subsection permits only the following persons to have access to the sealed juvenile case records:

- (1) The courts and criminal justice agencies as provided by this section; and

(2) The person whose juvenile case records are sealed or that person's designee.

E. A copy of the court's written order certifying its granting of the juvenile's petition to seal juvenile case records pursuant to paragraph B or its order of automatic sealing pursuant to paragraph C must be provided to the Department of Public Safety, State Bureau of Identification if the adjudication is for a juvenile crime the criminal records of which are maintained by the State Bureau of Identification pursuant to Title 25, section 1541. The State Bureau of Identification or the appropriate agency upon receipt of the order shall promptly update its records relating to each of the juvenile adjudications included in the order.

F. A person whose juvenile case records are sealed pursuant to this subsection may respond to inquiries from other than the courts and criminal justice agencies about that person's juvenile crimes, the juvenile case records of which have been sealed, as if the juvenile crimes had never occurred, without being subject to any sanctions. The sealing of a person's juvenile case records does not remove or otherwise affect the prohibition against that person's possessing a firearm pursuant to section 393.

11. Unlawful dissemination of confidential juvenile case record information. Any person who intentionally disseminates information contained in confidential juvenile case records knowing it to be in violation of any provisions of this chapter commits a civil violation for which a fine of not more than \$1,000 may be adjudged. The District Court has jurisdiction over violations under this subsection.

Sec. 20. 15 MRSA §3308-D is enacted to read:
§3308-D. Confidentiality of Juvenile Court proceedings

1. Record. A verbatim record must be made of all Juvenile Court proceedings.

2. Certain hearings public. Unless proceedings on a juvenile petition are suspended under section 3318-A, subsection 5, the general public may not be excluded from any Juvenile Court hearing for which the petition is open to public inspection under section 3308-C, subsection 2 or from any Juvenile Court hearing on a State's motion for bind-over under section 3101, subsection 4.

3. Hearings on petitions alleging multiple juvenile crimes. When a juvenile petition open to public inspection under section 3308-C, subsection 2 alleges a juvenile crime that would constitute a Class D or Class E crime if the juvenile involved were an adult or a violation of section 3103, subsection 1, paragraph B or C arising from the same course of conduct, the Juvenile Court may order that charges alleging conduct that would be a Class D or Class E crime if the juvenile

involved were an adult or a violation of section 3103, subsection 1, paragraph B or C be adjudicated in a separate hearing. When the Juvenile Court so orders, the general public must be excluded from the hearing on alleged conduct that would constitute a Class D or Class E crime if the juvenile were an adult or a violation of section 3103, subsection 1, paragraph B or C.

4. Victim presence at hearings. Regardless of whether a Juvenile Court proceeding is open to the general public, the following persons may be present in court:

A. The victim;

B. If the victim is a minor, the victim's parent or parents, guardian or legal custodian; or

C. If the victim cannot act on the victim's own behalf due to death, age, physical or mental disease or disorder or intellectual disability or autism or other reason, an immediate family member, guardian, legal custodian or attorney representing the victim.

Sec. 21. 15 MRSA §3318-A, sub-§5, as enacted by PL 2011, c. 282, §4, is amended to read:

5. Suspension of juvenile proceedings. Pending a competency examination, the Juvenile Court shall suspend the proceeding on the petition. All juvenile case records, including a petition that is otherwise open to public inspection under section 3308-C, subsection 2, are confidential and are not subject to inspection, dissemination or release by the court. The suspension remains in effect pending the outcome of a competency determination hearing pursuant to subsection 7. Suspension of the proceeding does not affect the Juvenile Court's ability to detain or release the juvenile pursuant to section 3203-A, subsection 5.

Sec. 22. 15 MRSA §3318-A, sub-§7, as enacted by PL 2011, c. 282, §4, is amended to read:

7. Post-examination report and hearing. Following receipt of the competency examination report from the State Forensic Service examiner, the Juvenile Court shall provide copies of the report to the parties and hold a competency determination hearing. All hearings conducted pursuant to this subsection are confidential and not open to the general public or persons listed in section 3308-D, subsection 4. If the Juvenile Court finds that the juvenile is competent to proceed based upon the burden and standard of proof pursuant to subsection 8, the Juvenile Court shall set a time for the resumption of the proceedings. If the Juvenile Court is not satisfied that the juvenile is competent to proceed, the Juvenile Court shall determine how to proceed pursuant to section 3318-B.

The court may consider the report of the State Forensic Service examiner, together with all other evidence relevant to the issue of competency, in its determination whether the juvenile is competent to proceed. No single

criterion set forth in subsection 6 may be binding on the court's determination.

Sec. 23. 15 MRSA §3318-C is enacted to read:
§3318-C. Competency orders

1. Contents of competency order. Competency orders issued by the court may include only the following information.

A. The order must include a finding of whether the juvenile is competent to proceed based on whether the juvenile has a rational, as well as factual, understanding of the proceedings and a sufficient present ability to consult with legal counsel with a reasonable degree of rational understanding.

B. If the court finds that the juvenile is competent to proceed, the order must specify the day on which the proceedings on the juvenile petition will resume.

C. If the court finds that the juvenile is not competent but there is a substantial probability that the juvenile may be competent in the foreseeable future, the order must direct compliance with section 3318-B, subsection 1, paragraph A.

D. If the court finds that the juvenile is not competent to proceed and there is no substantial probability that the juvenile will be competent in the foreseeable future, the order must set a date for a further hearing pursuant to section 3318-B, subsection 2.

All findings of fact made by the court in association with the issuance of a competency order are confidential and may not be included in the order.

2. Access to competency orders. Competency orders may be inspected by the following persons:

A. The victim of the juvenile crime or, if the victim is a minor, the victim's parent or parents, guardian or legal custodian;

B. If the victim cannot act on the victim's own behalf due to death, age, physical or mental disease or disorder or intellectual disability or autism or other reason, an immediate family member, guardian, legal custodian or attorney representing the victim; and

C. The public, but only if the juvenile proceeding to which the order relates is publicly accessible pursuant to section 3308-C, subsection 2.

Sec. 24. 15 MRSA §3506-A, sub-§7, as enacted by PL 1989, c. 126, §2, is amended to read:

7. Public proceeding; exception. ~~Notwithstanding section 3307, subsection 2, paragraph B, the court shall~~ may not exclude the public unless the minor or the minor's parent or parents, guardian or legal custodian, requests that the public be excluded and the minor or the minor's parent or parents, guardian or legal

custodian, does not object. If the public is excluded, only the parties, their attorneys, court officers and witnesses may be present.

Sec. 25. 15 MRSA c. 514 is enacted to read:

CHAPTER 514

CIVIL REMEDY FOR UNLAWFUL DISCLOSURE OF CONFIDENTIAL RECORDS, INFORMATION

§3701. Civil actions by aggrieved persons authorized

1. Authorization. A person about whom confidential records or information has been intentionally disclosed when the disclosure was made knowing it was in violation of section 3010, subsection 6, section 3308-A, subsection 7 or section 3308-C, subsection 11 or that person's parent or parents, guardian or legal custodian, may initiate and prosecute in that person's own name and on that person's own behalf a civil action for the relief described in this section.

2. Jurisdiction. An action under subsection 1 must be instituted in the District Court for the county where the alleged violator resides or has a principal place of business.

3. Relief. A person who brings and prevails in a civil action pursuant to this section is entitled to injunctive relief, reimbursement of court costs and reasonable attorney's fees, an award of actual damages of up to \$5,000 and award of punitive damages.

Sec. 26. 16 MRSA §803, sub-§3, as enacted by PL 2013, c. 267, Pt. A, §3, is amended to read:

3. Administration of juvenile justice. ~~"Administration of juvenile justice" means activities relating to the anticipation, prevention, detection, monitoring or investigation of known, suspected or possible juvenile crimes. "Administration of juvenile justice" includes the collection, storage and dissemination of intelligence and investigative information relating to the administration of juvenile justice has the same meaning as in Title 15, section 3003, subsection 1-A.~~

Sec. 27. 20-A MRSA §1055, sub-§12, as amended by PL 2003, c. 205, §7, is further amended to read:

12. Reintegration team. Within 10 days after receiving information from the Department of Corrections pursuant to Title 15, section 3009, the superintendent shall convene a reintegration team to carry out reintegration planning pursuant to section 254, subsection 12. The reintegration team must consist of the administrator of the school or the administrator's designee; at least one classroom teacher to whom the student will be assigned or who is involved in the school's student assistance team; a parent, guardian or custodian of the student; and a guidance counselor. The reintegration team is entitled to receive the information

described in Title 15, section ~~3308~~ 3308-C, subsection 7 4, paragraph B-1 C, subparagraph (3) and Title 34-A, section 1216, subsection 1, paragraph F. The reintegration team shall also determine, on the basis of need, which school employees may receive that information.

Confidentiality of the ~~criminal justice~~ information regarding juveniles received from the Department of Corrections must be ensured at all times and the information may be released by a member of the reintegration team only under the conditions of this subsection. The superintendent shall ensure that confidentiality training is provided to all school employees who have access to the information.

Sec. 28. 20-A MRSA §6001-B, sub-§3-A, as amended by PL 2003, c. 205, §8, is further amended to read:

3-A. Determination of status of juvenile applying for admission; discretion of school to accept juvenile. If the receiving school administrative unit receives information under Title 15, section ~~3308~~ 3308-C, subsection 7 4, paragraph B-1 C, subparagraph (3) and Title 34-A, section 1216, subsection 1, paragraph F that a student is not in compliance with a condition of an individualized plan for the juvenile's rehabilitation and that condition is relevant to the juvenile's reintegration into the school, the receiving school administrative unit may deny admission or participation in public school programs, facilities or activities as part of an equivalent instruction program pursuant to section 5021 until the school administrative unit is satisfied that the condition has been met.

Sec. 29. 25 MRSA §2929, sub-§2, ¶B, as amended by PL 2019, c. 339, §6, is further amended to read:

B. A public safety answering point may disclose confidential information to a criminal justice agency, as defined in Title 16, section 803, subsection 4, for the purposes of the administration of criminal justice, as defined in Title 16, section 803, subsection 2, and the administration of juvenile justice, as defined in Title 15, section ~~3308-A~~ 3003, subsection 1, ~~paragraph A 1-A~~, related to a 9-1-1 call;

Sec. 30. 25 MRSA §2929, sub-§4, ¶B, as amended by PL 2019, c. 339, §7, is further amended to read:

B. To a criminal justice agency, as defined in Title 16, section 803, subsection 4, for the purposes of the administration of criminal justice, as defined in Title 16, section 803, subsection 2, and the administration of juvenile justice, as defined in Title 15, section ~~3308-A~~ 3003, subsection 1, ~~paragraph A 1-A~~, related to a 9-1-1 call;

Sec. 31. 34-A MRSA §1001, sub-§10-A, as amended by PL 2015, c. 470, §14, is further amended to read:

10-A. Investigative officer. "Investigative officer" means an employee of the department designated by the commissioner as having the authority to conduct investigations of crimes or juvenile crimes relating to the security or orderly management of a facility administered by the department and engage in any other activity that is related to the administration of criminal justice as defined in Title 16, section 703, subsection 1 for the purposes of the Criminal History Record Information Act or as defined in Title 16, section 803, subsection 2 for the purposes of the Intelligence and Investigative Record Information Act, ~~the administration of juvenile criminal justice~~ or the administration of juvenile justice and who is certified by the Board of Trustees of the Maine Criminal Justice Academy as a full-time law enforcement officer.

Sec. 32. 34-A MRSA §1001, sub-§21, as enacted by PL 1987, c. 633, §1, is repealed.

Sec. 33. 34-A MRSA §1001, sub-§22, as enacted by PL 2015, c. 470, §16, is amended to read:

22. Administration of juvenile justice. "Administration of juvenile justice" has the same meaning as in Title 15, section ~~3308-A~~ 3003, subsection 1, ~~paragraph A 1-A~~.

Sec. 34. 34-A MRSA §1214, sub-§4, as amended by PL 2015, c. 470, §17, is further amended to read:

4. Confidentiality. Requests for action by the office must be treated confidentially and may be disclosed only to a state agency if necessary to carry out the statutory functions of that agency or to a criminal justice agency if necessary to carry out the administration of criminal justice as defined in Title 16, section 703, subsection 1 or the administration of juvenile ~~criminal~~ justice. In no case may a victim's request for notice of release be disclosed outside the department and the office of the attorney for the State with which the request was filed.

Sec. 35. 34-A MRSA §1216, sub-§1, ¶D, as amended by PL 2017, c. 432, Pt. F, §2, is further amended to read:

D. To any criminal justice agency if necessary to carry out the administration of criminal justice as defined in Title 16, section 703, subsection 1, the administration of criminal justice as defined in Title 16, section 803, subsection 2, ~~the administration of juvenile criminal justice as defined in Title 15, section 3308, subsection 7, paragraph A, subparagraph (2)~~, or the administration of juvenile justice as defined in Title 15, section ~~3308-A~~ 3003, subsection 1, ~~paragraph A 1-A~~ or for criminal justice agency employment;

Sec. 36. 34-A MRSA §3011, sub-§1, as amended by PL 2015, c. 470, §19, is further amended to read:

1. Exercise of law enforcement powers. Investigative officers and other employees of the department who are certified by the Board of Trustees of the Maine Criminal Justice Academy as law enforcement officers may exercise the powers of other law enforcement officers with respect to crimes or juvenile crimes relating to the security or orderly management of a facility and engage in any other activity that is related to the administration of criminal justice as defined in Title 16, section 703, subsection 1 for the purposes of the Criminal History Record Information Act or as defined in Title 16, section 803, subsection 2 for the purposes of the Intelligence and Investigative Record Information Act, ~~the administration of juvenile criminal justice or the administration of juvenile justice~~, if authorized to exercise these powers by the commissioner. These employees may issue administrative subpoenas, if authorized to exercise these powers by the commissioner and by the Attorney General or the Attorney General's designee. These powers are in addition to any powers the employees may otherwise have as employees of the department. Internal investigations of employees of the department must be conducted pursuant to any applicable collective bargaining agreement.

Sec. 37. Effective date. This Act takes effect January 1, 2022.

Effective January 1, 2022.

CHAPTER 366

S.P. 544 - L.D. 1688

An Act To Improve Consistency in Terminology and within the Maine Human Rights Act

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

Sec. 1. 5 MRSA §4552, as amended by PL 2005, c. 10, §1, is further amended to read:

§4552. Policy

To protect the public health, safety and welfare, it is declared to be the policy of this State to keep continually in review all practices infringing on the basic human right to a life with dignity, and the causes of these practices, so that corrective measures may, where possible, be promptly recommended and implemented, and to prevent discrimination in employment, housing, education, extension of credit or access to public accommodations on account of an individual's actual or perceived race, color, sex, sexual orientation or gender identity, physical or mental disability, religion, ancestry

or national origin and in employment, extension of credit and access to public accommodations on the basis of age; and in employment and housing on the basis of familial status; and in employment, discrimination on account of age or because of the previous assertion of a claim or right against a prior employer under former Title 39 or Title 39-A and in housing because of familial status; and to prevent discrimination in the extension of credit on account of age, race, color, sex, sexual orientation, marital status, religion, ancestry or national origin; and to prevent discrimination in education on account of sex, sexual orientation or physical or mental disability and because of protected activity under Title 26, chapter 7, subchapter 5-B; and to prevent discrimination or retaliation on the basis of an assertion of rights under this Act or interference with an individual's right to be free from discrimination prohibited under this Act.

Sec. 2. 5 MRSA §4553, sub-§5-A, as amended by PL 2019, c. 464, §1, is further amended to read:

5-A. Familial status. "Familial status" means ~~that~~ a family unit ~~may contain one or more individuals who have not attained 18 years of age and are living with that~~ contains:

A. ~~A~~ One or more individuals who have not attained 18 years of age and are living with a parent or another person having legal custody of the individual or individuals or the designee of the parent or other person having custody with the written permission of the parent or other person; or

B. ~~The designee of the parent or other person having custody, with the written permission of the parent or other person.~~

B-1. One or more individuals 18 years of age or older who lack the ability to meet essential requirements for physical health, safety or self-care because the individual or individuals are unable to receive and evaluate information or make or communicate decisions.

The protections afforded against discrimination on the basis of familial status apply to any person who is pregnant or who is in the process of securing legal custody of any individual who has not attained 18 years of age.

Sec. 3. 5 MRSA §4553, sub-§10, ¶G, as amended by PL 2019, c. 464, §1, is further amended by amending subparagraph (3) to read:

(3) ~~Educational opportunity, as is more fully set forth in section 4602, subsection 4.~~

Sec. 4. 5 MRSA §4571, as amended by PL 2005, c. 10, §10, is further amended to read:

§4571. Right to freedom from discrimination in employment

The opportunity for an individual to secure employment without discrimination because of race,

color, sex, sexual orientation or gender identity, physical or mental disability, religion, age, ancestry ~~or~~, national origin or familial status is recognized as and declared to be a civil right.

Sec. 5. 5 MRSA §4572, sub-§1, as amended by PL 2005, c. 10, §§11 and 12, is further amended to read:

1. Unlawful employment. It is unlawful employment discrimination, in violation of this Act, except when based on a bona fide occupational qualification:

A. For any employer to fail or refuse to hire or otherwise discriminate against any applicant for employment because of race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, age, ancestry ~~or~~, national origin or familial status, because of the applicant's previous assertion of a claim or right under former Title 39 or Title 39-A or because of previous actions taken by the applicant that are protected under Title 26, chapter 7, subchapter 5-B; or, because of those reasons, to discharge an employee or discriminate with respect to hire, tenure, promotion, transfer, compensation, terms, conditions or privileges of employment or any other matter directly or indirectly related to employment; or, in recruiting of individuals for employment or in hiring them, to utilize any employment agency that the employer knows or has reasonable cause to know discriminates against individuals because of their race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, age, ancestry ~~or~~, national origin or familial status, because of their previous assertion of a claim or right under former Title 39 or Title 39-A or because of previous actions that are protected under Title 26, chapter 7, subchapter 5-B;

(1) This paragraph does not apply to discrimination governed by Title 39-A, section 353;

B. For any employment agency to fail or refuse to classify properly, refer for employment or otherwise discriminate against any individual because of race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, age, ancestry ~~or~~, national origin or familial status, because of the individual's previous assertion of a claim or right under former Title 39 or Title 39-A or because of previous actions taken by the individual that are protected under Title 26, chapter 7, subchapter 5-B; or to comply with an employer's request for the referral of job applicants if a request indicates either directly or indirectly that the employer will not afford full and equal employment opportunities to individuals regardless of their race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, age, ancestry ~~or~~, national origin or familial status, because of previous assertion of a claim or right under

former Title 39 or Title 39-A or because of previous actions that are protected under Title 26, chapter 7, subchapter 5-B;

C. For any labor organization to exclude from apprenticeship or membership or to deny full and equal membership rights to any applicant for membership because of race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, age, ancestry ~~or~~, national origin or familial status, because of the applicant's previous assertion of a claim or right under former Title 39 or Title 39-A or because of previous actions taken by the applicant that are protected under Title 26, chapter 7, subchapter 5-B; or, because of those reasons, to deny a member full and equal membership rights, expel from membership, penalize or otherwise discriminate with respect to hire, tenure, promotion, transfer, compensation, terms, conditions or privileges of employment, representation, grievances or any other matter directly or indirectly related to membership or employment, whether or not authorized or required by the constitution or bylaws of that labor organization or by a collective labor agreement or other contract; to fail or refuse to classify properly or refer for employment or otherwise discriminate against any member because of race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, age, ancestry ~~or~~, national origin or familial status, because of the member's previous assertion of a claim or right under former Title 39 or Title 39-A or because of previous actions taken by the member that are protected under Title 26, chapter 7, subchapter 5-B; or to cause or attempt to cause an employer to discriminate against an individual in violation of this section, except that it is lawful for labor organizations and employers to adopt a maximum age limitation in apprenticeship programs, if the employer or labor organization obtains prior approval from the Maine Human Rights Commission of any maximum age limitation employed in an apprenticeship program. The commission shall approve the age limitation if a reasonable relationship exists between the maximum age limitation employed and a legitimate expectation of the employer in receiving a reasonable return upon the employer's investment in an apprenticeship program. The employer or labor organization bears the burden of demonstrating that such a relationship exists;

D. For any employer, employment agency or labor organization, prior to employment or admission to membership of any individual, to:

(1) Elicit or attempt to elicit information directly or indirectly pertaining to race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, age, ancestry ~~or~~, national origin or familial status,

any previous assertion of a claim or right under former Title 39 or Title 39-A or any previous actions that are protected under Title 26, chapter 7, subchapter 5-B;

(2) Make or keep a record of race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, age, ancestry ~~or~~, national origin or familial status, any previous assertion of a claim or right under former Title 39 or Title 39-A or any previous actions that are protected under Title 26, chapter 7, subchapter 5-B, except under physical or mental disability when an employer requires a physical or mental examination prior to employment, a privileged record of that examination is permissible if made and kept in compliance with this Act;

(3) Use any form of application for employment, or personnel or membership blank containing questions or entries directly or indirectly pertaining to race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, age, ancestry ~~or~~, national origin or familial status, any previous assertion of a claim or right under former Title 39 or Title 39-A or any previous actions that are protected under Title 26, chapter 7, subchapter 5-B. This section does not prohibit any officially recognized government agency from keeping records permitted to be kept under this Act in order to provide free services to individuals requesting rehabilitation or employment assistance;

(4) Print, publish or cause to be printed or published any notice or advertisement relating to employment or membership indicating any preference, limitation, specification or discrimination based upon race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, age, ancestry ~~or~~, national origin or familial status, any previous assertion of a claim or right under former Title 39 or Title 39-A or any previous actions that are protected under Title 26, chapter 7, subchapter 5-B; or

(5) Establish, announce or follow a policy of denying or limiting, through a quota system or otherwise, employment or membership opportunities of any group because of the race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, age, ancestry ~~or~~, national origin or familial status, the previous assertion of a claim or right under former Title 39 or Title 39-A or because of previous actions that are protected under Title 26, chapter 7, subchapter 5-B, of that group; or

E. For an employer, employment agency or labor organization to discriminate in any manner against individuals because they have opposed a practice that would be a violation of this Act or because they have made a charge, testified or assisted in any investigation, proceeding or hearing under this Act. This paragraph does not limit the liability of persons pursuant to section 4633.

Sec. 6. 5 MRSA §4573-A, sub-§3 is enacted to read:

3. Physical or mental disability. This subchapter does not prohibit an employer from discharging or refusing to hire an individual with a physical or mental disability or subject an employer to any legal liability resulting from the refusal to employ or the discharge of the individual with a physical or mental disability if the employer establishes that the individual, because of the physical or mental disability, is unable to perform job duties or to perform job duties in a manner that would not endanger the health or safety of the individual or others.

Sec. 7. 5 MRSA §4581, first ¶, as amended by PL 2011, c. 613, §10 and affected by §29, is further amended to read:

The opportunity for an individual to secure housing in accordance with the individual's ability to pay, and without discrimination because of race, color, sex, sexual orientation or gender identity, physical or mental disability, religion, ancestry, national origin or familial status is hereby recognized as and declared to be a civil right.

Sec. 8. 5 MRSA §4581-A, sub-§1, as enacted by PL 2011, c. 613, §11 and affected by §29, is amended to read:

1. Sale or rental of housing and other prohibited practices. For any owner, lessee, sublessee, managing agent or other person having the right to sell or rent or manage a housing accommodation, or any agent of these, to:

A. Make or cause to be made any written or oral inquiry concerning the race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, ancestry, national origin or familial status of any prospective purchaser, occupant or tenant of the housing accommodation;

B. Refuse to show or refuse to sell, rent, lease, let or otherwise deny to or withhold from any person the housing accommodation because of race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, ancestry, national origin or familial status;

C. Make, print or publish or cause to be made, printed or published any notice, statement or advertisement relating to the sale, rental or lease of the

housing accommodation that indicates any preference, limitation or discrimination based upon race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, ancestry, national origin or familial status or an intention to make any such preference, limitation or discrimination;

D. Discriminate against any person because of race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, ancestry, national origin or familial status in the price, terms, conditions or privileges of the sale, rental or lease of any housing accommodations or in the furnishing of facilities or services in connection with any housing accommodations; or

E. Evict or attempt to evict any tenant of any housing accommodation because of the race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, ancestry, national origin or familial status of the tenant;

Sec. 9. 5 MRSA §4581-A, sub-§2, as enacted by PL 2011, c. 613, §11 and affected by §29, is amended to read:

2. Selling, brokering or appraising of housing.

For any real estate broker or real estate salesperson, or any agent of these, to:

A. Fail or refuse to show any person a housing accommodation listed for sale, lease or rent because of race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, ancestry, national origin or familial status;

B. Misrepresent, for the purpose of discriminating because of race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, ancestry, national origin or familial status, the availability or asking price of a housing accommodation listed for sale, lease or rent or for such reason to fail to communicate to the person having the right to sell, rent or lease the housing accommodation any offer for the same made by any applicant;

C. In any other manner to discriminate against any applicant for a housing accommodation because of race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, ancestry, national origin or familial status;

D. Make or cause to be made any written or oral inquiry or record concerning the race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, ancestry, national origin or familial status of any applicant for or intended occupant of a housing accommodation; or

E. Accept for listing any housing accommodation when the person having the right to sell, rent or lease the housing accommodation has directly or indirectly indicated an intention of discriminating

among prospective tenants or purchasers on the ground of race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, ancestry, national origin or familial status, or when the broker or salesperson knows or has reason to know that the person having the right to sell, rent or lease the housing accommodation has made a practice of discrimination since July 1, 1972;

Sec. 10. 5 MRSA §4581-A, sub-§3, as enacted by PL 2011, c. 613, §11 and affected by §29, is amended to read:

3. Making of loans; other financial assistance.

For any person to whom application is made for a loan or other form of financial assistance for the acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation, whether secured or unsecured, or agent of the person, to:

A. Make or cause to be made any oral or written inquiry concerning the race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, ancestry, national origin or familial status of any applicant for financial assistance or of existing or prospective occupants or tenants of housing accommodations; or

B. Discriminate in the granting of financial assistance, or in the terms, conditions or privileges relating to obtaining or the use of any financial assistance, against any applicant because of race or color, sex, sexual orientation or gender identity, physical or mental disability, religion, ancestry, national origin or familial status; or

Sec. 11. 5 MRSA §4583, as amended by PL 2007, c. 243, §4, is further amended to read:

§4583. Application

Nothing in this Act may be construed to prohibit or limit the exercise of the privilege of every person and the agent of any person having the right to sell, rent, lease or manage a housing accommodation to set up and enforce specifications in the selling, renting, leasing or letting or in the furnishings of facilities or services in connection with the facilities that are consistent with business necessity and are not based on the race, color, sex, sexual orientation or gender identity, physical or mental disability, religion, country of ancestral origin or familial status of or the receipt of public assistance payments by any prospective or actual purchaser, lessee, tenant or occupant. Nothing in this Act may be construed to prohibit or limit the exercise of the privilege of every person and the agent of any person making loans for or offering financial assistance in the acquisition, construction, rehabilitation, repair or maintenance of housing accommodations to set standards and preferences, terms, conditions, limitations or specifications for the granting of loans or financial assistance that are consistent with business necessity and are not based on

the race, color, sex, sexual orientation or gender identity, physical or mental disability, religion, country of ancestral origin or familial status of or the receipt of public assistance payments by the applicant for a loan or financial assistance or of any existing or prospective owner, lessee, tenant or occupant of a housing accommodation.

Sec. 12. 5 MRSA §4591, as amended by PL 2005, c. 10, §16, is further amended to read:

§4591. Equal access to public accommodations

The opportunity for every individual to have equal access to places of public accommodation without discrimination because of race, color, sex, sexual orientation or gender identity, age, physical or mental disability, religion, ancestry or national origin is recognized as and declared to be a civil right.

Sec. 13. 5 MRSA §4592, sub-§1, as amended by PL 2005, c. 10, §17, is further amended to read:

1. Denial of public accommodations. For any public accommodation or any person who is the owner, lessor, lessee, proprietor, operator, manager, superintendent, agent or employee of any place of public accommodation to directly or indirectly refuse, discriminate against or in any manner withhold from or deny the full and equal enjoyment to any person, on account of race or color, sex, sexual orientation or gender identity, age, physical or mental disability, religion, ancestry or national origin, any of the accommodations, advantages, facilities, goods, services or privileges of public accommodation, or in any manner discriminate against any person in the price, terms or conditions upon which access to ~~accommodation~~ accommodations, advantages, facilities, goods, services and privileges may depend.

For purposes of this subsection, unlawful discrimination also includes, but is not limited to:

A. The imposition or application of eligibility criteria that screen out or tend to screen out an individual with a disability or any class of individuals with disabilities from fully and equally enjoying any goods, services, facilities, privileges, advantages or accommodations, unless the criteria can be shown to be necessary for the provision of the goods, services, facilities, privileges, advantages or accommodations being offered;

B. A failure to make reasonable modifications in policies, practices or procedures, when modifications are necessary to afford the goods, services, facilities, privileges, advantages or accommodations to individuals with disabilities, unless, in the case of a private entity, the private entity can demonstrate that making the modifications would fundamentally alter the nature of the goods, services, facilities, privileges, advantages or accommodations;

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

D. A private entity's failure to remove architectural barriers and communication barriers that are structural in nature in existing facilities and transportation barriers in existing vehicles and rail passenger cars used by an establishment for transporting individuals, not including barriers that can be removed only through the retrofitting of vehicles or rail passenger cars by the installation of a hydraulic or other lift, where the removal is readily achievable;

When the entity can demonstrate that the removal of a barrier under this paragraph is not readily achievable, a failure to make the goods, services, facilities, privileges, advantages or accommodations available through alternative methods if alternative methods are readily achievable; and

E. A qualified individual with a disability, by reason of that disability, being excluded from participation in or being denied the benefits of the services, programs or activities of a public entity, or being subjected to discrimination by any such entity;

Sec. 14. 5 MRSA §4592, sub-§2, as amended by PL 2005, c. 10, §17, is further amended to read:

2. Communication, notice or advertisement.

For any person to directly or indirectly publish, display or communicate any notice or advertisement to the effect that any of the accommodations, advantages, facilities and privileges of any place of public accommodation are refused, withheld from or denied to any person on account of race or color, sex, sexual orientation or gender identity, age, physical or mental disability, religion, ancestry or national origin, or that the patronage or custom of any person belonging to or purporting to be of any particular race or color, sex, sexual orientation or gender identity, age, physical or mental disability, religion, ancestry or national origin is unwelcome, objectionable or not acceptable, desired or solicited, or that the clientele is restricted to any particular race or color, sex, sexual orientation or gender identity, age, physical or mental disability, religion, ancestry or national origin. The production of any communication, notice or advertisement purporting to relate to any place of accommodation is presumptive evidence in any action that the action was authorized by its owner, manager or proprietor;

Sec. 15. 5 MRSA §4592, sub-§6, as amended by PL 2007, c. 664, §5, is further amended to read:

6. Association. For a covered entity to exclude or otherwise deny equal goods, services, facilities, privileges, advantages, accommodations or other opportunities to an individual or entity because of the known ~~disability~~ protected class status of an individual with whom the individual or entity is known to have a relationship or association;

Sec. 16. 5 MRSA §4595, as amended by PL 2005, c. 10, §18, is further amended to read:

§4595. Right to freedom from discrimination solely on basis of age, race, color, sex, sexual orientation or gender identity, marital status, ancestry, religion or national origin in any credit transaction

The opportunity for every individual to be extended credit without discrimination solely because of any one or more of the following factors: age; race; color; sex; sexual orientation or gender identity; marital status; ancestry; religion or national origin is recognized as and declared to be a civil right.

Sec. 17. 5 MRSA §4596, as amended by PL 2005, c. 10, §19, is further amended to read:

§4596. Unlawful credit extension discrimination

It is unlawful credit discrimination for any creditor to refuse the extension of credit to any person solely on the basis of any one or more of the following factors: age; race; color; sex; sexual orientation or gender identity; marital status; ancestry; religion or national origin in any credit transaction. It is not unlawful credit discrimination to comply with the terms and conditions of any bona fide group credit life, accident and health insurance plan, for a financial institution extending credit to a married person to require both the husband and the wife to sign a note and a mortgage and to deny credit to persons under the age of 18 years of age or to consider a person's age in determining the terms upon which credit will be extended.

Sec. 18. 5 MRSA §4601, as amended by PL 2005, c. 10, §20, is further amended to read:

§4601. Right to freedom from discrimination in education

The opportunity for an individual at an educational institution to participate in all educational, counseling and vocational guidance programs ~~and~~ all apprenticeship and on-the-job training programs and all extracurricular activities without discrimination because of sex, sexual orientation or gender identity, a physical or mental disability, ancestry, national origin or ~~race, color or religion~~ is recognized and declared to be a civil right.

Sec. 19. 5 MRSA §4602, as amended by PL 2005, c. 662, Pt. A, §1, is further amended to read:

§4602. Unlawful educational discrimination

1. Unlawful educational discrimination ~~on the basis of sex.~~ It is unlawful educational discrimination in violation of this Act, on the basis of sex, sexual orientation or gender identity, physical or mental disability, ancestry, national origin, race, color or religion, to:

- A. Exclude a person from participation in, deny a person the benefits of, or subject a person to, discrimination in any academic, extracurricular, research, occupational training or other program or activity;
- B. Deny a person equal opportunity in athletic programs;
- C. Apply any rule concerning the actual or potential ~~family~~ familial status or marital status of a person or to exclude any person from any program or activity because of pregnancy or related conditions or because of sex or sexual orientation or gender identity;
- D. Deny a person admission to the institution or program or to fail to provide equal access to and information about an institution or program through recruitment; or
- E. Deny a person financial assistance availability and opportunity.

~~**2. Unlawful educational discrimination on the basis of physical or mental disability.** It is unlawful educational discrimination in violation of this Act solely on the basis of physical or mental disability to:~~

- ~~A. Exclude from participation in, deny the benefits of or subject to discrimination under any educational program or activity any otherwise qualified individual with physical or mental disability;~~
- ~~B. Deny any person equal opportunity in athletic programs, provided that no educational institution may be required under this subsection to provide separate athletic programs to serve persons with physical or mental disability;~~
- ~~C. Deny admission to any institution or program or fail to provide equal access to and information about an institution or program through recruitment; or~~
- ~~D. Deny financial assistance availability and opportunity.~~

~~Nothing in this subsection may be construed to cover the rights of children with disabilities to special education programs under state or federal law.~~

~~**3. Unlawful educational discrimination on the basis of national origin or race.** It is unlawful educational discrimination in violation of this Act, on the basis of national origin or race, to:~~

~~A. Exclude a person from participation in, deny a person the benefits of, or subject a person to, discrimination in any academic, extracurricular, research, occupational training or other program or activity;~~

~~B. Deny admission to the institution or program or to fail to provide equal access to and information about an institution or program through recruitment; or~~

~~C. Deny financial assistance availability and opportunity.~~

4. Unlawful education discrimination on the basis of sexual orientation. It is unlawful education discrimination in violation of this Act, on the basis of sexual orientation, to:

~~A. Exclude a person from participation in, deny a person the benefits of or subject a person to discrimination in any academic, extracurricular, research, occupational training or other program or activity;~~

~~B. Deny a person equal opportunity in athletic programs;~~

~~C. Apply any rule concerning the actual or potential family or marital status of a person or to exclude any person from any program or activity because of their sexual orientation;~~

~~D. Deny admission to the institution or program or to fail to provide equal access to any information about an institution or program through recruitment; or~~

~~E. Deny financial assistance availability and opportunity.~~

~~The provisions in this subsection relating to sexual orientation do not apply to any education facility owned, controlled or operated by a bona fide religious corporation, association or society.~~

5. Application. Nothing in this section:

A. Requires an educational institution to provide separate athletic or other extracurricular programs to serve a person with a physical or mental disability;

B. May be construed to affect the rights of a person with a physical or mental disability to special education programs under state or federal law;

C. Requires a religious corporation, association or society that does not receive public funding to comply with this section as it relates to sexual orientation or gender identity; or

D. Requires an educational institution to participate in or endorse any religious beliefs or practices; to the extent that an educational institution permits

religious expression, it cannot discriminate between religions in so doing.

Sec. 20. 5 MRSA §4612, sub-§2-A, as enacted by PL 2019, c. 465, §6, is amended by amending the first blocked paragraph to read:

An administrative dismissal operates as an order of dismissal and has the same effect as a finding by the commission that no reasonable grounds exist to believe that unlawful discrimination has occurred, except that an administrative dismissal pursuant to paragraph C does not entitle the complainant to an award of attorney's fees, civil penal damages or compensatory and punitive damages.

Sec. 21. 5 MRSA §4622, sub-§1, ¶A, as amended by PL 2019, c. 465, §8, is further amended to read:

A. Dismissed the case under section 4612, subsection 2 or subsection 2-A, paragraphs A and B and D to F;

Sec. 22. 5 MRSA §4634, as enacted by PL 2001, c. 206, §1, is amended to read:

§4634. Right to breast-feed

Notwithstanding any other provision of law to the contrary, a mother person may breast-feed her that person's baby in any location, public or private, where the mother person is otherwise authorized to be.

Sec. 23. 5 MRSA §4684-A, as enacted by PL 1993, c. 379, §1, is amended to read:

§4684-A. Civil rights

For purposes of this chapter and Title 17, section 2931, a person has the right to engage in lawful activities without being subject to physical force or violence, damage or destruction of property, trespass on property or the threat of physical force or violence, damage or destruction of property or trespass on property motivated by reason of race, color, religion, sex, ancestry, national origin, physical or mental disability ~~or~~, sexual orientation or gender identity.

Sec. 24. 5 MRSA §17057, sub-§5, ¶B, as enacted by PL 2011, c. 449, §2, is amended by amending subparagraph (5) to read:

(5) Personal information pertaining to the employee's race, color, religion, sex, national origin, ancestry, age, physical disability, mental disability, marital status ~~and~~, sexual orientation and gender identity; social security number; personal contact information as provided in Title 1, section 402, subsection 3, paragraph O; and personal employment choices pertaining to elected payroll deductions, deferred compensation, savings plans, pension plans, health insurance and life insurance; and

Sec. 25. 14 MRSA §1202-A, as corrected by RR 2017, c. 1, §6, is amended to read:

§1202-A. Prohibition of discrimination

A citizen may not be excluded from jury service in this State on account of race, color, religion, sex, sexual orientation as defined in Title 5, section 4553, subsection 9-C, gender identity, national origin, ancestry, economic status, marital status, age or physical handicap, except as provided in this chapter.

Sec. 26. 17-A MRSA §1501, sub-§8, ¶B, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

B. The selection by the person of the victim or of the property that was damaged or otherwise affected by the crime because of the race, color, religion, sex, ancestry, national origin, physical or mental disability, sexual orientation, gender identity or homelessness of the victim or of the owner or occupant of that property; and

Sec. 27. 20-A MRSA §2404, sub-§3, as enacted by PL 2011, c. 414, §5, is amended to read:

3. Discrimination prohibited. A public charter school may not discriminate on the basis of race, ethnicity, national origin, religion, gender, sexual orientation, gender identity, income level, disabling condition, proficiency in the English language or academic or athletic ability, except that nothing in this subsection may be construed to limit the formation of a public charter school that is dedicated to focusing education services on at-risk pupils, students with disabilities and students who pose such severe disciplinary problems that they warrant a specific education program.

Sec. 28. 20-A MRSA §2412, sub-§4, ¶A, as enacted by PL 2011, c. 414, §5, is amended to read:

A. A public charter school may not discriminate against any person on the basis of race, color, sex, sexual orientation, gender identity, physical or mental disability, religion, age, ancestry or national origin or on any other basis that would be unlawful if done by a noncharter public school.

Sec. 29. 24-A MRSA §6910, sub-§3, ¶B, as corrected by RR 2003, c. 1, §22, is amended by amending subparagraph (2) to read:

(2) Providers contracting with a carrier contracted to provide coverage to plan enrollees do not refuse to provide services to a plan enrollee on the basis of health status, medical condition, previous insurance status, race, color, creed, age, national origin, citizenship status, gender, sexual orientation, gender identity, disability or marital status. This subparagraph may not be construed to require a provider to furnish medical services that are not within the scope of that provider's license; and

Sec. 30. 25 MRSA §1544, 2nd ¶, as amended by PL 2001, c. 399, §6, is further amended to read:

The bureau shall establish a category for abuse by adults of family or household members, a category for cruelty to animals and a category for crimes that manifest evidence of prejudice based on race, religion, disability, sexual orientation, gender identity or ethnicity that are supplementary to its other reported information. The bureau shall prescribe the information to be submitted in the same manner as for all other categories of the uniform crime reports.

Sec. 31. 30-A MRSA §4706, sub-§5, ¶B, as enacted by PL 2017, c. 234, §8, is amended by amending subparagraph (6), division (h) to read:

(h) Sex ~~or~~, sexual orientation as defined in Title 5, section 4553, subsection 9-C or gender identity; or

Sec. 32. 34-B MRSA §3611, sub-§9, ¶B, as enacted by PL 2007, c. 592, §2, is amended to read:

B. A person may not be excluded from the council system or discriminated against within the council system by reason of race, creed, color, gender, sexual orientation, gender identity, age, marital status, homelessness, national origin, disability or status as a consumer of mental health services.

Sec. 33. 34-B MRSA §15002, sub-§6, as enacted by PL 1997, c. 790, Pt. A, §1 and affected by §3, is amended to read:

6. Rights protections; cultural sensitivity. The program must protect the rights of children to receive care without regard to race, religion, ancestry or national origin, gender, physical or mental disability ~~or~~, sexual orientation or gender identity.

Sec. 34. 36 MRSA §5122, sub-§2, ¶O, as amended by PL 2001, c. 679, §3 and affected by §6, is further amended by amending subparagraph (1) to read:

(1) "Holocaust victim" means an individual who died, lost property or was a victim of persecution as a result of discriminatory laws, policies or actions targeted against discrete groups of individuals based on race, religion, ethnicity, sexual orientation, gender identity or national origin, whether or not the individual was actually a member of any of those groups, or because the individual assisted or allegedly assisted any of those groups, between January 1, 1929 and December 31, 1945, in Nazi Germany or in any European country allied with or occupied by Nazi Germany. "Holocaust victim" includes the spouse or descendant of such an individual.

See title page for effective date.

CHAPTER 367
H.P. 695 - L.D. 939

**An Act To Support Maine's
Medical Marijuana Program
and Ensure Patient Access**

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

Sec. 1. 22 MRSA §2423-A, sub-§2, ¶I, as amended by PL 2017, c. 452, §4, is further amended to read:

I. Hire any number of assistants who are 21 years of age or older to assist in performing the duties of the caregiver;

Sec. 2. 22 MRSA §2423-A, sub-§2, ¶I-1 is enacted to read:

I-1. Hire any number of assistants who are 18 years of age or older and under 21 years of age if they are also a member of the family of the caregiver to assist in performing the duties of the caregiver;

Sec. 3. 22 MRSA §2423-A, sub-§2, ¶K-1, as amended by PL 2019, c. 354, §2, is further amended to read:

K-1. Transfer to and accept from another registered caregiver or a dispensary marijuana plants and harvested marijuana in a wholesale transaction in accordance with this paragraph. A registered caregiver may transfer in wholesale transactions for reasonable compensation or for no remuneration ~~up to 75% an unlimited amount~~ of the mature marijuana plants grown by the caregiver over the course of a calendar year, including any marijuana products or marijuana concentrate manufactured from ~~that 75% of the~~ mature marijuana plants grown by the caregiver. A registered caregiver may transfer to or accept from other registered caregivers and dispensaries in wholesale transactions an unlimited amount of immature marijuana plants and seedlings. A registered caregiver that acquires mature marijuana plants, marijuana products or marijuana concentrate in a wholesale transaction under this paragraph may not resell the mature marijuana plants, marijuana products or marijuana concentrate except to a qualifying patient or to another registered caregiver or dispensary to assist a qualifying patient;

Sec. 4. 22 MRSA §2423-A, sub-§2, ¶P, as amended by PL 2019, c. 217, §2, is further amended to read:

P. Operate one caregiver retail store to sell harvested marijuana to qualifying patients for the patients' medical use in accordance with this chapter; ~~and~~

Sec. 5. 22 MRSA §2423-A, sub-§2, ¶Q, as enacted by PL 2017, c. 452, §4, is amended to read:

Q. Be organized as any type of legal business entity recognized under the laws of the State; and

Sec. 6. 22 MRSA §2423-A, sub-§2, ¶R is enacted to read:

R. Accept a digital image of a written certification for the purposes of initiating a transaction for harvested marijuana. The caregiver must verify the written certification in person before transferring any harvested marijuana to the qualifying patient.

Sec. 7. 22 MRSA §2423-A, sub-§10, ¶B, as repealed and replaced by PL 2019, c. 331, §13, is amended to read:

B. An assistant of a marijuana testing facility may have access to cultivation areas pursuant to subsection 3, paragraphs A and B and section 2428, subsection 6, paragraph I. An assistant of a marijuana testing facility must be 21 years of age or older.

Sec. 8. 22 MRSA §2423-F, sub-§4, ¶G, as repealed and replaced by PL 2019, c. 331, §17, is amended to read:

G. May hire any number of assistants who are 21 years of age or older to assist in performing the duties of the manufacturing facility.

Sec. 9. 22 MRSA §2423-F, sub-§5, ¶G, as repealed and replaced by PL 2019, c. 331, §17, is amended to read:

G. May hire any number of assistants who are 21 years of age or older to assist in performing the activities authorized under this subsection, except that a qualifying patient authorized under subsection 3 may not hire an assistant.

Sec. 10. 22 MRSA §2423-F, sub-§10, ¶F, as repealed and replaced by PL 2019, c. 331, §17, is amended to read:

F. Minimum record-keeping requirements, ~~including an annual audit requirement.~~

Sec. 11. 22 MRSA §2425-A, sub-§3, as enacted by PL 2017, c. 452, §12, is amended to read:

3. Application for registry identification card; qualifications. The department shall register and issue a registry identification card to an applicant who submits a complete application that meets the requirements of this subsection.

The department shall conduct a criminal history record check for any applicant for a registry identification card. The criminal history record check is valid for one year from the date it was conducted, regardless of the person's employment status. Except as provided in subsection

tion 3-A, the department may not issue a registry identification card to an applicant who is not permitted under this chapter to have a disqualifying drug offense.

An application must include, as applicable:

A. The annual fee required pursuant to subsection 10; and

B. A statement that the requirements of section 2423-B have been met if the qualifying patient applying for the registry identification card has not attained 18 years of age and the qualifying patient's parent, guardian or person having legal custody of the patient consents in writing to:

- (1) The qualifying patient's medical use of marijuana;
- (2) Serving as one of the qualifying patient's caregivers; and
- (3) Controlling the acquisition of the marijuana plants or harvested marijuana and the dosage and the frequency of the medical use of marijuana by the qualifying patient.

Sec. 12. 22 MRSA §2425-A, sub-§5, ¶A, as enacted by PL 2017, c. 452, §12, is amended to read:

A. A registry identification card expires one year after the date of issuance, regardless of the person's employment status. The card must contain:

- (1) The name of the cardholder;
- (2) The date of issuance and expiration date;
- (3) A random identification number that is unique to the cardholder; and
- (4) A clear designation showing whether the cardholder is allowed under this chapter to cultivate marijuana plants.

Sec. 13. 22 MRSA §2428, sub-§1-A, ¶F, as repealed and replaced by PL 2019, c. 331, §24 and c. 354, §7, is further amended by repealing subparagraph (4) and enacting the following in its place:

(4) Transfer to and accept from a registered caregiver or another dispensary marijuana plants and harvested marijuana in a wholesale transaction in accordance with this paragraph. A dispensary may transfer in wholesale transactions for reasonable compensation or for no remuneration an unlimited amount of the mature marijuana plants grown by the dispensary over the course of a calendar year, including any marijuana products or marijuana concentrate manufactured from mature marijuana plants grown by the dispensary. A dispensary may transfer to or accept from registered caregivers and dispensaries in wholesale transactions an unlimited amount of immature marijuana plants and seedlings. A dispensary that

acquires mature marijuana plants, marijuana products or marijuana concentrate in a wholesale transaction under this subparagraph may not resell the mature marijuana plants, marijuana products or marijuana concentrate except to a qualifying patient or to a caregiver or dispensary to assist a qualifying patient;

Sec. 14. 22 MRSA §2428, sub-§1-A, ¶K, as enacted by PL 2017, c. 452, §16, is amended to read:

K. Hire any number of assistants who are 21 years of age or older to assist in performing the duties of the dispensary; and

Sec. 15. 22 MRSA §2429-B, sub-§2, ¶D, as enacted by PL 2017, c. 452, §18, is amended to read:

D. A prohibition on advertising or marketing directed toward location-based devices, ~~including, but not limited to, cellular telephones, unless the marketing is a mobile device application installed on the device by the owner of the device who is 21 years of age or older and unless such marketing includes a permanent and easy opt-out feature and the owner of the device is 21 years of age or older.~~

Sec. 16. 22 MRSA §2430-G, sub-§1, ¶A, as enacted by PL 2017, c. 452, §24, is amended by amending subparagraph (2) to read:

- (2) Keep the books and records maintained by the registered caregiver, registered dispensary, marijuana testing facility or manufacturing facility for a period of 7 4 years;

Sec. 17. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Medical Use of Marijuana Fund Z265

Initiative: Provides funding for 2 Field Investigator positions to ensure timely inspection of records kept by program participants.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$163,054	\$168,272
All Other	\$10,693	\$10,693
OTHER SPECIAL REVENUE FUNDS TOTAL	\$173,747	\$178,965

See title page for effective date.

**CHAPTER 368
S.P. 385 - L.D. 1122**

**An Act To Promote Public
Safety by Allowing Lighted
Signs on Certain Vehicles**

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

Sec. 1. 29-A MRSA §1922, sub-§4, ¶B, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

B. On a semitrailer, on the front portion of the semitrailer; ~~and~~

Sec. 2. 29-A MRSA §1922, sub-§4, ¶C, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

C. On a truck, on the front portion of the storage compartment above and behind the cab; ~~and~~

Sec. 3. 29-A MRSA §1922, sub-§4, ¶D is enacted to read:

D. On a delivery vehicle, on the roof of the vehicle as long as the only information on the illuminated sign is the name and telephone number of the company providing the delivery. The sign may be illuminated only when making a delivery, as determined by the Department of Public Safety by rule. The sign may not have words that scroll or change messages while the vehicle is in transit and a vehicle is limited to one sign. The sign must be securely fastened to the vehicle to prevent it from falling off the vehicle. For the purposes of this paragraph, "delivery vehicle" means a motor vehicle used to transport customers or property. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 4. 29-A MRSA §1922, sub-§7, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

7. Exception. This section does not apply to the illuminated name and telephone number identification affixed to vehicles, including the illuminated name and telephone number identification affixed to the roof, for the conveyance of passengers.

See title page for effective date.

**CHAPTER 369
H.P. 1026 - L.D. 1392**

**An Act Directing the Maine
Center for Disease Control and
Prevention To Release
Annually Public Health Data
Regarding Certain Fatalities
and Hospitalizations**

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

Sec. 1. 22 MRSA c. 256-A is enacted to read:

CHAPTER 256-A

**REPORTING OF FIREARM FATALITIES AND
HOSPITALIZATIONS**

**§1425. Annual report on firearm fatalities and
hospitalizations**

Beginning January 1, 2022, the Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services shall report annually to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the following data:

1. Firearm fatalities. Public health data concerning firearm fatalities in the State, separated by:

A. The number of homicides, including the number of homicides that were the result of domestic violence, further separated by the ages of the victims for each;

B. Suicides, further separated by the ages of the victims; and

C. Unintentional discharges, further separated by the ages of the victims; and

2. Hospitalizations. Hospitalizations that occurred as a result of a firearm but did not result in death.

The Commissioner of Public Safety, the Office of Chief Medical Examiner, the Office of the Attorney General and the Maine Health Data Organization shall assist the Director of the Maine Center for Disease Control and Prevention with the collection of the data required in this section.

The Director of the Maine Center for Disease Control and Prevention shall make the report required under this section publicly available.

Sec. 2. 25 MRSA §1544, 2nd ¶, as amended by PL 2001, c. 399, §6, is further amended to read:

The bureau shall establish a category for abuse by adults of family or household members, a category for cruelty to animals ~~and~~, a category for crimes that manifest evidence of prejudice based on race, religion, disability, sexual orientation or ethnicity and a category for

unintentional and intentional firearm discharges that are supplementary to its other reported information. The bureau shall prescribe the information to be submitted in the same manner as for all other categories of the uniform crime reports.

See title page for effective date.

**CHAPTER 370
H.P. 763 - L.D. 1025**

An Act To Support Arrearage Management Programs through Unused Kilowatt-hour Credits Derived from Net Energy Billing Arrangements

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

Sec. 1. 35-A MRSA §3209-A, sub-§5 is enacted to read:

5. Unused kilowatt-hour credits; rules. To the extent rules adopted under this section provide for the periodic expiration of unused kilowatt-hour credits accumulated by a customer participating in a net energy billing arrangement, the commission shall require by rule that, no earlier than April 1, 2022, each transmission and distribution utility with a net energy billing arrangement that has implemented or elected to implement an arrearage management program pursuant to section 3214, subsection 2-A shall account for and, on or before January 1st of each year, apply all unused kilowatt-hour credits that were accumulated and that expired during the prior calendar year for the benefit of participants in the utility's arrearage management program. The rules adopted by the commission pursuant to this subsection must:

A. Establish the manner by which a transmission and distribution utility must account for unused kilowatt-hour credits that were accumulated by all customers of the utility with net energy billing arrangements during the prior calendar year and that expired during the prior calendar year; and

B. Establish the manner by which a transmission and distribution utility must apply such unused kilowatt-hour credits for the benefit of participants in the utility's arrearage management program, which must be designed to result in each such participant receiving as close to an equal amount of those credits except when the credited amount would exceed the amount of a participant's arrearage.

Notwithstanding any provision of this section to the contrary, rules adopted by the commission pursuant to

this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 371
H.P. 1066 - L.D. 1450**

An Act To Provide Fairness in Communications from Pharmacy Benefits Managers

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

Sec. 1. 24-A MRSA §4348-A is enacted to read:

§4348-A. Use of untrue, deceptive or misleading advertisement prohibited

A pharmacy benefits manager or representative of a pharmacy benefits manager may not cause or knowingly permit the use of any advertisement, promotion, solicitation, representation, proposal or offer that is untrue, deceptive or misleading.

See title page for effective date.

**CHAPTER 372
H.P. 238 - L.D. 334**

An Act To Help Maine Students Catch Up and Keep Up by Providing Remedial and Compensatory Assistance in Response to Education Disruption

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

Sec. 1. 20-A MRSA §12723 is enacted to read:

§12723. High school graduates tuition waiver: 2021-2022 and 2022-2023 school years

For the 2021-2022 and 2022-2023 school years, the system shall provide a waiver of tuition and fees to any student who graduated from a high school in this State in the 2019-2020 or 2020-2021 school year and who has completed an application for federal student aid financial aid programs and is eligible for a Federal Pell Grant for the academic year in which the person applies to the system. The amount of the waiver is limited to the difference between the amount of the full tuition and fees and the amount provided by the Federal Pell Grant and is limited to 2 school years. The system may request federal funding allocated to the State in any federal law enacted after December 15, 2020 that provides stimulus

funds due to the pandemic related to coronavirus disease 2019, or COVID-19, and additional General Fund appropriations from the Legislature to offset the reduction in tuition and fee revenues. The availability of the waiver is limited to the amount appropriated.

Sec. 2. School administrative units to provide academic and enrichment programs; grant program. The Department of Education shall establish a grant program to provide funding for school administrative units to provide academic and enrichment programs for students scoring below proficient in English language arts or mathematics according to local assessment. To be eligible for the grant program, a school administrative unit must offer academic and enrichment programs during the school year and must offer summer academic and enrichment programs, beginning the summer of 2022, that are a minimum of 3 hours of instruction per day for a minimum of 5 weeks. Funding for the grant program must include the use of any federal funding, including but not limited to funding allocated to the State in any federal law enacted after December 15, 2020 that provides stimulus funds due to the pandemic related to coronavirus disease 2019, or COVID-19, available for this purpose, and funding appropriated to the department from the General Fund.

Sec. 3. Administrators for tutoring programs. Using any federal funding, including but not limited to funding allocated to the State in any federal law enacted after December 15, 2020 that provides stimulus funds due to the pandemic related to coronavirus disease 2019, or COVID-19, available for this purpose, the Department of Education shall provide funding for an administrator of a tutoring program for eligible school administrative units. To be eligible for these funds, a school administrative unit must have volunteers providing tutoring to students for a minimum of 30 minutes, 3 times a week during the summer of 2021 and the 2021-2022 school year. Funds provided pursuant to this section must be prioritized by the percentage of students at each school administrative unit eligible for federal free and reduced lunch programs, with the school administrative units with higher percentages of eligible students receiving priority for funds.

See title page for effective date.

**CHAPTER 373
H.P. 759 - L.D. 1021**

An Act To Expand the Crime of Violation of Privacy To Include Observing or Photographing Images Inside a Private Place That Would Not Ordinarily Be Visible Outside That Place

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

Sec. 1. 17-A MRSA §511, sub-§1, ¶C, as amended by PL 1997, c. 467, §1, is further amended to read:

C. Installs or uses outside a private place without the consent of the person or persons entitled to privacy therein; any device for observing, photographing, hearing, recording, amplifying or broadcasting images or sounds originating in that place that would not ordinarily be visible, audible or comprehensible outside that place; or

See title page for effective date.

**CHAPTER 374
H.P. 761 - L.D. 1023**

An Act Regarding the Outdoor Release or Abandonment of Balloons

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

Sec. 1. 17 MRSA §2263, sub-§2, as amended by PL 2019, c. 620, §1, is further amended to read:

2. Litter. "Litter" means all waste materials including, but not limited to, bottles, glass, crockery, cans, scrap metal, junk, paper, garbage, rubbish, offal, except waste parts or remains resulting from the normal field dressing of lawfully harvested wild game or the lawful use of waste parts or remains of wild game as bait, feathers, except feathers from live birds while being transported, abandoned ice-fishing shacks, old automobiles or parts of automobiles or similar refuse, or disposable packages or containers thrown or deposited as prohibited in this chapter, but not including the wastes of the primary processes of mining, logging, sawmilling, farming or manufacturing. "Litter" includes waste materials resulting from or associated with the use of tobacco products, including, but not limited to, cigarette butts, and all waste materials resulting from the outdoor release or abandonment of a balloon.

For the purposes of this subsection, "tobacco product" has the same meaning as in Title 22, section 1551, subsection 3.

Sec. 2. 17 MRSA §2263-A, sub-§1, as enacted by PL 2003, c. 452, Pt. I, §32 and affected by Pt. X, §2, is amended by enacting before the first blocked paragraph a new blocked paragraph to read:

It is a violation of this chapter for a person to intentionally release outdoors a balloon that is inflated or filled with a gas that is lighter than air, except that it is not a violation of this chapter for a person to intentionally release outdoors a balloon carrying scientific instrumentation, a balloon used for meteorological observation by a governmental or scientific organization or a hot air balloon that is recovered after launching.

Sec. 3. 17 MRSA §2264-A, as amended by PL 2011, c. 208, §4, is further amended to read:

§2264-A. Penalties

Unless otherwise indicated, a person who disposes of litter in violation of this chapter commits a civil violation for which the following fines apply.

1. Disposal of 15 pounds or less or 27 cubic feet or less of litter; intentional release of 16 to 24 balloons. A person who intentionally releases 16 to 24 balloons at one time in violation of this chapter or who disposes of 15 pounds or less or 27 cubic feet or less of litter commits a civil violation for which a fine of not less than \$100 and not more than \$500 may be adjudged.

1-A. Disposal of 15 pounds or less or 27 cubic feet or less of litter; intentional release of 16 to 24 balloons; subsequent offenses. A person who violates subsection 1 after having previously violated subsection 1 commits a civil violation for which a fine of not less than \$500 and not more than \$1,000 may be adjudged.

2. Disposal of more than 15 pounds or more than 27 cubic feet of litter; intentional release of more than 24 balloons. A person who intentionally releases more than 24 balloons at one time in violation of this chapter or who disposes of more than 15 pounds or more than 27 cubic feet of litter commits a civil violation for which the court:

- A. Shall impose a fine of not less than \$500;
- B. Shall require the person to pay a party sustaining damages arising out of a violation of this subsection treble the actual damages or \$200, whichever amount is greater, plus the injured party's court costs and attorney's fees if action results in a civil proceeding;
- C. Shall require the person to perform not less than 100 hours of public service relating to the removal of litter or to the restoration of an area polluted by litter disposed of in violation of this section. The court shall consult with the Commissioner of

Inland Fisheries and Wildlife to determine if there is an opportunity for public service that may improve landowner and sportsman relations;

D. When practical, shall require the person to remove the litter dumped in violation of this subsection;

E. May suspend the person's motor vehicle operator's license for a period of not less than 30 days or more than one year, except as provided in paragraph F. Notwithstanding paragraph F, the court shall suspend all licenses and permits issued under Title 12, Part 13, subpart 4 and recreational vehicle registrations and certificates issued to that person under Title 12, Part 13, subpart 6 for a period of not less than 30 days or more than one year; and

F. May suspend any license, permit, registration or certification issued by a state agency or municipality to the person. A professional license, permit, registration or certification required for that person to operate or establish a business or necessary for the person's primary source of employment may not be suspended unless the items dumped were related to the person's profession or occupation.

2-A. Disposal of more than 15 pounds or more than 27 cubic feet of litter; intentional release of more than 24 balloons; subsequent offenses. A person who violates subsection 2 after having previously violated subsection 2 commits a civil violation for which the penalty provisions under subsection 2 apply except for subsection 2, paragraph A, and a fine of not less than \$2,000 must be adjudged.

3. Disposal of more than 500 pounds or more than 100 cubic feet of litter for a commercial purpose. A person who disposes of more than 500 pounds or more than 100 cubic feet of litter for a commercial purpose is subject to the penalties under Title 38, section 349.

See title page for effective date.

CHAPTER 375

H.P. 997 - L.D. 1346

**An Act To Implement the
Recommendations of the Right
To Know Advisory Committee
Concerning Fees Charged for
Responding to Public Records
Requests**

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

Sec. 1. 1 MRSA §408-A, sub-§8, ¶B, as enacted by PL 2011, c. 662, §5, is amended to read:

B. The agency or official may charge a fee to cover the actual cost of searching for, retrieving and compiling the requested public record ~~of not more than \$15 per hour after the first hour of staff time per request in accordance with this paragraph.~~ Compiling the public record includes reviewing and redacting confidential information.

(1) The agency or official may not charge a fee for the first 2 hours of staff time per request.

(2) After the first 2 hours of staff time, the agency or official may charge a fee of not more than \$25 per hour.

Sec. 2. 1 MRSA §408-A, sub-§12 is enacted to read:

12. Retention of fees or costs. An agency may retain any fees or costs charged under this section.

See title page for effective date.

**CHAPTER 376
H.P. 1182 - L.D. 1593**

**An Act To Provide Pathways to
Rehabilitation, Reentry and
Reintegration**

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

Sec. 1. 34-A MRSA §3036-A, sub-§1, as enacted by PL 1991, c. 845, §4, is amended to read:

1. Establishment. The commissioner ~~may~~ shall adopt rules establishing and governing a supervised community confinement program for certain prisoners committed to the department.

Sec. 2. 34-A MRSA §3036-A, sub-§2, as amended by PL 2019, c. 113, Pt. C, §§91 to 93, is further amended to read:

2. Participation and eligibility. The commissioner may transfer any prisoner committed to the department ~~to be transferred~~ from a correctional facility to supervised community confinement subject to the following restrictions.

A. A transfer to supervised community confinement may ~~only~~ be granted only subject to rules adopted by the commissioner.

B. A prisoner may not be transferred to supervised community confinement until the prisoner has served at least 2/3 of the term of imprisonment imposed or, in the case of a split sentence, at least 2/3 of the unsuspended portion, after consideration of any deductions that the prisoner has received and retained under Title 17-A, section 2302, subsection 1; section 2305; section 2307; section 2308; section

2309; section 2310; or section 2311 if the term of imprisonment or, in the case of a split sentence, the unsuspended portion is more than 5 years. A prisoner may not be transferred to supervised community confinement until the prisoner has served at least 1/2 of the term of imprisonment imposed or, in the case of a split sentence, at least 1/2 of the unsuspended portion after consideration of any deductions that the prisoner has received and retained under Title 17-A, section 2302, subsection 1; section 2305; section 2307; section 2308; section 2309; section 2310; or section 2311 if the term of imprisonment or, in the case of a split sentence, the unsuspended portion is 5 years or less.

C. Except as provided in paragraph C-1, a prisoner may not be transferred to supervised community confinement unless the prisoner has no more than ~~18 months~~ 2 years remaining on the term of imprisonment or, in the case of a split sentence, on the unsuspended portion, after consideration of any deductions that the prisoner has received and retained under Title 17-A, section 2302, subsection 1; section 2305; section 2307; section 2308; section 2309; section 2310; or section 2311.

C-1. If the commissioner determines that the average statewide probation case load is no more than 90 probationers to one probation officer, then a prisoner may be transferred to supervised community confinement if that prisoner has no more than ~~2 years~~ 30 months remaining on the term of imprisonment or, in the case of a split sentence, on the unsuspended portion, after consideration of any deductions that the prisoner has received and retained under Title 17-A, section 2302, subsection 1; section 2305; section 2307; section 2308; section 2309; section 2310; or section 2311.

D. A prisoner may not be transferred to supervised community confinement if the prisoner has a ~~security~~ custody classification level higher than minimum.

Sec. 3. 34-A MRSA §3036-A, sub-§2-A is enacted to read:

2-A. Criteria and process. The commissioner shall establish criteria and a process for determining whether a prisoner eligible for transfer to supervised community confinement as provided in subsection 2 is approved for transfer. The primary determining factor for approval must be the prisoner's likelihood of completion of supervised community confinement if transferred.

A. The criteria must be evidence-based and designed to evaluate the likelihood of a prisoner's completion of supervised community confinement if transferred. The criteria must be specific and include, but may not be limited to, fulfillment of

expectations as to conduct, fulfillment of expectations as to work, education and rehabilitation programs assigned in the case plan, other rehabilitative efforts and accomplishments, arrangements for suitable housing in the community, taking into consideration the proximity of this housing to the victim, and the existence of support systems and resources in the community.

B. The process must reflect best practices for evaluating the likelihood of a prisoner’s completion of supervised community confinement if transferred and must provide guidance to department staff as to how to apply the established criteria when conducting the evaluation. The process must require, when information is obtained by the department from persons in the community for the purpose of determining whether to approve a prisoner for transfer to supervised community confinement, that those persons be informed of the prisoner’s fulfillment of expectations as to conduct, fulfillment of expectations as to work, education, and rehabilitation programs assigned in the case plan and other rehabilitative efforts and accomplishments. The process must also include the right of a prisoner who is eligible for transfer to supervised community confinement as provided in subsection 2 but who has not been approved for transfer to appeal that determination to the commissioner.

Sec. 4. 34-A MRSA §3036-A, sub-§7, ¶C, as enacted by PL 1991, c. 845, §4, is amended to read:

C. Criminal, court and ~~police~~ law enforcement agency investigations; and

Sec. 5. 34-A MRSA §3036-A, sub-§10, as amended by PL 2009, c. 391, §16, is further amended to read:

10. Terminally ill or incapacitated prisoner. With the consent of the prisoner, the commissioner may ~~permit transfer~~ a prisoner committed to the department ~~to be transferred~~ from a correctional facility to supervised community confinement without meeting the eligibility requirements of subsection 2, paragraphs B and C and without meeting the criteria or fulfilling the process provided for under subsection 2-A if the department’s director of medical care has determined that the prisoner has a terminal or severely incapacitating medical condition and that care outside a correctional facility is medically appropriate. Except as set out in this subsection, the prisoner ~~shall~~ must live in a hospital or other appropriate care facility, such as a nursing facility, residential care facility or a facility that is a licensed hospice program pursuant to Title 22, section 8622, approved by the commissioner. As approved by the commissioner, the prisoner may receive hospice services from an entity licensed pursuant to Title 22, chapter 1681, subchapter 1 or other care services provided by an entity approved by the commissioner and, subject to approval by the commissioner, may live at

home while receiving these services. The commissioner may exempt a prisoner transferred to supervised community confinement pursuant to this subsection from any mandatory condition under subsection 3 that the commissioner determines to be inapplicable. The prisoner shall provide any information pertaining to the prisoner’s medical condition or care that is requested by the commissioner at any time while the prisoner is on supervised community confinement. If the commissioner determines that the prisoner has failed to fully comply with a request or if at any time the department’s director of medical care determines that the prisoner does not have a terminal or severely incapacitating medical condition or that care outside a correctional facility is not medically appropriate, the commissioner shall revoke the transfer to supervised community confinement.

Sec. 6. 34-A MRSA §3036-A, sub-§12 is enacted to read:

12. Information for prisoners. The department shall make available to all prisoners written information about supervised community confinement, including eligibility requirements, the application process and the criteria and process for determining whether a prisoner eligible for transfer to supervised community confinement may be approved for transfer.

Sec. 7. 34-A MRSA §3036-A, sub-§13 is enacted to read:

13. Data tracking. The department shall track data for all prisoners who apply for supervised community confinement and approval, denial and, if approved, completion of the program. Such data must include, but is not limited to, demographic data regarding race and ethnicity, gender, age and convictions leading to the prisoner’s current incarceration.

See title page for effective date.

CHAPTER 377

H.P. 590 - L.D. 785

An Act To Change the Standard for Taking a Person into Protective Custody

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

Sec. 1. 34-B MRSA §3862, sub-§1, as amended by PL 2019, c. 411, Pt. C, §5 and affected by Pt. D, §3, is further amended to read:

1. Law enforcement officer’s power. If a law enforcement officer has probable cause to believe that a person may be mentally ill and that due to that condition the person ~~presents a threat of imminent and substantial physical harm to that person or to other persons~~ poses a likelihood of serious harm as defined in section 3801,

subsection 4-A, paragraph A, B or C, or if a law enforcement officer knows that a person has an advance health care directive authorizing mental health treatment and the officer has probable cause to believe that the person lacks capacity, the law enforcement officer:

- A. May take the person into protective custody; and
- B. If the law enforcement officer does take the person into protective custody, shall deliver the person immediately for examination by a medical practitioner as provided in section 3862-A or 3863 or, for a person taken into protective custody who has an advance health care directive authorizing mental health treatment, for examination as provided in Title 18-C, section 5-803, subsection 4 to determine the individual's capacity and the existence of conditions specified in the advance health care directive for the directive to be effective.

When formulating probable cause, the law enforcement officer may rely upon information provided by a 3rd-party informant if the officer confirms that the informant has reason to believe, based upon the informant's recent personal observations of or conversations with a person, that the person may be mentally ill and that due to that condition the person ~~presents a threat of imminent and substantial physical harm to that person or to other persons~~ poses a likelihood of serious harm as defined in section 3801, subsection 4-A, paragraph A, B or C.

See title page for effective date.

**CHAPTER 378
H.P. 731 - L.D. 993**

An Act To Retroactively Grant Sick Leave Days to Public School Employees Affected by COVID-19

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

Sec. 1. 20-A MRSA §13605 is enacted to read:

§13605. School administrative units to grant sick leave to public school employees affected by COVID-19

A school administrative unit shall grant up to 15 sick leave days used by a public school employee affected by the illness caused by infection with the coronavirus SARS-CoV-2, referred to in this section as "COVID-19," in accordance with the following.

1. Requirements. A public school employee who was affected by COVID-19 and used sick leave prior to the effective date of this section is entitled to have sick

leave time restored for those days used by that employee up to a maximum of 15 days if the employee:

- A. Was subject to a federal, state or local quarantine order related to COVID-19;
- B. Had been or was advised by a health care provider to self-quarantine for reasons related to COVID-19;
- C. Experienced symptoms of COVID-19 and sought a medical diagnosis;
- D. Cared for an individual subject to a federal, state or local quarantine order related to COVID-19; or
- E. Is a parent or guardian who provided care for a child whose school or place of child care was closed or unavailable due to precautions related to COVID-19.

2. Application. This section applies to any sick leave used by an employee from January 1, 2021 until the employee has been granted a maximum of 15 days of sick time for the purposes described in this section.

See title page for effective date.

**CHAPTER 379
S.P. 208 - L.D. 821**

An Act To Improve the Investigation and Prosecution of Cases That Involve Vulnerable Road Users

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

Sec. 1. 29-A MRSA §2251, sub-§12 is enacted to read:

12. Vulnerable users. A law enforcement officer who investigates a reportable accident involving a vulnerable user or an incident resulting in bodily injury or death to a vulnerable user and who has probable cause to believe that a traffic infraction, civil violation or criminal violation is connected to that accident or incident shall inform a district attorney of relevant jurisdiction about the investigation within 5 days of initiating the investigation. The law enforcement officer shall submit a final accident report to that district attorney including any evidence relevant to the potential prosecution of an alleged criminal violation or civil violation resulting from the investigation as soon as is practicable and no later than 60 days after the accident or incident. A law enforcement officer may submit any additional evidence as soon as it becomes available after the submission of the final accident report. Nothing in this subsection precludes evidence submitted later than 60 days after the accident or incident from being used in the prosecution of a criminal violation or civil violation. Failure of a law enforcement officer to inform a district

attorney in accordance with this subsection does not affect any authority of a district attorney to take any action or preclude a private citizen from notifying a district attorney about an accident or incident.

See title page for effective date.

**CHAPTER 380
S.P. 563 - L.D. 1710**

An Act To Require Prompt and Effective Use of the Renewable Energy Resources of Northern Maine

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

Sec. 1. 35-A MRSA §3210-H is enacted to read:

§3210-H. Northern Maine Renewable Energy Development Program

1. Program established. The Northern Maine Renewable Energy Development Program, referred to in this section as "the program," is established to remove obstacles to the use of and to promote development of the substantial renewable energy resources in northern Maine. As used in this section, "northern Maine" means Aroostook County and any other area of the State in which the retail market is administered by the independent system administrator for northern Maine.

The commission shall administer the program in accordance with this section and shall ensure that such administration accounts for and is designed to advance the renewable energy and climate policies and goals of the State and to:

A. Encourage the rapid development of renewable resources in northern Maine to achieve greenhouse gas emissions reductions in the State and realize direct and near-term economic benefits in northern Maine;

B. Develop the transmission infrastructure necessary for the State to expeditiously meet its renewable energy and climate goals using, to the extent practicable, renewable energy resources located in the State;

C. Transition the State's mandated renewable energy purchasing through contracting approved and ordered by the commission in accordance with this section for the purchase of capacity, renewable energy and renewable energy credits, or any combination thereof, in a manner designed to most effectively account for the changing seasonal, time of day and other electricity usage characteristics associated with beneficial electrification as defined

in section 10102, subsection 3-A over the duration of such contracts;

D. Promote energy equity with particular consideration given to the economic circumstances and opportunities in the State's socially vulnerable counties and communities. For the purposes of this paragraph, "socially vulnerable counties and communities" means those counties and communities in the State containing populations that are disproportionately burdened by existing social inequities or lack the capacity to withstand new or worsening burdens; and

E. Recognize that, in advancing the renewable energy and climate policies and goals of the State, the near-term development of the transmission and other infrastructure necessary to reduce greenhouse gas emissions is in the public interest.

2. Request for proposals; generation connection line. The commission shall issue a request for proposals for the development and construction of a 345-kilovolt double circuit generation connection line, or, in the commission's discretion, a transmission line or lines of greater capacity, to connect renewable energy resources located in northern Maine and developed pursuant to subsection 3 with the electric grid operated by the New England independent system operator, referred to in this section as "the ISO-New England system." The commission may issue preliminary requests for information from utilities and private developers or release draft requests for proposals to gather information to inform the program.

A. The proposals must be required to cover a contract term of 30 years, except that the commission may, in its discretion, approve a contract term of a different duration, and must include provisions for the construction, development and subsequent commercial operation of the line or lines described in this subsection.

B. The commission shall evaluate the proposals received based, at a minimum, on the following factors: cost, economic benefit to northern Maine, the qualifications of the bidder or bidders, the long-term viability of each proposal and the anticipated contribution of each proposal toward the achievement by the State of its renewable energy goals under section 3210. The commission shall disqualify any proposal that, in the commission's determination, fails to demonstrate the bidder's technical and financial capacity to successfully construct, develop and operate the line or lines described in this subsection and to pursue, negotiate and contract for its interconnection with the ISO-New England system.

C. The commission shall give preference to proposals that:

(1) In the commission's determination, in the aggregate with proposals received under subsection 3, demonstrate the most cost-effective and efficient transmission access to renewable energy resources in northern Maine in a manner that best supports the achievement of the State's renewable energy goals under section 3210 and that maximize benefits to the State;

(2) Favor use, where practicable, of existing utility and other rights-of-way and other existing transmission corridors in the construction of the line or lines described in this subsection; and

(3) In the commission's determination, are likely to provide a reduction in transmission costs and costs to ratepayers for electricity over time as more energy is transmitted using the line or lines described in this subsection.

D. The commission may consider and, in accordance with the applicable provisions of this subsection and subsection 3, select a proposal or proposals that include both the development and construction of the line or lines described in this subsection and the development and construction of one or more qualified renewable energy generation projects described in subsection 3.

E. No later than November 1, 2022, the commission shall approve a contract or contracts between one or more transmission and distribution utilities and the bidder of any proposal selected by the commission in accordance with this subsection, except that, if at the close of the competitive bidding process the commission determines that no proposal meets the requirements of this subsection or that approval of a contract or contracts that otherwise meet the requirements of this subsection is not in the public interest, the commission may reject all proposals and may open a new competitive bidding process under this subsection.

3. Request for proposals; renewable energy generation projects. The commission shall issue a request for proposals for the development and construction of qualified renewable energy generation projects in northern Maine designed to connect to and transmit generated power using the line or lines to be constructed pursuant to subsection 2. The commission shall make every effort to ensure that the competitive bidding process directed by this subsection results in the approval of contracts pursuant to paragraph E no later than November 1, 2022. As part of the request for proposals under this subsection, the commission shall make available to potential bidders any relevant information submitted to the commission by the bidder or bidders whose proposal or proposals were approved for contracting under subsection 2. Except as provided in paragraph B, subparagraph (2), renewable energy generation projects on which construction commenced prior to

September 30, 2022 are not qualified for the purposes of this subsection.

A. The proposals must be required to cover a contract term of 20 years, except that the commission may, in its discretion, approve a contract term of a different duration, and must include provisions for the construction, development and subsequent commercial operation of one or more qualified renewable energy generation projects in northern Maine that will be designed to connect to and transmit generated power using the line or lines to be constructed pursuant to subsection 2. The commission may consider only proposals for the construction of Class I and Class IA resources, as defined in section 3210, subsection 2, and energy storage systems, except that the commission may not consider proposals for the construction of biomass generators fueled by landfill gas or by anaerobic digestion of agricultural products, by-products or waste, or waste-to-energy generation facilities fueled by municipal solid waste. For the purposes of this section, "energy storage system" means a commercially available technology that uses mechanical, chemical or thermal processes for absorbing energy and storing it for a period of time for use at a later time.

B. The commission may, in its discretion, consider and select in accordance with the applicable requirements of this subsection:

(1) One or more contracts for capacity, renewable energy or renewable energy credits, or any combination thereof, from a qualified renewable energy generation project described in this subsection; or

(2) One or more contracts for renewable energy generation projects on which construction commenced prior to September 30, 2022, if the commission determines that:

(a) Such a project otherwise meets the requirements of this subsection;

(b) Additional line capacity remains available on the line or lines to be constructed pursuant to subsection 2; and

(c) There are no commercially viable proposals remaining for consideration for qualified renewable energy generation projects on which construction commenced or will commence on or after September 30, 2022.

C. The commission shall evaluate the proposals received based, at a minimum, on the following factors: cost, economic benefit to northern Maine, the qualifications of the bidder or bidders and, as determined by the commission, the short-term,

medium-term and long-term viability of the proposals.

D. The commission shall give greatest preference to proposals that, in the commission's determination, in the aggregate with proposals received under subsection 2, demonstrate the most cost-effective and efficient development of renewable energy resources in northern Maine in a manner that best supports the achievement of the State's renewable energy goals under section 3210 and maximize benefits to the State.

E. The commission shall approve a contract or contracts between one or more investor-owned transmission and distribution utilities and the bidder of any proposal selected by the commission in accordance with this subsection. If at the close of the competitive bidding process the commission determines that no proposal meets the requirements of this subsection, that additional line capacity remains available or that approval of a contract or contracts that otherwise meet the requirements of this subsection is not in the public interest, the commission may reject all proposals and may open a new competitive bidding process under this subsection.

F. In selecting contracts pursuant to this subsection, the commission shall make every effort to ensure that at least one such contract supports the construction and development in northern Maine of a biomass generator fueled by wood or wood waste. In considering any proposal under this subsection for a qualified renewable energy generation project that is a biomass generator fueled by wood or wood waste, the commission shall consider the waste reduction benefits to the State's forest products industry associated with the operation of the biomass generator, including, but not limited to, the avoidance of methane emissions.

Notwithstanding any provision of law to the contrary, the commission may in its discretion approve and order a contract or contracts under this subsection for the purchase, beginning on or after January 1, 2024, of capacity, renewable energy or renewable energy credits, or any combination thereof, in an amount that is at least 18% of the retail electric load in the State for the period from January 1, 2019 to December 31, 2019. To the extent practicable, the commission shall approve and order such contract or contracts on a staggered basis consistent with its expectations for the development during the years of 2024 to 2045 of beneficial electrification as defined in section 10102, subsection 3-A and climate mitigation activities in the State and shall ensure the purchase of capacity, renewable energy or renewable energy credits necessary to achieve beneficial electrification from facilities and technology that are located in the State.

4. Regional electric grid integration and development. In implementing and administering the program under this section, the commission shall:

A. Make every effort to facilitate the construction and development of the line or lines described in subsection 2, including, but not limited to, participating in any regional or federal proceeding relating to the line or lines;

B. Participate in proceedings involving the inclusion or integration of the line or lines described in subsection 2 and any associated upgrades by the New England power pool as defined in section 4103, or its successor as approved by the Federal Energy Regulatory Commission, and the ISO-New England system into the ISO-New England system's transmission plan, bulk power system and pool transmission facilities, as that term is defined in the ISO-New England system's open access transmission tariff; and

C. At its discretion, consistent with this section, use or direct one or more transmission and distribution utilities as contracting parties under this section to participate in a regional or multistate competitive market or solicitation.

Where authorized and as practicable, the Office of the Public Advocate may engage in the activities and proceedings described in paragraph A, B or C.

The commission, the Office of the Public Advocate and the Office of the Attorney General may, separately or in combination, obtain any technical or legal assistance necessary to ensure regional and federal interconnection and grid reliability standards are not employed directly or indirectly to discourage the development of the renewable energy resources in northern Maine under the program.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Public Utilities - Administrative Division 0184

Initiative: Provides funding for consulting services related to the administration of the Northern Maine Renewable Energy Development Program.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$203,754	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$203,754	\$0

See title page for effective date.

CHAPTER 381
H.P. 324 - L.D. 448

An Act Regarding Recording
of Witness Interviews

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

Sec. 1. 25 MRSA §2803-B, sub-§1, ¶K-1 is
enacted to read:

K-1. Digital, electronic, audio, video or other re-
cording of law enforcement interviews of witnesses
in murder investigations and Class A, Class B and
Class C crime investigations and the preservation
of records in such investigations. A policy adopted
under this paragraph may not require the recording
of all witness interviews, but must factor in the fea-
sibility of recording individual interviews, taking
into account the circumstances of the witness, the
time and place of the interview and the crime as
well as the capability of the law enforcement
agency to record the interview;

See title page for effective date.

CHAPTER 382
H.P. 542 - L.D. 737

An Act To Increase the Value
of Property Exempt from
Attachment and Execution

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

Sec. 1. 14 MRSA §3126-A, sub-§3, ¶B, as
enacted by PL 1999, c. 587, §3, is amended to read:

B. The amount by which the sum of disposable
earnings and exempt income for that week exceeds
40 times the minimum hourly wage prescribed by
29 United States Code, Section 206(a)(1) or the
state minimum hourly wage prescribed by Title 26,
section 664, whichever is higher at the time the
earnings are payable; or

Sec. 2. 14 MRSA §4422, as amended by PL
2017, c. 177, §§1 to 4 and c. 209, §1 and corrected by
RR 2017, c. 1, §7, is further amended to read:

§4422. Exempt property

The following property is exempt from attachment
and execution, except to the extent that it has been
fraudulently conveyed by the debtor:

1. **Residence.** A debtor's residence. The exemp-
tion of a debtor's residence is subject to this subsection.

A. Except as provided in paragraph B, the debtor's
aggregate interest, not to exceed ~~\$47,500~~ \$80,000

in value, in real or personal property that the debtor
or a dependent of the debtor uses as a residence, in
a cooperative that owns property that the debtor or
a dependent of the debtor uses as a residence, or in
a burial plot for the debtor or a dependent of the
debtor, except that if minor dependents of the
debtor have their principal place of residence with
the debtor, the debtor's aggregate interest may not
exceed ~~\$95,000~~ \$160,000 and except that if the
debtor's interest is held jointly with any other per-
son or persons, the exemption may not exceed in
value the lesser of ~~\$47,500~~ \$80,000 or the product
of the debtor's fractional share times ~~\$95,000~~
\$160,000.

B. The debtor's aggregate interest, not to exceed
~~\$95,000~~ \$160,000 in value, in property described
in paragraph A, if the debtor or a dependent of the
debtor is either a person 60 years of age or older or
a person physically or mentally disabled and
because of such disability is unable to engage in
substantial gainful employment and whose disabili-
ty has lasted or can be expected to last for at least
12 months or can be expected to result in death; ex-
cept that if the debtor's interest is held jointly with
any other person or persons, the exemption may not
exceed in value the lesser of ~~\$95,000~~ \$160,000 or
the product of the fractional share of the debtor's
interest times ~~\$190,000~~ \$240,000. ~~This paragraph
does not apply to liens obtained prior to its effec-
tive date or to judgments based on torts involving
other than ordinary negligence on the part of the
debtor. If the property is both the surviving owner's
and deceased joint owner's primary residence, the
maximum exemption for debtors who are joint
owners may not be reduced due to the death of one
of the joint owners when either:~~

(1) The deceased joint owner dies at 67 years
of age or older and the surviving joint owner is
at least 60 years of age; or

(2) The surviving joint owner is at least 67
years of age.

C. That portion of the proceeds from any sale of
property ~~which~~ that is exempt under this section
~~shall be~~ is exempt for a period of ~~6~~ 12 months from
the date of receipt of such proceeds for purposes of
reinvesting in a residence within that period.

D. Any exemption claimed under this subsection
does not apply to judgments based on torts involv-
ing other than ordinary negligence on the part of
the debtor.

E. The amount of any exemption claimed under
this subsection is limited to the amount of the ex-
emption in effect on the date of the recording of the
lien on the property against which the exemption is
claimed;

2. Motor vehicle. The debtor's interest, not to exceed ~~\$7,500~~ \$10,000 in value, in one motor vehicle-;

3. Clothing; furniture; appliances; and similar items. The debtor's interest, not to exceed ~~\$200~~ \$500 in value in any particular item, in household furnishings, household goods, wearing apparel, appliances, books, animals, crops or musical instruments, that are held primarily for the personal, family or household use of the debtor or a dependent of the debtor-;

4. Jewelry. The debtor's aggregate interest, not to exceed ~~\$750~~ \$1,000 in value, in jewelry held primarily for the personal, family or household use of the debtor or a dependent of the debtor and the debtor's aggregate interest, not to exceed \$4,000, in a wedding ring and an engagement ring-;

5. Tools of the trade. The debtor's aggregate interest, not to exceed ~~\$5,000~~ \$9,500 in value, in any implements, professional books or tools of the trade of the debtor or the trade of a dependent of the debtor, including, but not limited to, power tools, materials and stock designed and procured by the debtor and necessary for carrying on the debtor's trade or business and intended to be used or wrought in that trade or business-;

6. Furnaces, stoves and fuel. The debtor's interest in the following items held primarily for the personal, family or household use of the debtor or a dependent of the debtor:

- A. One cooking stove;
- B. All furnaces or stoves used for heating; and
- C. All cooking and heating fuel not to exceed 10 cords of wood, 5 tons of coal, 1,000 gallons of petroleum products or its equivalent-;

7. Food, produce and animals. The debtor's interest in the following items held primarily for the personal, family or household use of the debtor or a dependent of the debtor:

- A. All food provisions, whether raised or purchased, reasonably necessary for 6 months;
- B. All seeds, fertilizers, feed and other material reasonably necessary to raise and harvest food through one growing season; and
- C. All tools and equipment reasonably necessary for raising and harvesting food-;

8. Farm equipment. The debtor's interest in one of every type of farm implement reasonably necessary for the debtor to raise and harvest agricultural products commercially, including any personal property incidental to its maintenance and operation-;

9. Fishing boat. The debtor's interest in one boat, not exceeding 46 feet in length, used by the debtor primarily for commercial fishing-;

9-A. Logging implements. The debtor's interest in one of every type of professional logging implement reasonably necessary for the debtor to harvest and haul wood commercially, including any personal property incidental to its maintenance and operation-;

10. Life insurance contract. Any unmaturred life insurance contract owned by the debtor, other than a credit life insurance contract-;

11. Life insurance dividends, interest and loan value. The debtor's aggregate interest, not to exceed in value ~~\$4,000~~ \$5,000 less any amount of property of the estate transferred in the manner specified in ~~the 11~~ the 11 United States Code, ~~Title 11~~, Section 542(d), in any accrued dividend or interest under, or loan value of, any unmaturred life insurance contract owned by the debtor under which the insured is the debtor or an individual of whom the debtor is dependent-;

12. Health aids. Professionally prescribed health aids for the debtor or a dependent of the debtor-;

13. Disability benefits; pensions. The debtor's right to receive the following:

- A. A social security benefit, unemployment compensation or a federal, state or local public assistance benefit, including, but not limited to, all tax refunds attributable to the federal earned income tax credit and ~~additional~~ any child tax credit;
- B. A veterans' benefit;
- C. A disability, illness or unemployment benefit;
- D. Alimony, support or separate maintenance, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor; or
- E. A payment or account under a stock bonus, pension, profit-sharing, annuity or similar plan or contract on account of illness, disability, death, age or length of service, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor, unless:

- (1) The plan or contract was established by or under the auspices of an insider that employed the debtor at the time the debtor's rights under the plan or contract arose;
- (2) The payment is on account of age or length of service; and
- (3) The plan or contract does not qualify under the United States Internal Revenue Code of 1986, Section 401(a), 403(a), 403(b), 408 or 409-;

13-A. Retirement funds. Retirement funds to the extent those funds are in a fund or account that is exempt from taxation under the United States Internal Revenue Code of 1986, Section 401, 403, 408, 408A, 414, 457 or 501(a), up to an aggregate value of

~~\$1,000,000~~ \$1,054,550. This subsection does not exempt:

A. Amounts contributed to the account or fund within 120 days before:

(1) The debtor files for bankruptcy if this exemption is being applied in a federal bankruptcy proceeding; or

(2) If this exemption is being applied in a proceeding other than a federal bankruptcy proceeding or for child support or spousal support covered by paragraph B, the earlier of the entry of judgment or other ruling against the debtor or the issuance of the levy, attachment, garnishment or other execution or order against which this exemption is being applied; or

B. Amounts in the account or fund necessary to satisfy child support or spousal support obligations;

14. Legal awards; life insurance benefits. The debtor's right to receive or property that is traceable to the following:

A. An award under a crime victim's reparation law;

B. A payment on account of the wrongful death of an individual of whom the debtor was a dependent, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor;

C. A payment under a life insurance contract that insured the life of an individual of whom the debtor was a dependent on the date of the individual's death, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor;

D. A payment, not to exceed ~~\$12,500~~ \$20,000, on account of personal bodily injury, not including pain and suffering or compensation for actual pecuniary loss, of the debtor or an individual of whom the debtor is a dependent; or

E. A payment in compensation of loss of future earnings of the debtor or an individual of whom the debtor is or was a dependent, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor;

15. Other property. The debtor's aggregate interest, not to exceed in value ~~\$400~~ \$500, in any property, whether or not otherwise exempt under this section;

16. Unused residence exemption for other exemptions. The debtor's interest, equal to any unused amount of the exemption provided under subsection 1 but not exceeding ~~\$6,000~~ \$10,500, in any property exempt under subsections 3 and 5 and subsection 14, paragraph D; and

17. Cash; bank account. The debtor's interest in cash or in deposit accounts or other accounts of a financial institution, equal to any amount in cash or in the deposit account or other account of financial institutions, but not exceeding \$3,000. The plaintiff, defendant or any other account owner may file an ex parte motion for dissolution of modification in the court in which a judgment or prejudgment order was entered for a hearing to establish how and to which account any exemption should be applied.

The exemptions set forth in this section are automatically adjusted to reflect changes by the percentage change, if any, from January 1st to December 31st of the preceding year in the Consumer Price Index for All Urban Consumers, Annual City Average, for the Northeast Region, or its successor index, as published by the United States Department of Labor, Bureau of Labor Statistics or its successor agency, beginning April 1, 2024 and every 3 years thereafter. The Supreme Judicial Court shall publish the 3-year adjustment for an effective date of April 1st for the following year. Adjustments made pursuant to this paragraph must be rounded up to the next \$50.

Sec. 3. 14 MRSA §4426, as amended by PL 2011, c. 203, §1, is further amended to read:

§4426. Exemptions in bankruptcy proceedings

Notwithstanding anything to the contrary in ~~the 11~~ United States Code, ~~Title 11~~, Section 522(b), a debtor may exempt from property of the debtor's estate under 11 United States Code, ~~Title 11~~, only that property exempt under ~~the 11~~ United States Code, ~~Title 11~~, Section 522(b)(3)(A) and (B), except that any debtor eligible for a residence exemption under section 4422, subsection 1, paragraph B; A-1 may exempt the amount allowed in that paragraph.

See title page for effective date.

CHAPTER 383

H.P. 632 - L.D. 864

An Act To Protect Teachers' Privacy While Delivering Remote Instruction

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

Sec. 1. 20-A MRSA §6804-A is enacted to read:

§6804-A. Remote instruction

1. Definitions. For the purposes of this section, unless the context otherwise indicates, "remote instruction" means instruction provided using audio or video transmission of a teacher or of a classroom with a

teacher and participating students. "Remote instruction" includes real-time transmissions and recorded sessions.

2. Distribution or retransmission. Notwithstanding any provision of law to the contrary and except as authorized by a public or private school for the purposes of remote instruction, a person may not distribute or retransmit a recorded session of remote instruction or any part thereof without the express written consent of the public or private school.

3. Violation. A person who violates this section commits a civil violation for which a fine of not less than \$200 nor more than \$500 may be adjudged.

See title page for effective date.

**CHAPTER 384
S.P. 299 - L.D. 884**

**An Act To Restrict the
Collection of Surveillance
Video, Information and Data
Regarding Lawful Firearm
Purchases**

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

Sec. 1. 25 MRSA §1510 is enacted to read:

§1510. Collection of information regarding lawful firearm purchases

Except as necessary for the purposes of investigating suspected criminal activity or terrorism, administering civil, criminal or juvenile justice pursuant to Title 16, chapter 9 or protecting a person's health and welfare under Title 34-B, chapter 3, subchapter 4, article 3, the State Police may not collect in its records any surveillance video, information or data concerning lawful firearm purchases obtained by the Maine Information and Analysis Center created by executive order of the Governor issued December 8, 2006.

See title page for effective date.

**CHAPTER 385
H.P. 878 - L.D. 1200**

**An Act To Bring Gender Parity
to Corporate Boards**

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

Sec. 1. 13-C MRSA §803, sub-§4 is enacted to read:

4. Corporate board gender parity. A publicly held domestic corporation subject to this Act shall comply with the board of directors gender parity requirements of this subsection.

A. No later than June 1, 2023, a domestic publicly held corporation subject to this Act shall have a minimum of one female director on its board of directors. A corporation may increase the number of directors on its board to comply with this subsection.

B. No later than June 1, 2024, a domestic publicly held corporation subject to this Act shall comply with this paragraph.

(1) If the number of directors on its board of directors is 6 or more, the corporation shall have a minimum of 3 female directors.

(2) If the number of directors on its board of directors is 5, the corporation shall have a minimum of 2 female directors.

(3) If the number of directors on its board of directors is 4 or fewer, the corporation shall have a minimum of one female director.

C. The Secretary of State shall publish the following reports on its publicly accessible website.

(1) No later than June 30, 2023, the Secretary of State shall publish a report with the names of the publicly held domestic corporations subject to this Act and whether each corporation has the required minimum of one female director on its board of directors as designated on the corporation's 2023 annual report under section 1621, subsection 1.

(2) No later than June 30, 2024 and annually thereafter, the Secretary of State shall publish a report with the names of the publicly held domestic corporations subject to this Act and whether each corporation has the required minimum number of female directors pursuant to paragraph B as designated on the corporation's last annual report under section 1621, subsection 1.

D. The Secretary of State shall adopt rules to implement this subsection. Rules adopted under this paragraph are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

E. For purposes of this subsection, the following terms have the following meanings.

(1) "Female" means an individual who self-identifies as a woman, without regard to the individual's designated sex at birth.

(2) "Publicly held domestic corporation" means a corporation with outstanding shares

listed on a major United States stock exchange.

Sec. 2. 13-C MRSA §1621, sub-§1, as amended by PL 2007, c. 323, Pt. C, §40 and affected by Pt. G, §4, is further amended to read:

1. Filing of annual report. Each domestic corporation, unless excused as provided in subsection 4 or excluded by subsection 6, and each foreign corporation authorized to do business in this State, shall deliver to the Secretary of State for filing, within the time prescribed by this section, an annual report setting forth:

- A. The name of the domestic or foreign corporation and the jurisdiction of its incorporation;
- B. The information required by Title 5, section 105, subsection 1;
- C. A brief statement of the character of the business in which the domestic or foreign corporation is actually engaged in this State, if any;
- E. The address of its principal office, wherever located;
- F. The names of its principal officers; ~~and~~
- G. The names of its directors, except that in the case of a corporation that has eliminated its board of directors pursuant to section 743 the annual report must set forth the names of the shareholders instead;
- H. An indication as to whether the domestic corporation is publicly held;
- I. An indication of how many female directors are on the board of directors of the publicly held domestic corporation; and
- J. An indication as to whether the domestic publicly held corporation has the minimum number of female directors on its board of directors required by section 803, subsection 4.

See title page for effective date.

CHAPTER 386

H.P. 1243 - L.D. 1672

An Act To Require That Private Schools That Enroll 60 Percent or More Publicly Funded Students Meet Certain Requirements

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

Sec. 1. 20-A MRSA §2951, sub-§6, as repealed and replaced by PL 2017, c. 342, §2, is amended to read:

6. Student assessment and other requirements. ~~Meets~~ At a minimum, meets or exceeds the following requirements:

- A. It participates in the statewide assessment program to measure and evaluate the academic achievements of students; ~~and~~
- B. It meets the applicable requirements of ~~and has~~ a curriculum aligned with the system of learning results established in section 6209;
- C. It meets health and safety requirements applicable to public schools; and
- D. If public funding supports more than 85% of the school's students, as determined by the previous year's October and April average enrollment, and the municipality where the school is located does not exercise school choice, it enrolls all students from that municipality, including those with disabilities, who must be served in accordance with applicable state and federal law.

~~The~~ Except as provided in paragraph D, the requirements of this subsection apply only to a school that enrolls 60% or more publicly funded students, as determined by the previous year's October and April average enrollment; and

Sec. 2. Application. This Act applies to school years beginning with the 2022-2023 academic year.

See title page for effective date.

CHAPTER 387

H.P. 908 - L.D. 1242

An Act To Amend the Maine Medical Use of Marijuana Act

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 Department of Administration and Financial Services' office of marijuana policy is currently proposing rules that may go into effect before the expiration of the 90-day period; and

Whereas, the proposed rules would significantly damage the well-being and health of tens of thousands of citizens of the State by restricting their access to medical marijuana; and

Whereas, the proposed rules would do irreparable economic harm to thousands of citizens of the State through a dramatic increase in the cost of medical marijuana; and

Whereas, the proposed rules would do irreparable economic harm to thousands of medical marijuana caregivers and to their thousands of employees; and

Whereas, the proposed rules would do irreparable harm to the economy of the State by destroying businesses owned and domiciled in the State to the benefit of companies that are not based in the State and will not reinvest in this State; and

Whereas, the proposed rules would impact the most vulnerable communities in this State the hardest, including rural municipalities with aging populations; and

Whereas, the proposed rules make major changes that warrant legislative involvement and oversight; 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:

Sec. 1. 22 MRSA §2422-A, sub-§2, as enacted by PL 2017, c. 409, Pt. E, §3, is amended to read:

2. Rulemaking. The department, after consultation with the Department of Health and Human Services, may adopt rules as necessary to administer and enforce this chapter or amend rules previously adopted pursuant to this chapter. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, except that, beginning July 1, 2021, rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. Before adopting rules pursuant to this subsection, the department shall consult with caregivers, registered caregivers, patients and medical providers with significant knowledge and experience certifying patients under this chapter. The department shall develop a process to use when hiring consultants to advise on rule changes related to this chapter and shall report any subsequent changes to that process to the joint standing committee of the Legislature having jurisdiction over medical use of marijuana matters.

Sec. 2. 22 MRSA §2423-A, sub-§10, ¶D, as repealed and replaced by PL 2019, c. 331, §13 and c. 354, §3, is repealed and the following enacted in its place:

D. The department shall adopt routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, except that, beginning July 1, 2021, rules adopted pursuant to this paragraph are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A, governing marijuana testing facilities, including but not limited to:

- (1) Marijuana testing facility officer or director qualification requirements;
- (2) Required security for marijuana testing facilities; and

(3) Requirements for the registration, certification or other approval of marijuana testing facilities.

The failure of the department to adopt rules under this paragraph does not prevent a marijuana testing facility from engaging in activities in compliance with this chapter.

Sec. 3. 22 MRSA §2423-A, sub-§10, ¶D-1, as enacted by PL 2019, c. 354, §4, is amended to read:

D-1. Upon the adoption of rules pursuant to paragraph D and this paragraph, a marijuana testing facility must be certified by the certification program established pursuant to section 569 as meeting all operational and technical requirements in accordance with rules adopted by the department after consultation with the Maine Center for Disease Control and Prevention. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, except that, beginning July 1, 2021, rules adopted pursuant to this paragraph are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. A marijuana testing facility operating in compliance with this chapter on the date of the adoption of rules pursuant to this paragraph and paragraph D may continue to operate pending completion of certification under this paragraph. The failure of the department to adopt rules under this paragraph does not prevent a marijuana testing facility from engaging in activities in compliance with this chapter.

Sec. 4. 22 MRSA §2423-B, sub-§2-A, ¶D, as enacted by PL 2017, c. 452, §5, is amended by amending the last blocked paragraph to read:

The department shall adopt routine technical rules as defined in Title 5, chapter 375, subchapter 2-A to implement the reimbursement request under this paragraph, except that, beginning July 1, 2021, rules adopted pursuant to this paragraph are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 5. 22 MRSA §2423-F, sub-§10, as repealed and replaced by PL 2019, c. 331, §17, is amended to read:

10. Rulemaking. The department shall adopt routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, except that, beginning July 1, 2021, rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A, governing manufacturing facilities, including but not limited to:

- A. Requirements for the registration of a manufacturing facility and an officer or director or assistant of a registered manufacturing facility;
- B. Requirements for engaging in marijuana extraction using inherently hazardous substances;

- C. Manufacturing facility officer or director qualification requirements;
- D. Required security for manufacturing facilities;
- E. Requirements of a disposal plan for harvested marijuana used in the manufacturing process; and
- F. Minimum record-keeping requirements, including an annual audit requirement.

The failure of the department to adopt rules under this subsection does not prevent a person authorized pursuant to subsection 3, paragraph A from engaging in conduct authorized under this section.

Sec. 6. 22 MRSA §2424, sub-§1-A, as enacted by PL 2017, c. 452, §10, is amended to read:

1-A. Rulemaking. The department may adopt rules to carry out the purposes of this chapter. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, except that, beginning July 1, 2021, rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 7. 22 MRSA §2424, sub-§4, as amended by PL 2019, c. 217, §4, is further amended to read:

4. Enforcement and compliance. The department shall adopt routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, except that, beginning July 1, 2021, the department shall adopt major substantive rules as defined in Title 5, chapter 375, subchapter 2-A, regarding enforcement and compliance of authorized conduct under this chapter, including rules governing:

- A. Minimum oversight requirements for dispensaries and registered caregivers and the one permitted additional location at which a dispensary cultivates marijuana plants for medical use by qualifying patients; and
- B. Minimum security requirements for registered caregivers operating caregiver retail stores pursuant to section 2423-A, subsection 2, paragraph P and registered dispensaries and any additional location at which a dispensary cultivates marijuana plants for medical use by qualifying patients.

Sec. 8. 22 MRSA §2425-A, sub-§3-A, as amended by PL 2019, c. 331, §19, is further amended by amending the 2nd blocked paragraph to read:

The department, with the Department of Public Safety, Bureau of State Police, State Bureau of Identification, shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, except that, beginning July 1, 2021, rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 9. 22 MRSA §2425-A, sub-§10, as enacted by PL 2017, c. 452, §12, is amended to read:

10. Fees. The department shall adopt rules to establish fees in accordance with this subsection. The fees must be credited to the Medical Use of Marijuana Fund pursuant to section 2430. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, except that, beginning July 1, 2021, rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

A. There is no annual registration fee for a qualifying patient or visiting qualifying patient or a caregiver who is not required to register pursuant to section 2423-A, subsection 3, paragraph C. There is no annual registration fee for a caregiver who does not cultivate marijuana plants for a qualifying patient.

B. There is an annual registration fee for a caregiver who cultivates marijuana plants on behalf of a qualifying patient pursuant to section 2423-A, subsection 2, paragraph B. The fee may not be less than \$50 or more than \$240 for each group of up to 6 mature marijuana plants cultivated by the caregiver. The caregiver shall notify the department of the number of marijuana plants the caregiver cultivates.

C. There is an annual registration fee for a dispensary, which may not be less than \$5,000 or more than \$12,000. There is a fee to change the location of a registered dispensary or the location at which a registered dispensary cultivates marijuana plants, which may not be less than \$3,000 or more than \$4,000.

D. There is an annual registration fee for a tier 1 manufacturing facility, which may not be less than \$50 or more than \$150.

E. There is an annual registration fee for a tier 2 manufacturing facility, which may not be less than \$150 or more than \$250.

F. There is an annual registration fee to engage in marijuana extraction under section 2423-F, subsection 3, which may not be less than \$250 or more than \$350.

G. There is an annual registration fee for a marijuana testing facility, which may not be less than \$250 or more than \$1,000, except that there is no fee if the testing facility is licensed in accordance with Title 28-B, chapter 1.

H. There is an annual registration fee for an officer or director or assistant of a registered caregiver or registered dispensary, which may not be less than \$20 or more than \$50.

I. There is a fee to replace a registry identification card that has been lost, stolen or destroyed or a card that contains information that is no longer accurate, which may not be less than \$10 or more than \$20. Replacement of a registry identification card does not extend the expiration date.

J. There is an annual fee for a criminal history record check for a caregiver or an officer or director or assistant of a registered dispensary, marijuana testing facility or manufacturing facility, which may not be less than \$31 or more than \$60. The fee must be paid by the caregiver or by the registered dispensary, marijuana testing facility or manufacturing facility for an officer or director or assistant of the registered dispensary, marijuana testing facility or manufacturing facility.

Sec. 10. 22 MRSA §2425-A, sub-§13, ¶A, as enacted by PL 2017, c. 452, §12, is amended to read:

A. A registered caregiver or a dispensary shall submit annually a report of the number of qualifying patients and visiting qualifying patients assisted by the caregiver or dispensary. A report may not directly or indirectly disclose patient identity. The department shall adopt rules to implement this paragraph. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, except that, beginning July 1, 2021, rules adopted pursuant to this paragraph are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 11. 22 MRSA §2430, sub-§5, as amended by PL 2019, c. 331, §31, is further amended to read:

5. Medical marijuana research grant program established. The medical marijuana research grant program, referred to in this subsection as "the program," is established within the department to provide grant money to support objective scientific research, including observational and clinical trials and existing research, on the efficacy of harvested marijuana as part of medical treatment and the health effects of harvested marijuana used as part of medical treatment. The program must be funded from the fund. The department shall adopt rules necessary to implement the program, including, but not limited to, required qualifications of persons conducting the research; determining the scientific merit and objectivity of a research proposal; criteria for determining the amount of program funds distributed; criteria for determining the duration of the research; procedures for soliciting research participants, including outreach to patients, and for obtaining the informed consent of participants; and reporting requirements for the results of the research and evaluation of the research results. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, except that, beginning July 1, 2021, rules adopted pursuant to this subsection

are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 12. 22 MRSA §2430-E, sub-§2, as enacted by PL 2017, c. 452, §24, is amended to read:

2. Repeat forfeiture. If a cardholder has previously forfeited excess marijuana pursuant to subsection 1 and a subsequent forfeiture occurs, the department shall revoke the registry identification card of the cardholder and the entire amount of marijuana plants or harvested marijuana possessed by that cardholder must be forfeited to a law enforcement officer. The department shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, except that, beginning July 1, 2021, rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 13. 22 MRSA §2430-F, sub-§1, as enacted by PL 2017, c. 452, §24, is amended to read:

1. Department suspension or revocation. The department may suspend or revoke a registry identification card for violation of this chapter and the rules adopted under this chapter. Revocation in accordance with section 2430-E, subsection 2 is considered a final agency action, subject to judicial review under Title 5, chapter 375, subchapter 7. Unless otherwise specified as final agency action, a person who has had authorization for conduct under this chapter revoked due to failure to comply with this chapter and rules adopted by the department may request an informal hearing. The department shall adopt rules to specify the period of time, which may not exceed one year, that the person whose registry identification card was revoked is ineligible for reauthorization under this chapter. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, except that, beginning July 1, 2021, rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

The department shall immediately revoke the registry identification card of an officer or director or assistant of a dispensary who is found to have violated section 2428, subsection 9, paragraph B, and that person is disqualified from serving as an officer or director or assistant of a dispensary.

Sec. 14. 22 MRSA §2430-G, sub-§1, ¶A, as enacted by PL 2017, c. 452, §24, is amended by amending subparagraph (2) to read:

(2) Keep the books and records maintained by the registered caregiver, registered dispensary, marijuana testing facility or manufacturing facility for a period of 7 years; and

Sec. 15. 22 MRSA §2430-G, sub-§1, ¶A, as enacted by PL 2017, c. 452, §24, is amended by repealing subparagraph (3).

Sec. 16. 22 MRSA §2430-G, sub-§1, as amended by PL 2019, c. 331, §32, is further amended by amending the blocked paragraph to read:

The department may adopt rules to implement this subsection. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 17. Rules governing medical use of marijuana. The rules governing the medical use of marijuana are those rules that were in effect as of February 28, 2021. Pursuant to the authority designated in this legislation, rules governing the medical use of marijuana beginning July 1, 2021 are major substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. Before provisionally adopting new rules and submitting the rules to the Legislature for review pursuant to Title 5, section 8072, including but not limited to rules necessary for the implementation of a statewide electronic portal under Title 22, section 2430-G, subsection 1, paragraph B, the Department of Administrative and Financial Services shall:

1. Develop a process to consult with caregivers, registered caregivers, qualifying patients and medical providers with significant knowledge and experience certifying patients under the Maine Medical Use of Marijuana Act, in accordance with Title 22, section 2422-A, subsection 2;
2. Develop a process to use when hiring consultants to advise on any new rules or proposed changes to existing rules governing the medical use of marijuana, in accordance with Title 22, section 2422-A, subsection 2; and
3. Using existing resources, conduct a study evaluating the economic effects that any new rules or proposed changes to existing rules may have, including, but not limited to, the effects of implementing a statewide electronic portal on caregiver businesses of all sizes and how such rules could affect the access of patients to marijuana for medical use.

The Department of Administrative and Financial Services shall submit a report including the processes developed under subsections 1 and 2 and the findings under subsection 3 to the joint standing committee of the Legislature having jurisdiction over medical use of marijuana matters no later than January 15, 2022. The joint standing committee of the Legislature having jurisdiction over medical use of marijuana matters may introduce legislation for presentation to the Second Regular Session of the 130th Legislature based on the information provided in the report.

Sec. 18. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Medical Use of Marijuana Fund Z265

Initiative: Provides allocations for 8 Field Investigator positions and 2 Field Investigator Supervisor positions to handle increased inspections for providers to obtain compliance within the program.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$852,486	\$890,292
All Other	\$194,362	\$194,935
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,046,848	\$1,085,227

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

Effective July 1, 2021.

CHAPTER 388

H.P. 564 - L.D. 759

An Act To Amend the Child Endangerment Laws To Include Certain Unauthorized Access to a Loaded Firearm

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

Sec. 1. 17-A MRSA §554, sub-§1, ¶B-3, as amended by PL 2015, c. 358, §3, is further amended to read:

B-3. Being the parent, foster parent, guardian or other person having the care and custody of a child, knowingly deprives the child of necessary health care, with a result that the child is placed in danger of serious harm. Violation of this paragraph is a Class D crime; ~~or~~

Sec. 2. 17-A MRSA §554, sub-§1, ¶B-4 is enacted to read:

B-4. Acting with criminal negligence stores or leaves on premises that are under the person's control a loaded firearm in a manner that allows a child under 16 years of age to gain access to the loaded firearm without the permission of the child's parent, foster parent or guardian and the child in fact gains access to the loaded firearm and:

- (1) Uses the loaded firearm in a reckless or threatening manner;
- (2) Uses the loaded firearm during the commission of a crime; or

(3) Discharges the loaded firearm.

Violation of this paragraph is a Class D crime; or

Sec. 3. 17-A MRSA §554, sub-§4 is enacted to read:

4. It is an affirmative defense to prosecution under subsection 1, paragraph B-4 that:

A. The loaded firearm is:

(1) Stored in a locked box, locked gun safe or other secure, locked space;

(2) Stored or left in a location that a reasonable person would believe to be secure; or

(3) Secured with a trigger lock or similar device that prevents the firearm from discharging;

B. The loaded firearm is carried on the person or within such close proximity to the person that the person can readily retrieve and use the firearm as if the firearm were carried on the person;

C. A child who in fact gains access to the loaded firearm gains access in order to defend the child or a 3rd person under the circumstances enumerated in section 108, subsection 2, paragraph A or B;

D. The person has no reasonable expectation, based on objective facts and circumstances, that a child is likely to be present on the premises where the person stores or leaves the loaded firearm;

E. A child in fact gains access to the loaded firearm as the result of a criminal trespass by any person on the premises where the firearm is stored or left; or

F. A child in fact gains access to the loaded firearm as the result of a theft of the firearm by any person from the premises where the firearm is stored or left.

See title page for effective date.

CHAPTER 389

H.P. 636 - L.D. 868

An Act To Provide Consistency Regarding Persons Authorized To Conduct Examinations for Emergency Involuntary Commitment and Post-admission Examinations

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

Sec. 1. 34-B MRSA §3863, sub-§7, as amended by PL 2009, c. 651, §18, is further amended to read:

7. Post-admission examination. Every patient admitted to a psychiatric hospital under this section must be examined as soon as practicable after the patient's admission. If findings required for admission under subsection 2 are not certified in a 2nd opinion by a staff ~~physician or licensed clinical psychologist~~ medical practitioner within 24 hours after admission, the person must be immediately discharged.

Sec. 2. 34-B MRSA §3863, sub-§7-A, as enacted by PL 2015, c. 309, §5, is amended to read:

7-A. Post-admission discharge. If it is necessary to discharge a person because findings required for admission under subsection 2 are not certified in a 2nd opinion by a staff ~~physician or licensed clinical psychologist~~ medical practitioner after examination in accordance with subsection 7, the staff ~~physician or licensed clinical psychologist~~ medical practitioner shall record the discharge on the written application, which must contain a statement that the findings required for the person's admission specified under subsection 2 were not met.

Sec. 3. 34-B MRSA §3864, sub-§1, ¶C, as amended by PL 2009, c. 651, §20, is further amended to read:

C. The certificate of the ~~physician or psychologist~~ medical practitioner under section 3863, subsection 7;

See title page for effective date.

CHAPTER 390

H.P. 692 - L.D. 936

An Act To Amend State Laws Relating to Net Energy Billing and the Procurement of Distributed Generation

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

Sec. 1. 35-A MRSA §3209-A, sub-§7 is enacted to read:

7. Applicability. A distributed generation resource with a nameplate capacity of at least 2 megawatts and not more than 5 megawatts may be used for net energy billing under this section only if the requirements of paragraph A, B or C are met and all the requirements of paragraphs D and E are met.

A. In order for a distributed generation resource to be used for net energy billing, one of the following must have been met on or before December 31, 2020:

(1) There is a signed interconnection agreement between the entity proposing the development of the distributed generation resource

and a transmission and distribution utility governing the connection of the resource to the utility's system and the ongoing operation of the resource after it is connected to the system; or

(2) There is a net energy billing agreement between the entity proposing the development of the distributed generation resource and the transmission and distribution utility.

An amendment, revision or reissuance of an agreement under this paragraph that occurs after December 31, 2020 may not be interpreted to affect the date on which the initial agreement was signed.

B. In order for a distributed generation resource to be used for net energy billing, one of the following must have been met on or before April 30, 2021:

(1) A complete application for a customer net energy billing agreement has been submitted for the distributed generation resource and a customer has or customers have financial interest in 90% or more of the capacity of that distributed generation resource; or

(2) There is a fully executed net energy billing agreement between a customer or sponsor of the distributed generation resource and the transmission and distribution utility for the distributed generation resource and a customer has or customers have financial interest in 90% or more of the capacity of that distributed generation resource.

C. In order for a distributed generation resource to be used for net energy billing, the following must have been met on or before June 1, 2021:

(1) The interconnection study process has commenced for a distributed generation resource located in those portions of the service territory of an investor-owned transmission and distribution utility that are not connected to the ISO-NE region as defined in section 1902, subsection 3.

D. In order for a distributed generation resource to be used for net energy billing, all of the following must be met on or before December 31, 2021:

(1) There is a fully executed interconnection agreement between the entity proposing the development of the distributed generation resource and the transmission and distribution utility;

(2) The entity proposing the development of the distributed generation resource certifies to the commission that the entity has submitted all applicable permit applications to the Department of Environmental Protection and the

department has accepted those applications for processing; and

(3) The entity proposing the development of the distributed generation resource certifies to the commission that the entity has received all necessary local, nonministerial permits. For purposes of this subparagraph, "nonministerial permit" means a permit for which one or more officials consider various factors and exercise discretion in deciding whether to issue or deny the permit.

An amendment, revision or reissuance of an agreement under this paragraph that occurs after December 31, 2021 may not be interpreted to affect the date on which the agreement was initially executed.

E. In order for a distributed generation resource to be used for net energy billing, the following must be met on or before December 31, 2024:

(1) The proposed distributed generation resource must reach commercial operation by the date specified in the net energy billing agreement or by the date specified with an allowable modification to that agreement.

An entity proposing the development of a distributed generation resource that does not meet one or more of the requirements of this subsection may petition the commission for a good-cause exemption due to external delays outside of the entity's control, which the commission may grant if it finds that, without the external delays, the entity could reasonably have been expected to meet the requirements.

The goal for development of commercially operational distributed generation resources under this subsection and section 3209-B, subsection 7 is 750 total megawatts.

Sec. 2. 35-A MRSA §3209-B, sub-§7 is enacted to read:

7. Applicability. The applicability of this section is limited by the requirements of section 3209-A, subsection 7.

Sec. 3. 35-A MRSA §3482, sub-§1, as enacted by PL 2019, c. 478, Pt. B, §1, is amended to read:

1. Procurements. The commission ~~shall~~ **may not** procure distributed generation resources in the shared distributed generation and commercial or institutional distributed generation market segments using the targets and procurement methods described in this chapter.

Sec. 4. Stakeholder group; distributed generation project programs. In coordination with the Public Utilities Commission, the Governor's Energy Office shall convene a stakeholder group to consider various distributed generation project programs to be implemented between 2024 and 2028 and the need for improved grid planning. The stakeholder group shall

assist in the development and production of the interim and final reports required under subsections 2 and 3. For the purposes of this section, "distributed generation project" means a renewable energy project with a nameplate capacity of no more than 5 megawatts that has identified residential, commercial and institutional customers and includes, but is not limited to, net energy billing arrangement projects.

1. The stakeholder group established under this section must include, but is not limited to, the following stakeholders:

- A. The Public Advocate, or the Public Advocate's designee;
- B. A representative from the large energy consumer community;
- C. A representative of a conservation organization;
- D. A representative of an organization focused on low-income consumers or historically underrepresented communities;
- E. A representative of a large transmission and distribution utility;
- F. An individual with expertise in ground-mounted solar development;
- G. An individual with expertise in community solar development;
- H. A representative of a statewide renewable energy organization; and
- I. An individual with expertise in analyzing energy economics.

2. By January 1, 2022, the Governor's Energy Office shall submit an interim report to the Joint Standing Committee on Energy, Utilities and Technology that identifies issues that need further consideration or require additional resources including funding to complete and that includes recommendations and any proposed legislation to implement those recommendations that are supported by a majority of stakeholders regarding:

- A. How the State should undertake the adoption and implementation of a forward-looking, holistic grid planning process that allows for input from stakeholders and provides key actors with the ability to more strategically make system operations, planning and investment decisions;
- B. The optimum total amount of distributed generation for the program period calculated using 7% of total load based on operational capacity;
- C. How to cost-effectively incentivize net energy billing arrangement project diversity by:
 - (1) Identifying the percentage of the optimum total amount of distributed generation that

should be allocated to net energy billing arrangement projects;

- (2) Developing a mechanism to adjust the calculated optimum total amount of distributed generation described in paragraph B by subtracting the total amount of megawatts of commercially operational distributed generation resources developed in excess of the goal established in the Maine Revised Statutes, Title 35-A, section 3209-A, subsection 7;
- (3) Considering all types of distributed generation, including, but not limited to, net energy billing arrangements paired with energy storage;
- (4) Determining the appropriate duration for long-term contracts;
- (5) Identifying mechanisms that prioritize distributed generation that are sited to:
 - (a) Limit impacts by being located on previously developed or impacted land, including areas covered by impervious surfaces, reclaimed gravel pits, capped landfills or brownfield sites as defined by the Department of Environmental Protection;
 - (b) Serve load within a low-income to moderate-income community;
 - (c) Directly serve customer load; or
 - (d) Optimize grid performance or serve a nonwires alternative function; and
- (6) Including recommendations regarding how information from a holistic grid planning process can be included to improve a distributed generation project program until its conclusion; and

D. How to support the successful development of distributed generation by small companies based in the State.

The committee may report out a bill to the Second Regular Session of the 130th Legislature based on the information and recommendations included in the interim report.

3. By January 1, 2023, the Governor's Energy Office shall submit a final report to the joint standing committee of the Legislature having jurisdiction over energy and utility matters that includes, subject to available resources, the following:

- A. Identification of the recommended optimum total amount of distributed generation for the program period represented as a percentage of total load;

B. An estimation of the net ratepayer impacts, including all on-bill benefits and costs, expected as a result of the development of distributed generation resources under the Maine Revised Statutes, Title 35-A, section 3209-A, subsection 7 and Title 35-A, section 3209-B, subsection 7, accounting for projects that have reached or are expected to reach full maturity and load growth trends;

C. Identification of a method or methods that can be used to balance the impact of the development of distributed generation resources under the Maine Revised Statutes, Title 35-A, sections 3209-A and 3209-B with load growth to mitigate potential electricity rate increases as a result of this development of distributed generation resources;

D. Updates to the finance enabling policies in the "Maine Distributed Solar Valuation Study" prepared for the Public Utilities Commission by Clean Power Research, including the costs and benefits of on-bill and off-bill financing;

E. Consideration of the feasibility of implementing innovations to increase the net ratepayer value of distributed generation, including, but not limited to, time-differentiated rates and 2-way energy flows;

F. Consideration of the use of declining net energy billing arrangement bill credit rates, including the use of reduced bill credit rates for distributed generation that is not located on one of the prioritized sites identified in the interim report pursuant to subsection 2, paragraph C, subparagraph (5); and

G. Consideration of the feasibility of standardizing the classification of distributed generation as load reducers, regardless of whether the bill credit is in the form of kilowatt-hour credits or monetary credits.

The committee may report out a bill to the First Regular Session of the 131st Legislature based on the information and recommendations included in the final report.

Sec. 5. Rules. Notwithstanding the Maine Revised Statutes, Title 35-A, section 3209-A, rules initially adopted pursuant to section 3209-A, subsection 7 are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Public Utilities - Administrative Division 0184

Initiative: Provides funding for one Utility Analyst position and related All Other costs.

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		

POSITIONS - LEGISLATIVE	1.000	1.000
COUNT		
Personal Services	\$104,561	\$145,312
All Other	\$6,577	\$8,880
OTHER SPECIAL REVENUE	\$111,138	\$154,192
FUNDS TOTAL		

See title page for effective date.

CHAPTER 391
H.P. 773 - L.D. 1045

An Act To Support Universal Health Care

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

Sec. 1. 5 MRSA §12004-G, sub-§14-J is enacted to read:

14-J.

<u>Health</u>	<u>Maine Health</u>	<u>Compensation</u>	<u>24-A</u>
<u>Care</u>	<u>Care Board</u>	<u>determined under</u>	<u>MRSA</u>
		<u>24-A MRSA</u>	<u>§7503</u>
		<u>§7503, sub-§3</u>	

Sec. 2. 24-A MRSA c. 97 is enacted to read:

CHAPTER 97

MAINE HEALTH CARE ACT

§7501. Short title

This chapter may be known and cited as "the Maine Health Care Act."

§7502. Maine Health Care Plan

1. Plan established; requirements. The Maine Health Care Plan is established to provide for all medically necessary health care services for all residents of the State. The plan must be designed by the Maine Health Care Board under section 7503 in accordance with any requirements of federal law and may not be implemented until the State obtains a waiver for a state-based universal health care plan and receives federal financing to support the implementation of such a plan and until legislation is enacted in accordance with section 7503, subsection 4, paragraph F.

§7503. Maine Health Care Board

1. Establishment. The Maine Health Care Board, as established in Title 5, section 12004-G, subsection 14-J, is created to oversee planning and implementation of the Maine Health Care Plan in accordance with section 7502 and, once fully implemented, to administer the Maine Health Care Plan.

2. Board composition. The Maine Health Care Board consists of 17 members, appointed by the Governor subject to review by the joint standing committee of

the Legislature having jurisdiction over health coverage matters and to confirmation by the Legislature, as follows:

- A. Five patient members who would not otherwise qualify for appointment as a member described in paragraph B or C;
- B. Five employer members; and
- C. Seven health care providers as follows:
 - (1) Two physicians, at least one of whom must be a primary care physician;
 - (2) One registered nurse;
 - (3) One mental health provider;
 - (4) One dentist;
 - (5) One integrative medicine provider; and
 - (6) One health care facility director.

3. Term and compensation; selection of chair. Maine Health Care Board members serve 4-year terms. Board members shall set the board's compensation at an amount not to exceed the compensation of Public Utilities Commission members. The board shall select a chair from its membership.

4. General duties. The Maine Health Care Board shall:

- A. Ensure that all of the requirements of this chapter are met;
- B. Conduct or contract for any necessary actuarial and economic analyses needed to support the development of a plan pursuant to section 7502 that meets all requirements of this chapter and in federal law;
- C. Hire any necessary staff;
- D. Collaborate with the Maine Health Data Organization and the Maine Quality Forum to assist the board in carrying out the purposes of this chapter;
- E. Establish a detailed timeline for implementation and submit for federal approval any necessary waivers for the plan under section 7502;
- F. Upon federal approval of a waiver pursuant to paragraph E or, if required by federal law or regulation, prior to submission of a waiver application, make recommendations to implement the plan under section 7502, including necessary statutory changes to establish requirements for benefits under the plan; eligibility for the plan; provider participation and payments; and financing for the plan. The joint standing committee of the Legislature having jurisdiction over health coverage matters shall report out legislation based on the board's recommendations to any regular or special session of the Legislature;

G. Once implemented, administer all aspects of the plan under section 7502;

H. Conduct activities the board considers necessary to carry out the purposes of this chapter; and

I. Adopt rules as necessary to carry out the purposes of this chapter. Rules adopted pursuant to this paragraph are routine technical rules as described in Title 5, chapter 375, subchapter 2-A.

Sec. 3. Staggered terms. Notwithstanding the Maine Revised Statutes, Title 24-A, section 7503, subsection 3, with regard to the original appointments of the members of the Maine Health Care Board, within 60 days of the effective date of this Act, the Governor shall appoint 4 members for a 2-year term, 5 members for a 3-year term and the 8 remaining members for a 4-year term.

Sec. 4. Contingent effective date. This Act does not take effect unless:

1. Federal law is enacted that authorizes a state to obtain a waiver to establish a state-based universal health care plan and to receive federal financing for that plan; and

2. The Superintendent of Insurance within the Department of Professional and Financial Regulation notifies the Secretary of State, the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes that the contingency set forth in subsection 1 has been met.

See title page for effective date, unless otherwise indicated.

CHAPTER 392

S.P. 403 - L.D. 1236

An Act Authorizing the Attorney General To Enter into Contingent Fee Agreements

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

Sec. 1. 5 MRSA §131, sub-§3 is enacted to read:

3. Private counsel contingent fee agreements. Notwithstanding subsection 1 or any provision of law to the contrary, the Attorney General may employ private counsel on a contingent fee basis and may deduct from funds recovered by private counsel on behalf of the State such amounts as the Attorney General determines are due and owed under the terms of a contingent fee agreement and remit such amounts to private counsel.

See title page for effective date.

**CHAPTER 393
H.P. 1093 - L.D. 1478**

**An Act To Require the Use of
Homelessness Crisis Protocols
by Law Enforcement Agencies**

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

Sec. 1. 17-A MRSA §18 is enacted to read:

§18. Homelessness crisis protocol

A person who lacks a home who commits a listed offense because the person lacks a home must be treated in accordance with the homelessness crisis protocol adopted by the responding law enforcement agency under subsection 2.

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

A. "Law enforcement agency" has the same meaning as in Title 25, section 3701, subsection 1.

B. "Listed offense" means:

(1) Criminal trespass in violation of section 402, subsection 1, paragraph C or F;

(2) Disorderly conduct in violation of section 501-A, subsection 1, paragraph A;

(3) Indecent conduct in violation of section 854 that is based on urinating in public;

(4) Possession of a scheduled drug in violation of chapter 45 that is based on using the scheduled drug; or

(5) Public drinking in violation of Title 17, section 2003-A, subsection 2.

2. Adoption of homelessness crisis protocol.

This subsection governs the adoption of homelessness crisis protocols by the Attorney General and law enforcement agencies. A homelessness crisis protocol must include access and referral to crisis services, mental health and substance use disorder professionals, emergency and transitional housing and case management services.

A. By January 1, 2022, the Attorney General shall adopt a model homelessness crisis protocol.

Rules adopted pursuant to this paragraph are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

B. By March 1, 2022, all law enforcement agencies shall adopt homelessness crisis protocols. The protocol of a law enforcement agency may, but is not required to, conform to the protocol adopted by the Attorney General.

3. Law enforcement response to a listed offense by a person who lacks a home. A law enforcement officer who responds to a call regarding or encounters a person who is committing or has committed a listed offense shall inquire whether the person has a home or lacks a home. If the person lacks a home, the law enforcement officer shall respond to the person using the homelessness crisis protocol adopted by the officer's law enforcement agency under subsection 2.

See title page for effective date.

**CHAPTER 394
H.P. 1174 - L.D. 1585**

**An Act To Increase Privacy
and Security by Regulating the
Use of Facial Surveillance
Systems by Departments,
Public Employees and Public
Officials**

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

Sec. 1. 25 MRSA Pt. 14 is enacted to read:

PART 14

SURVEILLANCE

CHAPTER 701

FACIAL SURVEILLANCE

§6001. Facial surveillance

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

A. "Another jurisdiction" has the same meaning as in Title 17-A, section 2, subsection 3-B.

B. "Bureau of Motor Vehicles" means the Department of the Secretary of State, Bureau of Motor Vehicles.

C. "Department" means a state, county or municipal government or a department, agency or subdivision thereof or any other entity identified in law as a public instrumentality, including, but not limited to, a law enforcement agency.

D. "Facial surveillance" means an automated or semi-automated process that assists in identifying or verifying an individual, or in capturing information about an individual, based on the physical characteristics of an individual's face.

E. "Facial surveillance system" means any computer software or application that performs facial surveillance.

F. "Law enforcement agency" has the same meaning as in section 3701, subsection 1.

G. "Public employee" means a person employed by a department, including, but not limited to, a law enforcement officer.

H. "Public official" means a person elected or appointed to a public office that is part of a department.

I. "Serious crime" means:

- (1) A crime under the laws of this State that:
 - (a) Is punishable by a term of imprisonment of one year or more; or
 - (b) Is a Class D or Class E crime under the laws of this State that is a violation of Title 17-A, chapter 9, 11, 12, 13 or 35; Title 15, section 1092, if the violation is based on a condition under Title 15, section 1026, subsection 3, paragraph A, subparagraph (5) or (8); or Title 19-A, section 4011; or
- (2) A crime under the laws of another jurisdiction that:
 - (a) Has, as an element, the use of a firearm or other dangerous weapon against a person;
 - (b) Is elementally substantially similar to a crime under subparagraph (1); or
 - (c) Is punishable by a term of imprisonment of one year or more.

2. Use of facial surveillance by department, public employee or public official. The following provisions govern the use of facial surveillance systems and facial surveillance data by a department or by a public employee or public official in the performance of their official duties.

A. Except as provided in paragraphs B and D, a department, public employee or public official may not:

- (1) Obtain, retain, possess, access, request or use a facial surveillance system or information derived from a search of a facial surveillance system;
- (2) Enter into an agreement with a 3rd party for the purpose of obtaining, retaining, possessing, accessing or using, by or on behalf of a department, public employee or public official, a facial surveillance system or information derived from a search of a facial surveillance system; or
- (3) Issue a permit or enter into any other agreement that authorizes a 3rd party to obtain,

retain, possess, access or use a facial surveillance system or information derived from a search of a facial surveillance system.

B. Notwithstanding the provisions of paragraph A, a department, public employee or public official may request a search of a facial surveillance system as provided in paragraph C and may obtain, retain, possess, access or use the results of a search of a facial surveillance system, as provided in paragraph C, for the purposes of:

- (1) Investigating a serious crime, when there is probable cause to believe that an unidentified individual in an image has committed the serious crime;
- (2) Assisting in the identification of a person who is deceased or believed to be deceased;
- (3) Assisting in the identification of a missing or endangered person; or
- (4) Performing a duty authorized under paragraph D, subparagraph (1), if the Bureau of Motor Vehicles or a public employee or public official of the Bureau of Motor Vehicles makes the request for the search of the facial surveillance system.

C. The following provisions apply when a department, public employee or public official requests a search of a facial surveillance system under paragraph B, subparagraph (1), (2) or (3).

- (1) A request for a search of the facial surveillance system within the State must be made to the Bureau of Motor Vehicles.
- (2) Except as provided in subparagraph (3), a request for a search of the facial surveillance system of a state agency that issues government credentials in another jurisdiction or the Federal Bureau of Investigation must be made to the State Police unless there is an emergency posing an imminent danger of death or serious physical injury. If an emergency exists under this subparagraph, the department, public employee or public official may request the search directly from a state agency that issues government credentials in another jurisdiction or the Federal Bureau of Investigation and shall file a report of the request with the State Police as soon as practicable.
- (3) The Bureau of Motor Vehicles may request a search of a facial surveillance system from a state agency that issues government credentials in another jurisdiction or the Federal Bureau of Investigation for the purposes of fraud prevention or investigation.

D. Nothing in paragraph A prohibits a department, public employee or public official from:

(1) Obtaining, maintaining or using a facial surveillance system or the results of a search of a facial surveillance system within the Bureau of Motor Vehicles in accordance with Title 29-A, section 1401, subsection 9 or for the purposes of fraud prevention or investigation;

(2) Using facial surveillance technology that analyzes the eye's iris in a regional jail or county jail;

(3) Using evidence that has been generated from a search of a facial surveillance system that is related to an investigation of a specific crime;

(4) Obtaining or possessing for evidentiary purposes an electronic device, including, but not limited to, a cellular telephone, tablet or computer, that performs facial surveillance for the sole purpose of user authentication;

(5) Using social media or communications software or applications for communicating with the public as long as such use does not include the affirmative use of facial surveillance;

(6) Using automated redaction software as long as such software is not capable of performing facial surveillance;

(7) Performing duties required by the National Child Search Assistance Act of 1990, 34 United States Code, Sections 41307 and 41308 (2021); or

(8) Using facial surveillance on an electronic device, including, but not limited to, a cellular telephone, tablet or computer, owned by the public employee or public official for that person's personal use for the sole purpose of user authentication of that person.

E. Facial surveillance data does not, without other evidence, establish probable cause justifying arrest, search or seizure.

F. The State Police and the Bureau of Motor Vehicles shall maintain logs that track all requests for searches of facial surveillance systems received and performed pursuant to paragraph C. De-identified logs containing the date of the search request, the name of the public employee or public official who made the request and the name of the department for which the employee or official works, the databases searched, the statutory offense under investigation and the race and sex of the person under investigation are public records for the purpose of Title 1, chapter 13, subchapter 1. The provisions of Title 16, chapter 9 do not apply to records created or maintained pursuant to this paragraph.

3. Enforcement. The following provisions apply to a violation of this section by a department or a public employee or public official acting in the performance of their official duties.

A. Facial surveillance data collected or derived in violation of this section:

(1) Must be considered unlawfully obtained and, except as otherwise provided by law, must be deleted upon discovery; and

(2) Is inadmissible in evidence in any proceeding in or before any public official, department, regulatory body or authority.

B. A person injured or aggrieved by a violation of this section may bring an action in a court in this State against the department, public employee or public official having possession, custody or control of facial surveillance data in violation of this section and may seek injunctive or declaratory relief or a writ of mandamus.

C. A public employee or public official who, in the performance of their official duties, violates this section may be subject to disciplinary action, including, but not limited to, retraining, suspension or termination, subject to the requirements of due process and of any applicable collective bargaining agreement.

D. Nothing in this subsection limits the rights under state or federal law of a person injured or aggrieved by a violation of this section.

Sec. 2. Effective date. This Act takes effect October 1, 2021.

See title page for effective date.

**CHAPTER 395
H.P. 1201 - L.D. 1612**

**An Act To Facilitate Children's
Testimony in Certain Sex
Crime Cases**

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

Sec. 1. 15 MRSA §1321 is enacted to read:

§1321. Child witnesses in certain sex crime cases

1. Testimony of a child outside the presence of the defendant. Upon motion by the State prior to trial and with reasonable notice to the defendant, a court may allow a child who is 14 years of age or younger to testify outside the presence of the defendant pursuant to this section in a criminal proceeding concerning a crime under Title 17-A, chapter 11 or 12 in which the child is the alleged victim.

2. Requirements for direct testimony outside the presence of the defendant. Direct testimony of a child outside the presence of the defendant under subsection 1 must meet the following requirements:

A. The testimony must be conducted by way of 2-way closed-circuit television or other audiovisual electronic means;

B. The testimony must occur at a recognized children's advocacy center with only a victim or witness advocate present in the room in which the child is testifying;

C. The opportunity for real-time cross-examination of the child must be provided to the defendant's attorney after the child's direct testimony; and

D. The defendant must be able to observe the testimony of the child while the child is testifying and must be able to communicate with the defendant's attorney while the child is testifying.

3. Exception. This section does not apply if the defendant is an attorney pro se or if the positive identification of the defendant is required.

See title page for effective date.

CHAPTER 396

H.P. 1246 - L.D. 1675

An Act To Amend Certain Provisions of Maine's Drug Laws

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

Sec. 1. 17-A MRSA §1101, sub-§17, as amended by PL 2015, c. 346, §1, is further amended to read:

17. "Traffick":

- A. To make, create, manufacture;
- B. To grow or cultivate, except for marijuana;
- C. To sell, barter, trade, exchange or otherwise furnish for consideration; or
- D. To possess with the intent to do any act mentioned in paragraph C;
- ~~E. To possess 2 grams or more of heroin or 90 or more individual bags, folds, packages, envelopes or containers of any kind containing heroin; or~~
- ~~F. To possess 2 grams or more of fentanyl powder or 90 or more individual bags, folds, packages, envelopes or containers of any kind containing fentanyl powder.~~

Sec. 2. 17-A MRSA §1101, sub-§18, as amended by PL 2015, c. 496, §§1 and 2, is further amended to read:

18. "Furnish":

- A. To furnish, give, dispense, administer, prescribe, deliver or otherwise transfer to another; or
- B. To possess with the intent to do any act mentioned in paragraph A;
- ~~C. To possess more than 200 milligrams but less than 2 grams of heroin or at least 45 but fewer than 90 individual bags, folds, packages, envelopes or containers of any kind containing heroin; or~~
- ~~D. To possess more than 200 milligrams but less than 2 grams of fentanyl powder or at least 45 but fewer than 90 individual bags, folds, packages, envelopes or containers of any kind containing fentanyl powder.~~

Sec. 3. 17-A MRSA §1103, sub-§3, as amended by PL 2015, c. 346, §4, is further amended to read:

3. Proof that the person intentionally or knowingly possesses any scheduled drug that is in fact of a quantity, state or concentration as provided in this subsection, gives rise to a permissible inference under the Maine Rules of Evidence, Rule 303 that the person is unlawfully trafficking in scheduled drugs:

- A. More than one pound of marijuana;
- B. Fourteen grams or more of cocaine ~~or 4 grams or more of cocaine in the form of cocaine base;~~
- C-1. Four grams or more of heroin;
- C-2. Four grams or more of fentanyl powder;
- D. Lysergic acid diethylamide in any of the following quantities, states or concentrations:
 - (1) Any compound, mixture, substance or solution in a liquid state that contains a detectable quantity of lysergic acid diethylamide;
 - (2) Fifty or more squares, stamps, tablets or units of any compound, mixture or substance containing a detectable quantity of lysergic acid diethylamide; or
 - (3) Any quantity of any compound, mixture or substance that, in the aggregate, contains 2,500 micrograms or more of lysergic acid diethylamide;
- E. Fourteen grams or more of methamphetamine;
- F. Ninety or more pills, capsules, tablets, vials, ampules, syringes or units containing any narcotic drug other than heroin;

G. Any quantity of pills, capsules, tablets, units, compounds, mixtures or substances that, in the aggregate, contains 800 milligrams or more of oxycodone or 100 milligrams or more of hydromorphone; or

H. Fourteen grams or more of or 30 or more pills, capsules, tablets or units containing 3, 4 - methylenedioxymethamphetamine, MDMA, or any other drug listed in section 1102, subsection 1, paragraph O or P.

Sec. 4. 17-A MRSA §1105-A, sub-§1, ¶D, as enacted by PL 2001, c. 383, §119 and affected by §156, is amended to read:

D. At the time of the offense, the person trafficks in cocaine in a quantity of 112 grams or more ~~or cocaine in the form of cocaine base in a quantity of 32 grams or more~~. Violation of this paragraph is a Class A crime;

Sec. 5. 17-A MRSA §1105-C, sub-§1, ¶D, as enacted by PL 2001, c. 383, §119 and affected by §156, is amended to read:

D. At the time of the offense, the person furnishes cocaine in a quantity of 112 grams or more ~~or cocaine in the form of cocaine base in a quantity of 32 grams or more~~. Violation of this paragraph is a Class B crime;

Sec. 6. 17-A MRSA §1106, sub-§3, as amended by PL 2015, c. 496, §§3 to 5, is further amended to read:

3. Proof that the person intentionally or knowingly possesses a scheduled drug that is in fact of a quantity, state or concentration as provided in this subsection, gives rise to a permissible inference under the Maine Rules of Evidence, Rule 303 that the person is unlawfully furnishing that scheduled drug:

- A. More than 2 1/2 ounces of marijuana;
- B. More than 2 grams of cocaine ~~or 2 grams or more of cocaine in the form of cocaine base~~;
- C-1. Two grams or more of heroin;
- C-2. Two grams or more of fentanyl powder;
- D. Lysergic acid diethylamide in any of the following quantities or concentrations:
 - (1) Not less than 25 squares, stamps, tablets or units of any compound, mixture or substance containing a detectable quantity of lysergic acid diethylamide; or
 - (2) Any quantity of any compound, mixture or substance that, in the aggregate, contains not less than 1,250 micrograms of lysergic acid diethylamide;
- E. More than 200 milligrams of methamphetamine;

F. Any quantity of pills, capsules, tablets, vials, ampules, syringes or units containing any narcotic drug other than heroin that, in the aggregate, contains more than 200 milligrams of the narcotic drug;

G. Any quantity of pills, capsules, tablets, units, compounds, mixtures or substances that, in the aggregate, contains more than 200 milligrams of oxycodone or more than 200 milligrams of hydromorphone; or

H. Fifteen or more pills, capsules, tablets or units containing 3, 4 - methylenedioxymethamphetamine, MDMA, or any other drug listed in section 1102, subsection 1, paragraph O.

See title page for effective date.

CHAPTER 397

H.P. 1266 - L.D. 1703

An Act To Amend the Bail Code

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

Sec. 1. 15 MRSA §1023, sub-§5, as amended by PL 2009, c. 23, §1, is further amended to read:

5. Fees. A bail commissioner is entitled to receive a fee not to exceed \$60 for the charges pursuant to which the defendant is presently in custody, unless the defendant lacks the present financial ability to pay the fee. A defendant presently in custody who is qualified to be released upon personal recognizance or upon execution of an unsecured appearance bond, whether or not accompanied by one or more conditions of bail that have been set by a judicial officer, but who in fact lacks the present financial ability to pay a bail commissioner fee, must nonetheless be released upon personal recognizance or upon execution of an unsecured appearance bond. A bail commissioner may not refuse to examine a person to determine the person's eligibility for bail, set bail, prepare the personal recognizance or bond or take acknowledgement of the person in custody because the person in custody lacks the present financial ability to pay a bail commissioner fee. The bail commissioner shall submit such forms as the Judicial Department directs to verify the amount of fees received under this subsection. The sheriff of the county in which the defendant is detained may create a fund for the distribution by the sheriff or the sheriff's designee for the payment in whole or in part of the \$60 bail commissioner fee for those defendants who do not have the financial ability to pay that fee.

A bail commissioner fee under this subsection is not a financial condition of release for the purposes of section 1026, subsection 3, paragraph B-1.

Sec. 2. 15 MRSA §1026, sub-§3, ¶A, as amended by PL 2017, c. 407, Pt. A, §51, is further amended by amending subparagraph (9-A) to read:

(9-A) Submit to:

(a) A random search for possession or use prohibited by a condition imposed under subparagraph (8) ~~or (9); or~~

(a-1) A random search for possession or use prohibited by a condition imposed under subparagraph (9) if the defendant is a participant in a specialty court docket under Title 4, chapter 8, 8-A or 8-B, or any other specialty docket established by the Judicial Department, or by agreement of the parties as part of a deferred disposition under Title 17-A, section 1902; or

(b) A search upon articulable suspicion for possession or use prohibited by a condition imposed under subparagraph (8) or (9);

Sec. 3. 15 MRSA §1026, sub-§3, ¶A, as amended by PL 2017, c. 407, Pt. A, §51, is further amended by repealing subparagraph (14).

Sec. 4. 15 MRSA §1026, sub-§3, ¶B-1 is enacted to read:

B-1. Notwithstanding paragraph A, subparagraphs (11), (12) and (18) and paragraph B, a judicial officer may not impose a financial condition on a defendant for whom the highest class of crime charged is a Class E crime, except that a financial condition may be imposed on a defendant charged with a Class E crime:

(1) That is a violation of Title 17-A, chapter 11;

(2) That was committed against a family or household member as defined in Title 19-A, section 4002, subsection 4 or a dating partner as defined in Title 19-A, section 4002, subsection 3-A;

(3) That is a violation of a condition of release committed while the defendant is released on bail for a charge that involves: a violation of Title 17-A, chapter 11; a crime against a family or household member as defined in Title 19-A, section 4002, subsection 4; or a crime against a dating partner as defined in Title 19-A, section 4002, subsection 3-A;

(4) That is a violation of a condition of release premised on an allegation of new criminal conduct;

(5) When the defendant has failed to appear on the underlying Class E charge; or

(6) By stipulation. A financial condition imposed under this subparagraph may not exceed \$5.

Sec. 5. 15 MRSA §1026, sub-§4, ¶C, as amended by PL 2017, c. 407, Pt. A, §52, is further amended to read:

C. The history and characteristics of the defendant, including, but not limited to:

(1) The defendant's character and physical and mental condition;

(2) The defendant's family ties in the State;

(3) The defendant's employment history in the State;

(4) The defendant's financial resources, including the ability of the defendant to afford a financial condition imposed by the judicial officer;

(5) The defendant's length of residence in the community and the defendant's community ties;

(6) The defendant's past conduct, ~~including any history of substance use disorder;~~

(7) The defendant's criminal history, if any;

(8) The defendant's record concerning appearances at court proceedings;

(9) Whether, at the time of the current offense or arrest, the defendant was on probation, parole or other release pending trial, sentencing, appeal or completion of a sentence for an offense in this jurisdiction or another;

(9-A) Any evidence that the defendant poses a danger to the safety of others in the community, including the results of a validated, evidence-based domestic violence risk assessment recommended by the Maine Commission on Domestic and Sexual Abuse, established in Title 5, section 12004-I, subsection 74-C, and approved by the Department of Public Safety;

(10) Any evidence that the defendant has obstructed or attempted to obstruct justice by threatening, injuring or intimidating a victim or a prospective witness, juror, attorney for the State, judge, justice or other officer of the court; ~~and~~

(11) Whether the defendant has previously violated conditions of release, probation or other court orders, including, but not limited to, violating protection from abuse orders pursuant to former Title 19, section 769 or Title 19-A, section 4011-;

(12) Whether the defendant is the person primarily responsible for the care of another person;

(13) Whether the defendant has a specific health care need, including a mental health care need, that is being met or would be better met outside of custody; and

(14) Whether being placed or remaining in custody would prevent the defendant from maintaining employment.

Sec. 6. 15 MRSA §1026, sub-§5, ¶A, as enacted by PL 1987, c. 758, §20, is amended to read:

A. Include a written statement that sets forth ~~all the conditions to which the release is subject in a manner sufficiently clear and specific to serve as a guide for the defendant's conduct; and~~

(1) All the conditions to which the release is subject in a manner sufficiently clear and specific to serve as a guide for the defendant's conduct; and

(2) If an agreement to forfeit money under subsection 3, paragraph A, subparagraph (11) or (12) is ordered, the reason the judicial officer has set the amount of money ordered to be forfeited under the agreement; and

See title page for effective date.

**CHAPTER 398
H.P. 156 - L.D. 221**

An Act Making Unified 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 Years Ending June 30, 2021, June 30, 2022 and June 30, 2023

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. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Accident - Sickness - Health Insurance 0455

Initiative: Establishes one Public Service Coordinator I position to support implementation of Public Law 2019, chapter 424, An Act To Expand Health Insurance Options for Town Academies, and Public Law 2019, chapter 446, An Act To Amend the Laws Concerning the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program, and provides funding for related All Other costs.

ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$86,742	\$91,130
All Other	\$1,929	\$7,687

ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND TOTAL	\$88,671	\$98,817
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Accident - Sickness - Health Insurance 0455

Initiative: Reduces funding in the cost of goods sold account to correct for an erroneous baseline increase enacted in Public Law 2021, chapter 29.

ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND	2021-22	2022-23
All Other	(\$167,840,593)	(\$167,840,593)

ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND TOTAL	(\$167,840,593)	(\$167,840,593)
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FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	2021-22	2022-23
All Other	(\$1,658,819)	(\$1,658,819)

FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND TOTAL	(\$1,658,819)	(\$1,658,819)
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Adult Use Marijuana Regulatory Coordination Fund Z264

Initiative: Eliminates one Planning and Research Associate I position, one Liquor Tax Auditor position and 3 State Police Trooper positions and provides funding for the proposed reorganization of one Public Service Manager III position to a Director, Office of Marijuana Policy position.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(5.000)	(5.000)
Personal Services	(\$469,721)	(\$485,439)
GENERAL FUND TOTAL	(\$469,721)	(\$485,439)

Adult Use Marijuana Regulatory Coordination Fund Z264

Initiative: Eliminates 3 temporary positions erroneously included in the baseline for the Governor's recommended budget as permanent positions and subsequently enacted in Public Law 2021, chapter 29.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$297,141)	(\$309,739)
GENERAL FUND TOTAL	(\$297,141)	(\$309,739)

Alcoholic Beverages - General Operation 0015

Initiative: Transfers and reallocates one Public Service Manager III position and related All Other from 50% Lottery Operations program within the State Lottery Fund and 50% Alcoholic Beverages - General Operation program within the State Alcoholic Beverage Fund to 100% Alcoholic Beverages - General Operation program within the State Alcoholic Beverage Fund.

STATE ALCOHOLIC BEVERAGE FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$74,743	\$75,024
All Other	\$12,312	\$12,340
STATE ALCOHOLIC BEVERAGE FUND TOTAL	\$87,055	\$87,364

Alcoholic Beverages - General Operation 0015

Initiative: Reorganizes 5 Liquor Licensing Inspector positions from salary range 20 to salary range 22 and transfers All Other to Personal Services to fund the reorganization.

GENERAL FUND	2021-22	2022-23
Personal Services	\$23,535	\$23,714
All Other	(\$23,535)	(\$23,714)

GENERAL FUND TOTAL	\$0	\$0
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Alcoholic Beverages - General Operation 0015

Initiative: Reorganizes one Public Service Manager I position to a Public Service Manager II position and transfers All Other to Personal Services to fund the proposed reorganization.

GENERAL FUND	2021-22	2022-23
Personal Services	\$8,531	\$8,531
All Other	(\$8,531)	(\$8,531)
GENERAL FUND TOTAL	\$0	\$0

Alcoholic Beverages - General Operation 0015

Initiative: Provides funding for annual principal and interest payments on funds borrowed via a certificate of participation in support of the acquisition, licensing, installation, implementation, maintenance and support of computer hardware, software and other systems to support alcoholic beverage operations within the Bureau of Alcoholic Beverages and Lottery Operations.

STATE ALCOHOLIC BEVERAGE FUND	2021-22	2022-23
All Other	\$230,704	\$461,407
STATE ALCOHOLIC BEVERAGE FUND TOTAL	\$230,704	\$461,407

Alcoholic Beverages - General Operation 0015

Initiative: Reduces funding in the cost of goods sold account to correct for an erroneous baseline increase enacted in Public Law 2021, chapter 29.

STATE ALCOHOLIC BEVERAGE FUND	2021-22	2022-23
All Other	(\$135,862,763)	(\$135,862,763)
STATE ALCOHOLIC BEVERAGE FUND TOTAL	(\$135,862,763)	(\$135,862,763)

Budget - Bureau of the 0055

Initiative: Provides funding for operating expenditures for the Bureau of the Budget.

GENERAL FUND	2021-22	2022-23
All Other	\$30,000	\$30,000
GENERAL FUND TOTAL	\$30,000	\$30,000

Buildings and Grounds Operations 0080

Initiative: Provides funding for the approved reclassification of 9 Boiler Engineer positions to Plant Maintenance Engineer I positions.

GENERAL FUND	2021-22	2022-23
Personal Services	\$212,225	\$72,735
GENERAL FUND TOTAL	\$212,225	\$72,735

Buildings and Grounds Operations 0080

Initiative: Provides funding to align allocations with projected expenditures and available resources.

REAL PROPERTY LEASE INTERNAL SERVICE FUND	2021-22	2022-23
All Other	\$1,000,000	\$1,000,000
REAL PROPERTY LEASE	\$1,000,000	\$1,000,000
INTERNAL SERVICE FUND		
TOTAL		

Buildings and Grounds Operations 0080

Initiative: Provides funding to meet the current rates published by the Office of Information Technology for the network security costs associated with cameras.

GENERAL FUND	2021-22	2022-23
All Other	\$22,920	\$22,920
GENERAL FUND TOTAL	\$22,920	\$22,920

Bureau of General Services - Capital Construction and Improvement Reserve Fund 0883

Initiative: Provides funding for capital construction and repair at state facilities.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$15,000,000	\$15,000,000
OTHER SPECIAL REVENUE	\$15,000,000	\$15,000,000
FUNDS TOTAL		

Central Administrative Applications Z234

Initiative: Provides funding for the new human resources management system.

GENERAL FUND	2021-22	2022-23
All Other	\$6,048,776	\$0
GENERAL FUND TOTAL	\$6,048,776	\$0

Central Services - Purchases 0004

Initiative: Reduces funding in the cost of goods sold account to correct for an erroneous baseline increase enacted in Public Law 2021, chapter 29.

POSTAL, PRINTING AND SUPPLY FUND	2021-22	2022-23
All Other	(\$50,201,174)	(\$50,201,174)
POSTAL, PRINTING AND	(\$50,201,174)	(\$50,201,174)
SUPPLY FUND TOTAL		

County Tax Reimbursement 0263

Initiative: Provides funding to accommodate the increasing revenue collected from unorganized territory taxpayers for motor vehicle and watercraft excise tax.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$560,000	\$560,000
OTHER SPECIAL REVENUE	\$560,000	\$560,000
FUNDS TOTAL		

COVID Disaster Relief Payment Fund N408

Initiative: Provides one-time funding for the administrative costs associated with the COVID Disaster Relief Payment Fund, including the cost of programming and mailing.

GENERAL FUND	2021-22	2022-23
All Other	\$300,000	\$0
GENERAL FUND TOTAL	\$300,000	\$0

OTHER SPECIAL REVENUE FUNDS

All Other	\$200,000	\$0
OTHER SPECIAL REVENUE	\$200,000	\$0
FUNDS TOTAL		

COVID Disaster Relief Payment Fund N408

Initiative: Provides funding for one-time disaster relief benefits to those eligible Maine citizens who were employed and working during the COVID pandemic in 2020.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$149,800,000	\$0
OTHER SPECIAL REVENUE	\$149,800,000	\$0
FUNDS TOTAL		

Financial and Personnel Services - Division of 0713

Initiative: Reorganizes one Clerk IV position to a Staff Accountant position, one Management Analyst I position to a Management Analyst II position, one Public Service Coordinator I position to a Public Service Manager II position and one Office Assistant II position to a Reimbursement Specialist position within the Financial and Personnel Services - Division of program, Financial and Personnel Services Fund and reduces All Other to fund the proposed reorganizations.

FINANCIAL AND PERSONNEL SERVICES FUND	2021-22	2022-23
Personal Services	\$30,731	\$31,061
All Other	(\$30,731)	(\$31,061)
FINANCIAL AND PERSONNEL	\$0	\$0
SERVICES FUND TOTAL		

Homestead Property Tax Exemption Reimbursement 0886

Initiative: Deappropriates funds on a one-time basis for the homestead property tax exemption reimbursement program.

GENERAL FUND	2021-22	2022-23
All Other	(\$97,080,000)	(\$97,580,000)
GENERAL FUND TOTAL	(\$97,080,000)	(\$97,580,000)

Homestead Property Tax Exemption Reimbursement 0886

Initiative: Allocates funds on a one-time basis for the homestead property tax exemption reimbursement program.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$97,080,000	\$97,580,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$97,080,000</u>	<u>\$97,580,000</u>

Homestead Property Tax Exemption Reimbursement 0886

Initiative: Allocates funds on a one-time basis to increase the reimbursement to municipalities by 3% per year until it reaches 100%.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$3,145,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$3,145,000</u>

Information Services 0155

Initiative: Provides funding to support and maintain the State's cybersecurity program and investments.

GENERAL FUND	2021-22	2022-23
All Other	\$4,078,003	\$4,095,401
GENERAL FUND TOTAL	<u>\$4,078,003</u>	<u>\$4,095,401</u>

Information Services 0155

Initiative: Transfers 4 Information System Support Specialist II positions from 100% Office of Information Services Fund to 100% General Fund within the same program and transfers All Other related costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$399,852	\$414,191
All Other	\$35,652	\$35,652
GENERAL FUND TOTAL	<u>\$435,504</u>	<u>\$449,843</u>

OFFICE OF INFORMATION SERVICES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(4.000)	(4.000)
Personal Services	(\$399,852)	(\$414,191)
All Other	(\$35,652)	(\$35,652)

OFFICE OF INFORMATION SERVICES FUND TOTAL	<u>(\$435,504)</u>	<u>(\$449,843)</u>
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Information Services 0155

Initiative: Reduces funding in the cost of goods sold account to correct for an erroneous baseline increase enacted in Public Law 2021, chapter 29.

OFFICE OF INFORMATION SERVICES FUND	2021-22	2022-23
All Other	(\$36,500,000)	(\$36,500,000)

OFFICE OF INFORMATION SERVICES FUND TOTAL	<u>(\$36,500,000)</u>	<u>(\$36,500,000)</u>
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Information Services 0155

Initiative: Provides funding for the replacement of aging information technology.

GENERAL FUND	2021-22	2022-23
All Other	\$3,000,000	\$0
GENERAL FUND TOTAL	<u>\$3,000,000</u>	<u>\$0</u>

Lottery Operations 0023

Initiative: Transfers and reallocates one Public Service Manager III position and related All Other from 50% Lottery Operations program within the State Lottery Fund and 50% Alcoholic Beverages - General Operation program within the State Alcoholic Beverage Fund to 100% Alcoholic Beverages - General Operation program within the State Alcoholic Beverage Fund.

STATE LOTTERY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$74,743)	(\$75,024)
All Other	(\$12,312)	(\$12,340)
STATE LOTTERY FUND TOTAL	<u>(\$87,055)</u>	<u>(\$87,364)</u>

Lottery Operations 0023

Initiative: Reorganizes one Marketing Specialist position to a Lottery Marketing Manager position and transfers All Other to Personal Services to fund the proposed reorganization.

STATE LOTTERY FUND	2021-22	2022-23
Personal Services	\$11,374	\$11,372
All Other	(\$11,374)	(\$11,372)
STATE LOTTERY FUND TOTAL	<u>\$0</u>	<u>\$0</u>

Lottery Operations 0023

Initiative: Reorganizes one Office Assistant II position to one Accounting Associate I position and transfers All Other to Personal Services to fund the reorganization.

STATE LOTTERY FUND	2021-22	2022-23
Personal Services	\$4,787	\$4,838
All Other	(\$4,787)	(\$4,838)
STATE LOTTERY FUND TOTAL	<u>\$0</u>	<u>\$0</u>

Mandate BETE - Reimburse Municipalities Z065

Initiative: Provides funding to reimburse municipalities for implementing a state-mandated program.

GENERAL FUND	2021-22	2022-23
All Other	\$1,403	\$1,403
GENERAL FUND TOTAL	<u>\$1,403</u>	<u>\$1,403</u>

Medical Use of Marijuana Fund Z265

Initiative: Provides funding to align allocations with projected available resources.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$450,000	\$450,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$450,000	\$450,000

Public Improvements - Planning/Construction - Administration 0057

Initiative: Provides one-time funding to pay the McKin site settlement trust for the State's share of well monitoring at the superfund site.

GENERAL FUND	2021-22	2022-23
All Other	\$11,045	\$0
GENERAL FUND TOTAL	\$11,045	\$0

Public Improvements - Planning/Construction - Administration 0057

Initiative: Establishes 2 Occupational Health and Safety Compliance Assistance Specialist positions to provide asbestos, lead, mold, contaminant and indoor air quality assessment and mitigation oversight services for public schools and state facilities.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$182,584	\$191,242
GENERAL FUND TOTAL	\$182,584	\$191,242

Renewable Energy Facilities Property Tax Exemption Z296

Initiative: Provides funds to reimburse municipalities 50% of the property tax revenue lost as a result of the exemption for renewable energy facilities.

GENERAL FUND	2021-22	2022-23
All Other	\$192,500	\$1,700,000
GENERAL FUND TOTAL	\$192,500	\$1,700,000

Renewable Energy Facilities Property Tax Exemption Z296

Initiative: Provides funds to reimburse municipalities' mandated cost of complying with the renewable energy facilities property tax exemption.

GENERAL FUND	2021-22	2022-23
All Other	\$22,000	\$22,000
GENERAL FUND TOTAL	\$22,000	\$22,000

Revenue Services, Bureau of 0002

Initiative: Eliminates funding for the highway use tax evasion projects.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	(\$5,000)	(\$5,000)

FEDERAL EXPENDITURES FUND TOTAL	(\$5,000)	(\$5,000)
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Revenue Services, Bureau of 0002

Initiative: Provides funding for one Tax Examiner position and related costs to process Pine Tree Development Zone exemptions and refund claims.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$66,531	\$89,309
All Other	\$4,372	\$4,346
GENERAL FUND TOTAL	\$70,903	\$93,655

Snow Grooming Property Tax Exemption Reimbursement Z024

Initiative: Reduces funding in the Snow Grooming Property Tax Exemption Reimbursement General Fund account for reimbursements to municipalities for 50% of the property tax revenue loss as a result of the exemption for snowmobile trail grooming equipment registered with the Department of Inland Fisheries and Wildlife.

GENERAL FUND	2021-22	2022-23
All Other	(\$3,120)	(\$3,120)
GENERAL FUND TOTAL	(\$3,120)	(\$3,120)

Solid Waste Management Fund 0659

Initiative: Transfers one Public Service Coordinator I position and related All Other from the Community Development Block Grant Program, Other Special Revenue Funds within the Department of Economic and Community Development to the Solid Waste Management Fund program, Other Special Revenue Funds within the Department of Administrative and Financial Services.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$109,508	\$115,008
All Other	\$78,031	\$78,031
OTHER SPECIAL REVENUE FUNDS TOTAL	\$187,539	\$193,039

Tree Growth Tax Reimbursement 0261

Initiative: Provides the necessary funding to meet projected municipal reimbursement requirements under the Maine Tree Growth Tax Law.

GENERAL FUND	2021-22	2022-23
All Other	\$2,900,000	\$3,200,000
GENERAL FUND TOTAL	\$2,900,000	\$3,200,000

Veterans' Organizations Tax Reimbursement Z062

Initiative: Reduces funding in the Veterans' Organizations Tax Reimbursement General Fund account for reimbursements to municipalities for the cost to implement this program.

GENERAL FUND	2021-22	2022-23
All Other	(\$5,200)	(\$5,200)
GENERAL FUND TOTAL	(\$5,200)	(\$5,200)

Veterans Tax Reimbursement 0407

Initiative: Provides funding to diminish the effect on the local property tax burden arising from the municipal exemption provided for the estates of qualified veterans and certain survivors of a deceased veteran that are eligible based on the qualifying service of that veteran.

GENERAL FUND	2021-22	2022-23
All Other	\$31,670	\$31,670
GENERAL FUND TOTAL	\$31,670	\$31,670

Waste Facility Tax Reimbursement 0907

Initiative: Reduces funding in the Waste Facility Tax Reimbursement General Fund account for reimbursement to municipalities for 50% of the loss on property tax revenue resulting from exemptions granted in the Maine Revised Statutes, Title 36, section 656, subsection 1, paragraph J.

GENERAL FUND	2021-22	2022-23
All Other	(\$1,268)	(\$1,268)
GENERAL FUND TOTAL	(\$1,268)	(\$1,268)

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	(\$80,316,917)	(\$88,473,897)
FEDERAL EXPENDITURES FUND	(\$5,000)	(\$5,000)
OTHER SPECIAL REVENUE FUNDS	\$263,277,539	\$116,928,039
FINANCIAL AND PERSONNEL SERVICES FUND	\$0	\$0
POSTAL, PRINTING AND SUPPLY FUND	(\$50,201,174)	(\$50,201,174)
OFFICE OF INFORMATION SERVICES FUND	(\$36,935,504)	(\$36,949,843)
REAL PROPERTY LEASE INTERNAL SERVICE FUND	\$1,000,000	\$1,000,000
ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND	(\$167,751,922)	(\$167,741,776)
STATE ALCOHOLIC BEVERAGE FUND	(\$135,545,004)	(\$135,313,992)
STATE LOTTERY FUND	(\$87,055)	(\$87,364)

FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND

DEPARTMENT TOTAL - ALL FUNDS	(\$208,223,856)	(\$362,503,826)
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Sec. A-2. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Animal Welfare Fund 0946

Initiative: Establishes one District Humane Agent position and provides funding for related All Other costs to provide statewide inspection coverage.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$77,275	\$80,574
All Other	\$14,856	\$14,954

OTHER SPECIAL REVENUE FUNDS TOTAL	\$92,131	\$95,528
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Animal Welfare Fund 0946

Initiative: Establishes one limited-period Public Service Manager I position and provides funding for related All Other costs to streamline critical field activities and responsibilities among field agents. This position ends June 10, 2023.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$101,255	\$106,042
OTHER SPECIAL REVENUE FUNDS TOTAL	\$101,255	\$106,042

Bureau of Agriculture 0393

Initiative: Establishes one limited-period Consumer Protection Inspector position funded 50% General Fund and 50% Federal Expenditures Fund in the Bureau of Agriculture program.

GENERAL FUND	2021-22	2022-23
Personal Services	\$42,568	\$44,583
All Other	\$3,000	\$3,000
GENERAL FUND TOTAL	\$45,568	\$47,583

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$42,563	\$44,579
All Other	\$4,352	\$4,412
FEDERAL EXPENDITURES FUND TOTAL	\$46,915	\$48,991

Bureau of Agriculture 0393

Initiative: Establishes one limited-period Inspection Process Analyst Coordinator position for the State's meat and poultry inspection program funded 50% General Fund and 50% Federal Expenditures Fund within the same program, provides funding for related All Other costs and provides All Other funds in the Office of the Commissioner program, General Fund and Other Special Revenue Funds for administrative costs related to the position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$0	\$46,477
All Other	\$0	\$3,000
GENERAL FUND TOTAL	\$0	\$49,477
FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$0	\$46,472
All Other	\$0	\$4,469
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$50,941

Bureau of Agriculture 0393

Initiative: Reallocates one Consumer Protection Inspector position from 100% Federal Expenditures Fund to 100% Other Special Revenue Funds in the same program.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$89,688)	(\$93,510)
All Other	(\$2,662)	(\$2,776)
FEDERAL EXPENDITURES FUND TOTAL	(\$92,350)	(\$96,286)
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$89,688	\$93,510
All Other	\$2,662	\$2,776
OTHER SPECIAL REVENUE FUNDS TOTAL	\$92,350	\$96,286

Bureau of Agriculture 0393

Initiative: Establishes one Inspection Process Analyst Coordinator position for the State's meat and poultry inspection program funded 50% General Fund and 50% Federal Expenditures Fund within the same program and provides funding for related ongoing All Other costs and provides ongoing All Other funds in the Office of the Commissioner program, General Fund and Other Special Revenue Funds for administrative costs related to the position.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$45,690	\$46,297
All Other	\$3,000	\$3,000

GENERAL FUND TOTAL	\$48,690	\$49,297
FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$45,685	\$46,292
All Other	\$3,000	\$3,000
FEDERAL EXPENDITURES FUND TOTAL	\$48,685	\$49,292

Bureau of Agriculture 0393

Initiative: Establishes one Toxicologist position funded 100% General Fund in the Bureau of Agriculture program and provides funding for All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$97,496	\$102,363
All Other	\$3,902	\$3,902
GENERAL FUND TOTAL	\$101,398	\$106,265

Bureau of Agriculture 0393

Initiative: Establishes one limited-period Agricultural Compliance Officer position in the Bureau of Agriculture program and provides funding for related All Other costs in the Office of the Commissioner program to work directly with affected farmers on perfluoroalkyl and polyfluoroalkyl substances, or PFAS, mitigation efforts. This position ends on June 10, 2023.

GENERAL FUND	2021-22	2022-23
Personal Services	\$82,232	\$86,074
All Other	\$10,000	\$10,000
GENERAL FUND TOTAL	\$92,232	\$96,074

Bureau of Agriculture 0393

Initiative: Establishes 2 seasonal part-time Entomology Technician positions funded 100% Federal Expenditures Fund and provides funding for related All Other costs.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - FTE COUNT	0.554	0.554
Personal Services	\$39,156	\$40,902
All Other	\$7,340	\$7,392
FEDERAL EXPENDITURES FUND TOTAL	\$46,496	\$48,294

Bureau of Agriculture 0393

Initiative: Provides funding for increased insurance rates.

GENERAL FUND	2021-22	2022-23
All Other	\$3,975	\$3,975
GENERAL FUND TOTAL	\$3,975	\$3,975

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$234	\$234
OTHER SPECIAL REVENUE FUNDS TOTAL	\$234	\$234

Bureau of Agriculture 0393

Initiative: Provides funding to abate, clean up and mitigate threats or hazards posed by perfluoroalkyl and polyfluoroalkyl substances, or PFAS, contamination and to provide support to affected farms, to support critical PFAS research and to otherwise allow for the department to strategically and effectively respond to PFAS concerns and issues as they arise.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$10,000,000	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,000,000	\$500

Division of Forest Protection Z232

Initiative: Provides funding to replace ballistic vests on a rotational basis.

GENERAL FUND	2021-22	2022-23
All Other	\$14,000	\$14,000
GENERAL FUND TOTAL	\$14,000	\$14,000

Division of Forest Protection Z232

Initiative: Provides funding for ammunition and training supplies for mandatory semiannual firearms training.

GENERAL FUND	2021-22	2022-23
All Other	\$18,000	\$18,000
GENERAL FUND TOTAL	\$18,000	\$18,000

Division of Forest Protection Z232

Initiative: Provides funding for increased insurance rates for aviation coverage.

GENERAL FUND	2021-22	2022-23
All Other	\$40,000	\$40,000
GENERAL FUND TOTAL	\$40,000	\$40,000

Division of Forest Protection Z232

Initiative: Provides funding for equipment installation in vehicles, including radios and emergency lights.

GENERAL FUND	2021-22	2022-23
All Other	\$48,000	\$48,000
GENERAL FUND TOTAL	\$48,000	\$48,000

Division of Forest Protection Z232

Initiative: Provides funding for increased costs of uniforms.

GENERAL FUND	2021-22	2022-23
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All Other	\$42,000	\$42,000
GENERAL FUND TOTAL	\$42,000	\$42,000

Division of Forest Protection Z232

Initiative: Provides funding for increased costs of fire suppression, law enforcement and safety training for rangers, pilots and aviation mechanics.

GENERAL FUND	2021-22	2022-23
All Other	\$35,000	\$35,000
GENERAL FUND TOTAL	\$35,000	\$35,000

Division of Forest Protection Z232

Initiative: Provides funding for training for all pilots in the forest protection unit of the Bureau of Forestry.

GENERAL FUND	2021-22	2022-23
All Other	\$30,000	\$10,000
GENERAL FUND TOTAL	\$30,000	\$10,000

Division of Forest Protection Z232

Initiative: Provides funding for repairs and construction at multiple facilities.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$100,000	\$100,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$100,000	\$100,000

Division of Forest Protection Z232

Initiative: Provides funding for the reimbursement of Personal Services costs related to overtime for nonfire-related flights.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$38,236	\$38,236
All Other	\$1,375	\$1,375
OTHER SPECIAL REVENUE FUNDS TOTAL	\$39,611	\$39,611

Division of Forest Protection Z232

Initiative: Provides funding to replace 12 portable radios each year.

GENERAL FUND	2021-22	2022-23
All Other	\$35,000	\$35,000
GENERAL FUND TOTAL	\$35,000	\$35,000

Division of Forest Protection Z232

Initiative: Provides funding to overhaul the main rotor blades on one helicopter.

GENERAL FUND	2021-22	2022-23
Capital Expenditures	\$0	\$20,000
GENERAL FUND TOTAL	\$0	\$20,000

Division of Forest Protection Z232

Initiative: Provides funding to overhaul 2 helicopter fuel control units.

GENERAL FUND	2021-22	2022-23
Capital Expenditures	\$35,000	\$35,000
GENERAL FUND TOTAL	\$35,000	\$35,000

Division of Forest Protection Z232

Initiative: Provides funding for ongoing aircraft maintenance.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Capital Expenditures	\$350,000	\$350,000
FEDERAL EXPENDITURES FUND TOTAL	\$350,000	\$350,000

Division of Forest Protection Z232

Initiative: Provides funding for new capital equipment in the forest protection unit of the Bureau of Forestry.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$125,000	\$175,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$125,000	\$175,000

Division of Forest Protection Z232

Initiative: Provides funding for the proposed reorganization of one Laborer I position to a Laborer II position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$1,159	\$1,160
GENERAL FUND TOTAL	\$1,159	\$1,160

FEDERAL EXPENDITURES FUND

	2021-22	2022-23
Personal Services	\$1,256	\$1,256
All Other	\$45	\$45
FEDERAL EXPENDITURES FUND TOTAL	\$1,301	\$1,301

Division of Forest Protection Z232

Initiative: Reallocates the cost of 81 positions and All Other funding from 71% General Fund in the Division of Forest Protection program and 29% General Fund in the Forest Resource Management program to 100% General Fund in the Division of Forest Protection program in order to segregate funding for forest protection activity. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2021-22	2022-23
Personal Services	\$2,370,164	\$2,412,695
All Other	\$642,325	\$642,325
GENERAL FUND TOTAL	\$3,012,489	\$3,055,020

Division of Forest Protection Z232

Initiative: Provides funding for increased insurance rates.

GENERAL FUND	2021-22	2022-23
All Other	\$7,574	\$7,574
GENERAL FUND TOTAL	\$7,574	\$7,574

Division of Forest Protection Z232

Initiative: Provides funding for the upgrade and repair of aircraft of the forest protection unit of the Bureau of Forestry.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$6,700,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,700,000	\$0

Forest Resource Management Z233

Initiative: Provides one-time funding to purchase 6 GPS units and ongoing funds for annual subscription costs.

GENERAL FUND	2021-22	2022-23
All Other	\$7,070	\$3,470
GENERAL FUND TOTAL	\$7,070	\$3,470

Forest Resource Management Z233

Initiative: Provides funding for equipment installation in vehicles, including radios.

GENERAL FUND	2021-22	2022-23
All Other	\$2,500	\$2,500
GENERAL FUND TOTAL	\$2,500	\$2,500

Forest Resource Management Z233

Initiative: Provides funding for the approved reorganization of one Regional Management Coordinator position to a Public Service Manager II position as approved by the Department of Administrative and Financial Services, Bureau of Human Resources on May 14, 2020.

GENERAL FUND	2021-22	2022-23
Personal Services	\$15,250	\$16,139
GENERAL FUND TOTAL	\$15,250	\$16,139

Forest Resource Management Z233

Initiative: Reallocates the cost of 81 positions and All Other funding from 71% General Fund in the Division of Forest Protection program and 29% General Fund in the Forest Resource Management program to 100% General Fund in the Division of Forest Protection program in order to segregate funding for forest protection activity. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$2,370,164)	(\$2,412,695)
All Other	(\$642,325)	(\$642,325)

GENERAL FUND TOTAL (\$3,012,489) (\$3,055,020)

Forest Resource Management Z233

Initiative: Provides funding for increased insurance rates.

GENERAL FUND	2021-22	2022-23
All Other	\$4,421	\$4,421

GENERAL FUND TOTAL \$4,421 \$4,421

Geology and Resource Information Z237

Initiative: Establishes one Public Service Manager II position in the Geology and Resource Information program to serve as the State Geologist funded 100% General Fund and provides funding for related All Other costs in the Office of the Commissioner program, General Fund and Other Special Revenue Funds accounts.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$116,800	\$122,484

GENERAL FUND TOTAL \$116,800 \$122,484

Geology and Resource Information Z237

Initiative: Transfers and reallocates one Planner II position from 70% General Fund and 30% Federal Expenditures Fund to 100% General Fund within the same program.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$25,539	\$25,711

GENERAL FUND TOTAL \$25,539 \$25,711

FEDERAL EXPENDITURES FUND

2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000) (1.000)
Personal Services	(\$25,431) (\$25,603)
All Other	(\$1,437) (\$1,447)

FEDERAL EXPENDITURES FUND TOTAL (\$26,868) (\$27,050)

Harness Racing Commission 0320

Initiative: Increases allocation to align with revenue changes approved by the Revenue Forecasting Committee in May 2021 for fiscal years ending June 30, 2022 and June 30, 2023.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,019,322	\$1,255,299

OTHER SPECIAL REVENUE FUNDS TOTAL \$1,019,322 \$1,255,299

Land for Maine's Future - Community Conservation Projects Fund N941

Initiative: Allocates funds for the acquisition of land and interest in land for conservation, water access, outdoor recreation, wildlife and fish habitat, working farmland preservation in accordance with the provisions for such acquisitions under the Maine Revised Statutes, Title 5, chapter 353 and working waterfront protection in accordance with the terms of Public Law 2005, chapter 462, Part B, section 6, including all costs associated with such acquisitions.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$20,000,000	\$20,000,000

OTHER SPECIAL REVENUE FUNDS TOTAL \$20,000,000 \$20,000,000

Land Management and Planning Z239

Initiative: Transfers and reallocates the cost of multiple positions from the Parks - General Operations program, General Fund, Federal Expenditures Fund and Other Special Revenue Funds and the Land Management and Planning program, Other Special Revenue Funds to the Parks - General Operations program, General Fund, Federal Expenditures Fund and Other Special Revenue Funds; the Land Management and Planning program, Other Special Revenue Funds; and the Off-Road Recreational Vehicles Program, Other Special Revenue Funds to align the positions with the appropriate funding.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	\$59,625	\$63,610
All Other	\$2,861	\$3,052

OTHER SPECIAL REVENUE FUNDS TOTAL \$62,486 \$66,662

Land Management and Planning Z239

Initiative: Provides funding for construction materials, improvements to bridges and roads through contract logging services and other improvements to recreational trails and sites used by the public.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$11,000,000	\$11,000,000

OTHER SPECIAL REVENUE FUNDS TOTAL \$11,000,000 \$11,000,000

Land Management and Planning Z239

Initiative: Provides funding for capital construction materials, capital improvements to bridges and roads and other improvements to recreational trails and sites used by the public.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$400,000	\$400,000

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Capital Expenditures	\$3,000,000	\$3,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,400,000	\$3,400,000

Land Management and Planning Z239

Initiative: Provides funding for unrealized attrition and associated All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$51,658	\$52,556
All Other	\$2,478	\$2,522
OTHER SPECIAL REVENUE FUNDS TOTAL	\$54,136	\$55,078

Land Management and Planning Z239

Initiative: Provides funding to increase the weeks of one seasonal Park Ranger position from 26 weeks to 52 weeks and provides funding for associated All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	(0.500)	(0.500)
Personal Services	\$31,755	\$32,061
All Other	\$1,532	\$1,547
OTHER SPECIAL REVENUE FUNDS TOTAL	\$33,287	\$33,608

Land Management and Planning Z239

Initiative: Provides funding for increased insurance rates.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,375	\$1,375
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,375	\$1,375

Milk Commission 0188

Initiative: Recognizes revenue changes approved by the Revenue Forecasting Committee in November 2020 for its report due December 1, 2020 for fiscal years 2021-22 and 2022-23.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$112,863	\$89,133
OTHER SPECIAL REVENUE FUNDS TOTAL	\$112,863	\$89,133

Milk Commission 0188

Initiative: Increases allocation to align with revenue changes approved by the Revenue Forecasting Committee in May 2021 for fiscal years ending June 30, 2022 and June 30, 2023.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$12,208	\$19,646
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,208	\$19,646

Office of the Commissioner 0401

Initiative: Establishes one limited-period Inspection Process Analyst Coordinator position for the State's meat and poultry inspection program funded 50% General Fund and 50% Federal Expenditures Fund within the same program, provides funding for related All Other costs and provides All Other funds in the Office of the Commissioner program, General Fund and Other Special Revenue Funds for administrative costs related to the position.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$3,247
GENERAL FUND TOTAL	\$0	\$3,247

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$667
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$667

Office of the Commissioner 0401

Initiative: Provides funding for increased costs in legal services provided by the Department of the Attorney General.

GENERAL FUND	2021-22	2022-23
All Other	\$36,728	\$48,213
GENERAL FUND TOTAL	\$36,728	\$48,213

Office of the Commissioner 0401

Initiative: Provides funding for the increase in rates for the Department of Administrative and Financial Services, Office of Information Technology operations.

GENERAL FUND	2021-22	2022-23
All Other	\$358,700	\$358,700
GENERAL FUND TOTAL	\$358,700	\$358,700

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$72,350	\$72,350
OTHER SPECIAL REVENUE FUNDS TOTAL	\$72,350	\$72,350

Office of the Commissioner 0401

Initiative: Provides funding for the department's proportionate share of the cost of the natural resources service center within the Department of Administrative and Financial Services.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$99,719	\$121,209
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$99,719</u>	<u>\$121,209</u>

Office of the Commissioner 0401

Initiative: Establishes one Public Service Manager II position in the Geology and Resource Information program to serve as the State Geologist funded 100% General Fund and provides funding for related All Other costs in the Office of the Commissioner program, General Fund and Other Special Revenue Funds accounts.

GENERAL FUND	2021-22	2022-23
All Other	\$3,248	\$3,248
GENERAL FUND TOTAL	<u>\$3,248</u>	<u>\$3,248</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$654	\$654
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$654</u>	<u>\$654</u>

Office of the Commissioner 0401

Initiative: Establishes one Inspection Process Analyst Coordinator position for the State's meat and poultry inspection program funded 50% General Fund and 50% Federal Expenditures Fund within the same program and provides funding for related ongoing All Other costs and provides ongoing All Other funds in the Office of the Commissioner program, General Fund and Other Special Revenue Funds for administrative costs related to the position.

GENERAL FUND	2021-22	2022-23
All Other	\$3,247	\$3,247
GENERAL FUND TOTAL	<u>\$3,247</u>	<u>\$3,247</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$667	\$667
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$667</u>	<u>\$667</u>

Office of the Commissioner 0401

Initiative: Establishes one limited-period Agricultural Compliance Officer position in the Bureau of Agriculture program and provides funding for related All Other costs in the Office of the Commissioner program to work directly with affected farmers on perfluoroalkyl and polyfluoroalkyl substances, or PFAS, mitigation efforts. This position ends on June 10, 2023.

GENERAL FUND	2021-22	2022-23
All Other	\$3,247	\$3,247
GENERAL FUND TOTAL	<u>\$3,247</u>	<u>\$3,247</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$655	\$655
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$655</u>	<u>\$655</u>

Office of the Commissioner 0401

Initiative: Continues one limited-period Public Service Coordinator I position established in Financial Order 00644 F0 funded 100% Other Special Revenue Funds to work with the Bureau of Agriculture and the Maine Climate Council's natural and working lands group. This position ends on June 10, 2023.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$97,350	\$102,185
All Other	\$13,918	\$14,436
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$111,268</u>	<u>\$116,621</u>

OTHER SPECIAL REVENUE FUNDS TOTAL	2021-22	2022-23
	\$111,268	\$116,621

Office of the Commissioner 0401

Initiative: Continues one limited-period Volunteer Services Coordinator position established in Financial Order 01254 F1 funded 100% Other Special Revenue Funds to work on the Maine Prosperity Corps VISTA project to support the development of Maine's roadmap for ending hunger by 2030.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$85,332	\$89,662
All Other	\$12,200	\$12,819
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$97,532</u>	<u>\$102,481</u>

OTHER SPECIAL REVENUE FUNDS TOTAL	2021-22	2022-23
	\$97,532	\$102,481

Off-Road Recreational Vehicles Program Z224

Initiative: Transfers and reallocates the cost of multiple positions from the Parks - General Operations program, General Fund, Federal Expenditures Fund and Other Special Revenue Funds and the Land Management and Planning program, Other Special Revenue Funds to the Parks - General Operations program, General Fund, Federal Expenditures Fund and Other Special Revenue Funds; the Land Management and Planning program, Other Special Revenue Funds; and the Off-Road Recreational Vehicles Program, Other Special Revenue Funds to align the positions with the appropriate funding.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$19,366	\$19,487
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$19,366</u>	<u>\$19,487</u>

OTHER SPECIAL REVENUE FUNDS TOTAL	2021-22	2022-23
	\$19,366	\$19,487

Off-Road Recreational Vehicles Program Z224

Initiative: Provides funding for increased grants to support the snowmobile trail system pursuant to Public Law 2015, chapter 237.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,259,801	\$1,259,801
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$1,259,801</u>	<u>\$1,259,801</u>

Off-Road Recreational Vehicles Program Z224

Initiative: Provides funding to construct new and renovate existing recreational boating facilities.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$655,000	\$675,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$655,000</u>	<u>\$675,000</u>

Off-Road Recreational Vehicles Program Z224

Initiative: Provides funding to increase the hours of one Office Assistant II position from 40 hours to 80 hours biweekly and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$24,800	\$24,853
All Other	\$1,190	\$1,193
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$25,990</u>	<u>\$26,046</u>

Parks - General Operations Z221

Initiative: Transfers and reallocates the cost of multiple positions from the Parks - General Operations program, General Fund, Federal Expenditures Fund and Other Special Revenue Funds and the Land Management and Planning program, Other Special Revenue Funds to the Parks - General Operations program, General Fund, Federal Expenditures Fund and Other Special Revenue Funds; the Land Management and Planning program, Other Special Revenue Funds; and the Off-Road Recreational Vehicles Program, Other Special Revenue Funds to align the positions with the appropriate funding.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	(\$30,661)	(\$34,426)
GENERAL FUND TOTAL	<u>(\$30,661)</u>	<u>(\$34,426)</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$33,979)	(\$34,235)
All Other	(\$1,630)	(\$1,643)

FEDERAL EXPENDITURES FUND TOTAL	<u>(\$35,609)</u>	<u>(\$35,878)</u>
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	(\$14,351)	(\$14,436)
All Other	(\$689)	(\$693)

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$15,040)</u>	<u>(\$15,129)</u>
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Parks - General Operations Z221

Initiative: Provides funding for maintenance of infrastructure and capital improvements.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$430,000	\$430,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$430,000</u>	<u>\$430,000</u>

Parks - General Operations Z221

Initiative: Provides funding for capital improvements to ensure roads, bridges, dams and buildings are safe for staff and public recreation in the Allagash Wilderness Waterway.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$100,000	\$100,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$100,000</u>	<u>\$100,000</u>

Parks - General Operations Z221

Initiative: Reorganizes one 48-week Park Manager II position and one 4-week Park Manager II position to one full-time Park Manager II position.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	(1.000)	(1.000)
Personal Services	(\$4,253)	(\$4,252)
GENERAL FUND TOTAL	<u>(\$4,253)</u>	<u>(\$4,252)</u>

Parks - General Operations Z221

Initiative: Reorganizes one 28-week Park Manager II position and one 24-week Park Manager II position to one full-time Park Manager II position.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	(1.000)	(1.000)
Personal Services	(\$274)	(\$357)
GENERAL FUND TOTAL	<u>(\$274)</u>	<u>(\$357)</u>

Parks - General Operations Z221

Initiative: Reorganizes one 28-week Park Ranger position and one 24-week Park Ranger position to one full-time Park Ranger position.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	(1.000)	(1.000)
Personal Services	\$11,620	\$12,997
GENERAL FUND TOTAL	\$11,620	\$12,997

Parks - General Operations Z221

Initiative: Provides funding for increased insurance rates.

GENERAL FUND	2021-22	2022-23
All Other	\$5,898	\$5,898
GENERAL FUND TOTAL	\$5,898	\$5,898

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$1,156,676	\$1,232,892
FEDERAL EXPENDITURES FUND	\$338,570	\$389,605
OTHER SPECIAL REVENUE FUNDS	\$55,804,220	\$39,444,511
DEPARTMENT TOTAL - ALL FUNDS	\$57,299,466	\$41,067,008

Sec. A-3. Appropriations and allocations. The following appropriations and allocations are made.

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General 0310

Initiative: Establishes one Secretary Associate Legal position dedicated to the natural resources division and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$73,625	\$77,388
All Other	\$6,171	\$6,290
OTHER SPECIAL REVENUE FUNDS TOTAL	\$79,796	\$83,678

Administration - Attorney General 0310

Initiative: Provides funding for Department of Administrative and Financial Services, Office of Information Technology rate increases, computer replacements and other information technology needs.

GENERAL FUND	2021-22	2022-23
All Other	\$19,778	\$19,778

GENERAL FUND TOTAL	\$19,778	\$19,778
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$3,413	\$3,413

FEDERAL EXPENDITURES FUND TOTAL	\$3,413	\$3,413
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$19,901	\$19,901

OTHER SPECIAL REVENUE FUNDS TOTAL	\$19,901	\$19,901
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Administration - Attorney General 0310

Initiative: Provides funding to continue one limited-period Research Assistant MSEA-B position in the Attorney General program, in the criminal division. This position was previously continued by Financial Order 001073 F1 and will end on June 10, 2023

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$131,078	\$137,455
All Other	\$7,974	\$7,974

FEDERAL EXPENDITURES FUND TOTAL	\$139,052	\$145,429
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Administration - Attorney General 0310

Initiative: Establishes one Assistant Attorney General position dedicated to supporting the Department of Labor in ensuring compliance with the state labor laws and protections for Maine workers and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$109,682	\$114,891
All Other	\$9,470	\$9,635

OTHER SPECIAL REVENUE FUNDS TOTAL	\$119,152	\$124,526
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Chief Medical Examiner - Office of 0412

Initiative: Reduces one-time funding for contract services by disencumbering a contract for autopsy services.

GENERAL FUND	2021-22	2022-23
All Other	(\$5,000)	(\$5,000)

GENERAL FUND TOTAL	(\$5,000)	(\$5,000)
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Chief Medical Examiner - Office of 0412

Initiative: Provides Personal Services to allow for approved premium overtime and standby pay for the Medical Examiner Assistant positions based on the

Joint Standing Committee on Labor and Housing considerations.

GENERAL FUND	2021-22	2022-23
Personal Services	\$16,978	\$17,071
GENERAL FUND TOTAL	\$16,978	\$17,071

Chief Medical Examiner - Office of 0412

Initiative: Provides funding for Department of Administrative and Financial Services, Office of Information Technology rate increases, computer replacements and other information technology needs.

GENERAL FUND	2021-22	2022-23
All Other	\$3,993	\$3,993
GENERAL FUND TOTAL	\$3,993	\$3,993

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$602	\$602
FEDERAL EXPENDITURES FUND TOTAL	\$602	\$602

Civil Rights 0039

Initiative: Provides funding for Department of Administrative and Financial Services, Office of Information Technology rate increases, computer replacements and other information technology needs.

GENERAL FUND	2021-22	2022-23
All Other	\$584	\$584
GENERAL FUND TOTAL	\$584	\$584

FHM - Attorney General 0947

Initiative: Provides funding for Department of Administrative and Financial Services, Office of Information Technology rate increases, computer replacements and other information technology needs.

FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	\$304	\$304
FUND FOR A HEALTHY MAINE TOTAL	\$304	\$304

Human Services Division 0696

Initiative: Provides funding for Department of Administrative and Financial Services, Office of Information Technology rate increases, computer replacements and other information technology needs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$24,561	\$24,561
OTHER SPECIAL REVENUE FUNDS TOTAL	\$24,561	\$24,561

Human Services Division 0696

Initiative: Establishes one Assistant Attorney General position dedicated to the child protection division and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$109,682	\$114,891
All Other	\$9,470	\$9,635
OTHER SPECIAL REVENUE FUNDS TOTAL	\$119,152	\$124,526

Human Services Division 0696

Initiative: Provides funding for the approved reorganization of one Secretary Legal position to one Secretary Associate Legal position dedicated to the health and human services division.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$6,407	\$6,406
All Other	\$357	\$357
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,764	\$6,763

Victims' Compensation Board 0711

Initiative: Provides funding for Department of Administrative and Financial Services, Office of Information Technology rate increases, computer replacements and other information technology needs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,090	\$1,090
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,090	\$1,090

ATTORNEY GENERAL, DEPARTMENT OF THE DEPARTMENT TOTALS

GENERAL FUND	2021-22	2022-23
FEDERAL EXPENDITURES FUND	\$36,333	\$36,426
FUND FOR A HEALTHY MAINE	\$143,067	\$149,444
OTHER SPECIAL REVENUE FUNDS	\$304	\$304
OTHER SPECIAL REVENUE FUNDS	\$370,416	\$385,045
DEPARTMENT TOTAL - ALL FUNDS	\$550,120	\$571,219

Sec. A-4. Appropriations and allocations. The following appropriations and allocations are made.

AUDITOR, OFFICE OF THE STATE Audit Bureau 0067

Initiative: Provides one-time funding for the peer review of the system of quality control that is required every 3 years.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$3,000
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$3,000</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$7,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$7,000</u>

Audit Bureau 0067

Initiative: Adjusts cost allocations for professional services to more accurately reflect spending.

GENERAL FUND	2021-22	2022-23
All Other	\$9,149	\$9,149
GENERAL FUND TOTAL	<u>\$9,149</u>	<u>\$9,149</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$9,149)	(\$9,149)
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$9,149)</u>	<u>(\$9,149)</u>

Unorganized Territory 0075

Initiative: Provides funding to support higher payments to the Passamaquoddy Tribe as a result of property revaluation.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$5,000	\$7,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$5,000</u>	<u>\$7,000</u>

AUDITOR, OFFICE OF THE STATE

DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$9,149	\$12,149
OTHER SPECIAL REVENUE FUNDS	(\$4,149)	\$4,851
DEPARTMENT TOTAL - ALL FUNDS	<u>\$5,000</u>	<u>\$17,000</u>

Sec. A-5. Appropriations and allocations. The following appropriations and allocations are made.

BAXTER STATE PARK AUTHORITY

Baxter State Park Authority 0253

Initiative: Provides one-time funding for replacements, upgrades and improvements to ranger stations, rental cabins and lean-tos throughout Baxter State Park.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$116,000	\$176,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$116,000</u>	<u>\$176,000</u>

Baxter State Park Authority 0253

Initiative: Provides one-time funding for the replacement of 2 trucks, 4 snowmobiles and 2 trailers.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$100,000	\$40,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$100,000</u>	<u>\$40,000</u>

Baxter State Park Authority 0253

Initiative: Provides one-time funding for the purchase of one law enforcement package of gun racks and light bar for one truck.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$10,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$10,000</u>	<u>\$0</u>

Baxter State Park Authority 0253

Initiative: Provides funding for dispatch services provided by the Houlton regional communications center.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$8,221	\$8,221
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$8,221</u>	<u>\$8,221</u>

Baxter State Park Authority 0253

Initiative: Provides funding for increasing the number of weeks of one seasonal Baxter Park Trail Specialist from 25 weeks to 52 weeks.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$25,427	\$27,828
All Other	\$702	\$768
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$26,129</u>	<u>\$28,596</u>

Baxter State Park Authority 0253

Initiative: Provides funding for increasing the weeks of one seasonal Baxter Park Customer Representative position from 23 weeks to 27 weeks and 3 seasonal Baxter Park Customer Representative positions from 26 weeks to 30 weeks to provide sufficient coverage at the southern and northern gates of Baxter State Park through the month of November.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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POSITIONS - FTE COUNT	0.308	0.308
Personal Services	\$18,404	\$18,931
All Other	\$509	\$523

OTHER SPECIAL REVENUE	\$18,913	\$19,454
FUNDS TOTAL		

Baxter State Park Authority 0253

Initiative: Establishes one seasonal Baxter Park Trail Crew Leader position for 26 weeks and 3 seasonal Baxter Park Trail Laborer positions for 24 weeks and provides funding for related All Other costs. Also provides funding for 2 vehicle purchases.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - FTE COUNT	1.886	1.886
Personal Services	\$121,904	\$127,241
All Other	\$25,399	\$5,047
Capital Expenditures	\$0	\$60,000

OTHER SPECIAL REVENUE	\$147,303	\$192,288
FUNDS TOTAL		

Baxter State Park Authority 0253

Initiative: Provides one-time funding for the maintenance of infrastructure and capital improvement projects in Baxter State Park.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$140,000	\$90,000

OTHER SPECIAL REVENUE	\$140,000	\$90,000
FUNDS TOTAL		

Baxter State Park Authority 0253

Initiative: Provides funding for the approved reclassification of one Secretary position to an Office Specialist I position retroactive to October 2020 and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$6,895	\$4,807
All Other	\$190	\$133

OTHER SPECIAL REVENUE	\$7,085	\$4,940
FUNDS TOTAL		

Baxter State Park Authority 0253

Initiative: Continues and makes permanent one Baxter Park Supervisor position previously established by Financial Order 001307 F1 funded 100% by Other Special Revenue Funds to enhance field capacity at the park and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$96,445	\$101,396
All Other	\$2,773	\$2,907

OTHER SPECIAL REVENUE	\$99,218	\$104,303
FUNDS TOTAL		

Baxter State Park Authority 0253

Initiative: Provides funding by increasing the weeks of 12 seasonal Baxter Park Campground Ranger positions from 24 weeks to 25 weeks to allow sufficient time to clean up the campground before winter and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - FTE COUNT	0.228	0.228
Personal Services	\$12,615	\$12,862
All Other	\$350	\$357

OTHER SPECIAL REVENUE	\$12,965	\$13,219
FUNDS TOTAL		

Baxter State Park Authority 0253

Initiative: Establishes one seasonal Baxter Park Campground Ranger position for 24 weeks to support flexibility in scheduling campgrounds and gatehouses across Baxter State Park and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - FTE COUNT	0.462	0.462
Personal Services	\$31,092	\$32,502
All Other	\$933	\$975

OTHER SPECIAL REVENUE	\$32,025	\$33,477
FUNDS TOTAL		

Baxter State Park Authority 0253

Initiative: Continues and makes permanent one seasonal Baxter Park Winter Ranger position previously established by Financial Order 001322 F1 for 14 weeks in the winter season to steward 3 campgrounds, interact with hundreds of visitors and respond to emergencies on the west side of Katahdin and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - FTE COUNT	0.269	0.269
Personal Services	\$18,268	\$19,071
All Other	\$548	\$572

OTHER SPECIAL REVENUE	\$18,816	\$19,643
FUNDS TOTAL		

Baxter State Park Authority 0253

Initiative: Provides funding for the approved reorganization of one Public Service Manager I position to a Public Service Manager II position as the Director of Natural Resources and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$18,905	\$19,970
All Other	\$821	\$843

OTHER SPECIAL REVENUE FUNDS TOTAL	\$19,726	\$20,813
BAXTER STATE PARK AUTHORITY		
DEPARTMENT TOTALS	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS	\$756,401	\$750,954
DEPARTMENT TOTAL - ALL FUNDS	\$756,401	\$750,954

Sec. A-6. Appropriations and allocations. The following appropriations and allocations are made.

COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE

Maine Community College System - Board of Trustees 0556

Initiative: Provides funding to bring allocation in line with available resources.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$119,996	\$119,996
OTHER SPECIAL REVENUE FUNDS TOTAL	\$119,996	\$119,996

Maine Community College System - Board of Trustees 0556

Initiative: Reduces funding for scholarships due to a decrease projected by the Revenue Forecasting Committee in dedicated revenues from slot machine proceeds.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$1,024,132)	(\$118,724)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,024,132)	(\$118,724)

Maine Community College System - Board of Trustees 0556

Initiative: Provides additional funding above current appropriation levels to cover salary adjustments and other annual inflationary increases at Maine's 7 community colleges.

GENERAL FUND	2021-22	2022-23
All Other	\$2,147,549	\$4,359,524
GENERAL FUND TOTAL	\$2,147,549	\$4,359,524

Maine Community College System - Board of Trustees 0556

Initiative: Provides funding for scholarships due to a projected increase in dedicated revenues from slot

machine proceeds from the May 1, 2021 Revenue Forecasting Committee report.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$118,302	\$172,042
OTHER SPECIAL REVENUE FUNDS TOTAL	\$118,302	\$172,042

COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE DEPARTMENT TOTALS

GENERAL FUND	\$2,147,549	\$4,359,524
OTHER SPECIAL REVENUE FUNDS	(\$785,834)	\$173,314

DEPARTMENT TOTAL - ALL FUNDS	\$1,361,715	\$4,532,838
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Sec. A-7. Appropriations and allocations. The following appropriations and allocations are made.

CONNECTMAINE AUTHORITY

ConnectMaine Fund Z294

Initiative: Establishes allocation in the Other Special Revenue Funds to reflect anticipated revenues as a result of the ConnectME surcharge implemented in Public Law 2019, chapter 343, Part SSSS.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$600,000	\$600,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$600,000	\$600,000

ConnectMaine Fund Z294

Initiative: Increases allocation to reflect the ConnectME surcharge implemented in Public Law 2019, chapter 343, Part SSSS.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,116,285	\$1,116,285
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,116,285	\$1,116,285

CONNECTMAINE AUTHORITY DEPARTMENT TOTALS

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,716,285	\$1,716,285

DEPARTMENT TOTAL - ALL FUNDS	\$1,716,285	\$1,716,285
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Sec. A-8. Appropriations and allocations. The following appropriations and allocations are made.

**CORRECTIONS, DEPARTMENT OF
Administration - Corrections 0141**

Initiative: Provides funding for supporting agriculture operations in the Administration - Corrections program.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$139,246	\$139,246
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$139,246	\$139,246

Administration - Corrections 0141

Initiative: Provides funding for information technology costs associated with the reopening of the Downeast Correctional Facility.

GENERAL FUND	2021-22	2022-23
All Other	\$48,361	\$48,361
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$48,361	\$48,361

Correctional Medical Services Fund 0286

Initiative: Provides funding for All Other costs for the Downeast Correctional Facility to reflect a full year of operational costs.

GENERAL FUND	2021-22	2022-23
All Other	\$331,100	\$341,033
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$331,100	\$341,033

Correctional Medical Services Fund 0286

Initiative: Provides funding for the correctional health care contract due to increased resident treatment costs.

GENERAL FUND	2021-22	2022-23
All Other	\$6,404,566	\$7,466,653
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$6,404,566	\$7,466,653

Corrections Food Z177

Initiative: Provides funding for All Other costs for the Downeast Correctional Facility to reflect a full year of operational costs.

GENERAL FUND	2021-22	2022-23
All Other	\$156,859	\$161,565
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$156,859	\$161,565

Downeast Correctional Facility 0542

Initiative: Provides funding for All Other costs for the Downeast Correctional Facility to reflect a full year of operational costs.

GENERAL FUND	2021-22	2022-23
All Other	\$352,849	\$358,453
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$352,849	\$358,453

Juvenile Community Corrections 0892

Initiative: Eliminates 13.5 positions in the Long Creek Youth Development Center program and transfers the funding to support new community-based juvenile housing and programming in the Juvenile Community Corrections program.

GENERAL FUND	2021-22	2022-23
All Other	\$1,187,403	\$1,229,380
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$1,187,403	\$1,229,380

Long Creek Youth Development Center 0163

Initiative: Eliminates 13.5 positions in the Long Creek Youth Development Center program and transfers the funding to support new community-based juvenile housing and programming in the Juvenile Community Corrections program.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(13.500)	(13.500)
Personal Services	(\$1,187,403)	(\$1,229,380)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$1,187,403)	(\$1,229,380)

Long Creek Youth Development Center 0163

Initiative: Transfers one Juvenile Program Worker position and related All Other costs from the Long Creek Youth Development Center program in the Department of Corrections to the School and Student Support program in the Department of Education for the creation of one Restorative Justice Coordinator position.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$84,478)	(\$87,725)
All Other	(\$10,086)	(\$10,409)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$94,564)	(\$98,134)

Long Creek Youth Development Center 0163

Initiative: Eliminates 6 positions in the Long Creek Youth Development Center program.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(6.000)	(6.000)
Personal Services	(\$527,253)	(\$546,345)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$527,253)	(\$546,345)

**CORRECTIONS, DEPARTMENT OF
DEPARTMENT TOTALS**

GENERAL FUND	\$6,671,918	\$7,731,586
OTHER SPECIAL REVENUE FUNDS	\$139,246	\$139,246
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$6,811,164	\$7,870,832

Sec. A-9. Appropriations and allocations. The following appropriations and allocations are made.

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Administration - Defense, Veterans and Emergency Management 0109

Initiative: Reallocates the cost of one Public Service Coordinator I position funded 100% General Fund in the Administration - Defense, Veterans and Emergency Management program to 10% General Fund in the Administration - Defense, Veterans and Emergency Management program and 90% Federal Expenditures Fund in the Military Training and Operations program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$108,687)	(\$109,479)
GENERAL FUND TOTAL	(\$108,687)	(\$109,479)

Administration - Defense, Veterans and Emergency Management 0109

Initiative: Provides one-time funding for environmental closure activity costs at the former Maine Military Authority site in Limestone.

GENERAL FUND	2021-22	2022-23
All Other	\$400,000	\$0
GENERAL FUND TOTAL	\$400,000	\$0

Administration - Maine Emergency Management Agency 0214

Initiative: Provides funding for the approved reclassification of one Planning and Research Associate II position to a Criminal Intelligence Analyst position within the same program retroactive to April 16, 2020.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$6,788	\$4,199
FEDERAL EXPENDITURES FUND TOTAL	\$6,788	\$4,199

Administration - Maine Emergency Management Agency 0214

Initiative: Provides funding for the proposed reclassification of one Planning and Research Associate I position to a Planning and Research Associate II position within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	\$1,047	\$1,750
GENERAL FUND TOTAL	\$1,047	\$1,750

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$3,138	\$5,253

FEDERAL EXPENDITURES	\$3,138	\$5,253
FUND TOTAL		

Administration - Maine Emergency Management Agency 0214

Initiative: Reallocates the cost of one Director of Maine Emergency Management Agency position funded 37.5% General Fund and 62.5% Federal Expenditures Fund to 100% Federal Expenditures Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$61,595)	(\$63,590)
GENERAL FUND TOTAL	(\$61,595)	(\$63,590)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$61,595	\$63,590

FEDERAL EXPENDITURES	\$61,595	\$63,590
FUND TOTAL		

Administration - Maine Emergency Management Agency 0214

Initiative: Reallocates the cost of one vacant Planning and Research Associate I position from 100% Other Special Revenue Funds to 50% Other Special Revenue Funds and 50% Federal Expenditures Fund within the same program.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$39,682	\$39,985

FEDERAL EXPENDITURES	\$39,682	\$39,985
FUND TOTAL		

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	(\$39,682)	(\$39,985)

OTHER SPECIAL REVENUE	(\$39,682)	(\$39,985)
FUNDS TOTAL		

Administration - Maine Emergency Management Agency 0214

Initiative: Transfers All Other to Personal Services to allocate grant-related personnel costs.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$50,000	\$51,500
All Other	(\$50,000)	(\$51,500)

FEDERAL EXPENDITURES	\$0	\$0
FUND TOTAL		

Military Training and Operations 0108

Initiative: Reallocates the cost of one Facilities Project Manager position from 75% Federal Expenditures Fund

and 25% General Fund to 100% Federal Expenditures Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$28,345)	(\$28,495)
GENERAL FUND TOTAL	(\$28,345)	(\$28,495)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$28,345	\$28,495
FEDERAL EXPENDITURES FUND TOTAL	\$28,345	\$28,495

Military Training and Operations 0108

Initiative: Reallocates the cost of one Office Specialist I position from 80% Federal Expenditures Fund and 20% General Fund to 100% Federal Expenditures Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$15,176)	(\$15,316)
GENERAL FUND TOTAL	(\$15,176)	(\$15,316)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$15,176	\$15,316
FEDERAL EXPENDITURES FUND TOTAL	\$15,176	\$15,316

Military Training and Operations 0108

Initiative: Provides funding for the approved reorganization of one Office Specialist I position to an Office Specialist II position to reflect the change of duties and responsibilities and reallocates the cost from 50% General Fund and 50% Federal Expenditures Fund to 27% General Fund and 73% Federal Expenditures Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$15,982)	(\$16,123)
GENERAL FUND TOTAL	(\$15,982)	(\$16,123)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$20,805	\$20,943
FEDERAL EXPENDITURES FUND TOTAL	\$20,805	\$20,943

Military Training and Operations 0108

Initiative: Reallocates the cost of one Auto Mechanic II position from 100% General Fund to 27% General Fund and 73% Federal Expenditures Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$56,592)	(\$57,322)
GENERAL FUND TOTAL	(\$56,592)	(\$57,322)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$56,592	\$57,322
FEDERAL EXPENDITURES FUND TOTAL	\$56,592	\$57,322

Military Training and Operations 0108

Initiative: Reallocates the cost of one Carpenter position from 100% General Fund to 27% General Fund and 73% Federal Expenditures Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$52,734)	(\$53,464)
GENERAL FUND TOTAL	(\$52,734)	(\$53,464)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$52,734	\$53,464
FEDERAL EXPENDITURES FUND TOTAL	\$52,734	\$53,464

Military Training and Operations 0108

Initiative: Reallocates the cost of one Maintenance Mechanic position from 100% General Fund to 27% General Fund and 73% Federal Expenditures Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$42,266)	(\$42,274)
GENERAL FUND TOTAL	(\$42,266)	(\$42,274)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$42,266	\$42,274
FEDERAL EXPENDITURES FUND TOTAL	\$42,266	\$42,274

Military Training and Operations 0108

Initiative: Reallocates the cost of one Maintenance Mechanic position from 50% General Fund and 50% Federal Expenditures Fund to 27% General Fund and 73% Federal Expenditures Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$15,061)	(\$15,674)
GENERAL FUND TOTAL	(\$15,061)	(\$15,674)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$15,061	\$15,674
FEDERAL EXPENDITURES FUND TOTAL	\$15,061	\$15,674

Military Training and Operations 0108

Initiative: Reallocates the cost of one Inventory and Property Associate II position from 100% Federal Expenditures Fund to 73% Federal Expenditures Fund and 27% General Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	\$19,425	\$19,590
GENERAL FUND TOTAL	<u>\$19,425</u>	<u>\$19,590</u>
FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$19,425)	(\$19,590)
FEDERAL EXPENDITURES FUND TOTAL	<u>(\$19,425)</u>	<u>(\$19,590)</u>

Military Training and Operations 0108

Initiative: Reallocates the cost of one Building Maintenance Coordinator position from 100% Federal Expenditures Fund to 75% Federal Expenditures Fund and 25% General Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	\$19,190	\$19,343
GENERAL FUND TOTAL	<u>\$19,190</u>	<u>\$19,343</u>
FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$19,190)	(\$19,343)
FEDERAL EXPENDITURES FUND TOTAL	<u>(\$19,190)</u>	<u>(\$19,343)</u>

Military Training and Operations 0108

Initiative: Provides funding for the approved reorganization of one vacant Civil Engineer III position to a Facilities Project Manager position to reflect the change of duties and responsibilities.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$6,706)	(\$6,923)
FEDERAL EXPENDITURES FUND TOTAL	<u>(\$6,706)</u>	<u>(\$6,923)</u>

Military Training and Operations 0108

Initiative: Reallocates the cost of one vacant Contract Grant Specialist position from 80% Federal Expenditures Fund and 20% General Fund to 100% Federal Expenditures Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$17,817)	(\$17,968)
GENERAL FUND TOTAL	<u>(\$17,817)</u>	<u>(\$17,968)</u>
FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$17,817	\$17,968

FEDERAL EXPENDITURES	<u>\$17,817</u>	<u>\$17,968</u>
FUND TOTAL		

Military Training and Operations 0108

Initiative: Eliminates all positions within the Military Training and Operations program, Maine Military Authority Enterprise Fund except one Budget Manager position that oversees minor contracts and other related activities.

MAINE MILITARY AUTHORITY ENTERPRISE FUND	2021-22	2022-23
Personal Services	(\$49,651,794)	(\$51,732,860)
MAINE MILITARY AUTHORITY ENTERPRISE FUND TOTAL	<u>(\$49,651,794)</u>	<u>(\$51,732,860)</u>

Military Training and Operations 0108

Initiative: Provides funding for the proposed reclassification of one Senior Planner position to a Public Service Coordinator I position to reflect the change of duties and responsibilities.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$11,976	\$15,674
FEDERAL EXPENDITURES FUND TOTAL	<u>\$11,976</u>	<u>\$15,674</u>

Military Training and Operations 0108

Initiative: Reduces funding for facility maintenance and repairs on buildings and for engineering contractual services within the Military Training and Operations program.

GENERAL FUND	2021-22	2022-23
All Other	(\$10,668)	(\$83)
GENERAL FUND TOTAL	<u>(\$10,668)</u>	<u>(\$83)</u>

Military Training and Operations 0108

Initiative: Reduces funding for utility services in the General Fund within the Military Training and Operations program to align with the required state match in support of facilities operations and maintenance funded under Appendix 21 of the Master Cooperative Agreement between the State and the National Guard Bureau.

GENERAL FUND	2021-22	2022-23
All Other	(\$111,000)	(\$111,000)
GENERAL FUND TOTAL	<u>(\$111,000)</u>	<u>(\$111,000)</u>

Military Training and Operations 0108

Initiative: Reallocates the cost of one Public Service Coordinator I position funded 100% General Fund in the Administration - Defense, Veterans and Emergency Management program to 10% General Fund in the Administration - Defense, Veterans and Emergency

Management program and 90% Federal Expenditures Fund in the Military Training and Operations program.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$108,687	\$109,479
FEDERAL EXPENDITURES FUND TOTAL	<u>\$108,687</u>	<u>\$109,479</u>

Military Training and Operations 0108

Initiative: Provides funding for the approved reorganization of one High Voltage Electrician position to a High Voltage Electrician Supervisor position to reflect the changes in duties and responsibilities and reallocates the cost from 100% General Fund to 27% General Fund and 73% Federal Expenditures Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$58,800)	(\$58,377)
GENERAL FUND TOTAL	<u>(\$58,800)</u>	<u>(\$58,377)</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$70,952	\$73,740
FEDERAL EXPENDITURES FUND TOTAL	<u>\$70,952</u>	<u>\$73,740</u>

Military Training and Operations 0108

Initiative: Reallocates the cost of one Buyer II position from 80% Federal Expenditures Fund and 20% General Fund to 100% Federal Expenditures Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$15,792)	(\$16,450)
GENERAL FUND TOTAL	<u>(\$15,792)</u>	<u>(\$16,450)</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$15,792	\$16,450
FEDERAL EXPENDITURES FUND TOTAL	<u>\$15,792</u>	<u>\$16,450</u>

Military Training and Operations 0108

Initiative: Reallocates the cost of one Maintenance Mechanical Supervisor position from 100% General Fund to 27% General Fund and 73% Federal Expenditures Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$64,805)	(\$67,274)
GENERAL FUND TOTAL	<u>(\$64,805)</u>	<u>(\$67,274)</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$64,805	\$67,274

FEDERAL EXPENDITURES FUND TOTAL	<u>\$64,805</u>	<u>\$67,274</u>
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Military Training and Operations 0108

Initiative: Reallocates the cost of one Superintendent of Buildings position from 20% General Fund and 80% Federal Expenditures Fund to 27% General Fund and 73% Federal Expenditures Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	\$9,293	\$9,386
GENERAL FUND TOTAL	<u>\$9,293</u>	<u>\$9,386</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$9,293)	(\$9,386)
FEDERAL EXPENDITURES FUND TOTAL	<u>(\$9,293)</u>	<u>(\$9,386)</u>

Military Training and Operations 0108

Initiative: Reallocates the cost of one Warehouse Superintendent position from 100% Federal Expenditures Fund to 73% Federal Expenditures Fund and 27% General Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	\$17,704	\$18,420
GENERAL FUND TOTAL	<u>\$17,704</u>	<u>\$18,420</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$17,704)	(\$18,420)
FEDERAL EXPENDITURES FUND TOTAL	<u>(\$17,704)</u>	<u>(\$18,420)</u>

Military Training and Operations 0108

Initiative: Reallocates the cost of one Director of Building Control Operations position from 60% General Fund and 40% Federal Expenditures Fund to 27% General Fund and 73% Federal Expenditures Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$29,908)	(\$31,062)
GENERAL FUND TOTAL	<u>(\$29,908)</u>	<u>(\$31,062)</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$29,908	\$31,062
FEDERAL EXPENDITURES FUND TOTAL	<u>\$29,908</u>	<u>\$31,062</u>

Military Training and Operations 0108

Initiative: Reallocates the cost of one Building Mechanical Systems Specialist position from 100% General

Fund to 27% General Fund and 73% Federal Expenditures Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$60,583)	(\$62,514)
GENERAL FUND TOTAL	(\$60,583)	(\$62,514)
FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$60,583	\$62,514
FEDERAL EXPENDITURES FUND TOTAL	\$60,583	\$62,514

Military Training and Operations 0108

Initiative: Reallocates the cost of one vacant Building Maintenance Coordinator position from 75% Federal Expenditures Fund and 25% General Fund to 47% Federal Expenditures Fund and 53% General Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	\$21,311	\$22,367
GENERAL FUND TOTAL	\$21,311	\$22,367
FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$21,311)	(\$22,367)
FEDERAL EXPENDITURES FUND TOTAL	(\$21,311)	(\$22,367)

Military Training and Operations 0108

Initiative: Provides funding for the approved reorganization of one vacant Locksmith position to an Electronic Security System Technician position and reallocates the cost from 75% Federal Expenditures Fund and 25% General Fund to 73% Federal Expenditures Fund and 27% General Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	\$2,667	\$2,814
GENERAL FUND TOTAL	\$2,667	\$2,814
FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$2,235	\$2,415
FEDERAL EXPENDITURES FUND TOTAL	\$2,235	\$2,415

Military Training and Operations 0108

Initiative: Provides one-time funding for the State's share of maintenance, repair, capital improvement, modernization and energy efficiency projects for Maine Army and Air National Guard readiness centers and support facilities.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$3,600,000	\$4,000,000

FEDERAL EXPENDITURES FUND TOTAL	\$3,600,000	\$4,000,000
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$2,000,000	\$4,800,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,000,000	\$4,800,000

Veterans' Homelessness Prevention Partnership Fund Z298

Initiative: Reduces funding in the Veterans Services program, General Fund and increases funding in the Veterans' Homelessness Prevention Partnership Fund program, General Fund. Funds in the Veterans' Homelessness Prevention Partnership Fund program, General Fund may not lapse, but must be carried forward from year to year to be used for the same purpose.

GENERAL FUND	2021-22	2022-23
All Other	\$100,000	\$100,000
GENERAL FUND TOTAL	\$100,000	\$100,000

Veterans Services 0110

Initiative: Provides funding for the approved reorganization of a Heavy Equipment Operator I position to a Heavy Equipment Operator II position within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	\$11,380	\$10,173
GENERAL FUND TOTAL	\$11,380	\$10,173

Veterans Services 0110

Initiative: Provides funding for the approved reorganization of 6 Office Associate II positions to 6 Office Specialist I positions within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	\$31,744	\$32,589
GENERAL FUND TOTAL	\$31,744	\$32,589

Veterans Services 0110

Initiative: Eliminates one GIS Coordinator position.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$109,231)	(\$110,374)
FEDERAL EXPENDITURES FUND TOTAL	(\$109,231)	(\$110,374)

Veterans Services 0110

Initiative: Continues one full-time Public Service Coordinator I position and one 60-hour biweekly Office Specialist I position established by financial order and provides funding for related All Other costs.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$125,537	\$131,814
All Other	\$52,566	\$47,500
FEDERAL EXPENDITURES FUND TOTAL	\$178,103	\$179,314

Veterans Services 0110

Initiative: Provides funding for Veterans' Cemetery mowing contract, gravestone placement services and facility and infrastructure sustainment.

GENERAL FUND	2021-22	2022-23
All Other	\$100,000	\$100,000
GENERAL FUND TOTAL	\$100,000	\$100,000

Veterans Services 0110

Initiative: Reduces funding in the Veterans Services program, General Fund and increases funding in the Veterans' Homelessness Prevention Partnership Fund program, General Fund.

GENERAL FUND	2021-22	2022-23
All Other	(\$100,000)	(\$100,000)
GENERAL FUND TOTAL	(\$100,000)	(\$100,000)

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF DEPARTMENT TOTALS

GENERAL FUND	(\$132,050)	(\$530,033)
FEDERAL EXPENDITURES FUND	\$4,300,180	\$4,716,002
OTHER SPECIAL REVENUE FUNDS	\$1,960,318	\$4,760,015
MAINE MILITARY AUTHORITY ENTERPRISE FUND	(\$49,651,794)	(\$51,732,860)
DEPARTMENT TOTAL - ALL FUNDS	(\$43,523,346)	(\$42,786,876)

Sec. A-10. Appropriations and allocations. The following appropriations and allocations are made.

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Administration - Economic and Community Development 0069

Initiative: Reduces funding for the Maine Workforce Opportunities Marketing Fund to reflect the statutory repeal of the Maine Workforce Opportunities Program pilot project on March 31, 2021 and appropriates the funding to the administration account for workforce assistance efforts.

GENERAL FUND	2021-22	2022-23
All Other	\$50,000	\$50,000
GENERAL FUND TOTAL	\$50,000	\$50,000

Community Development Block Grant Program 0587

Initiative: Transfers one Public Service Coordinator I position and related All Other from the Community Development Block Grant Program, Other Special Revenue Funds within the Department of Economic and Community Development to the Solid Waste Management Fund program, Other Special Revenue Funds within the Department of Administrative and Financial Services.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$109,044)	(\$114,544)
All Other	(\$78,031)	(\$78,031)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$187,075)	(\$192,575)

Community Development Block Grant Program 0587

Initiative: Reduces funding for the State's code enforcement training and certification program, which no longer exists in the Department of Economic and Community Development.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$6,508)	(\$6,508)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$6,508)	(\$6,508)

Maine Workforce Opportunities Marketing Fund Z178

Initiative: Reduces funding for the Maine Workforce Opportunities Marketing Fund to reflect the statutory repeal of the Maine Workforce Opportunities Program pilot project on March 31, 2021 and appropriates the funding to the administration account for workforce assistance efforts.

GENERAL FUND	2021-22	2022-23
All Other	(\$50,000)	(\$50,000)
GENERAL FUND TOTAL	(\$50,000)	(\$50,000)

Office of Tourism 0577

Initiative: Reduces funding to align with dedicated revenue as projected by the December 2020 Revenue Forecasting Committee report.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$2,043,787)	\$30,771

OTHER SPECIAL REVENUE	(\$2,043,787)	\$30,771
FUNDS TOTAL		

Office of Tourism 0577

Initiative: Increases allocation to align with dedicated revenue as projected by the May 2021 Revenue Forecasting Committee report.

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
All Other	\$405,000	\$575,000

OTHER SPECIAL REVENUE	\$405,000	\$575,000
FUNDS TOTAL		

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$0	\$0
OTHER SPECIAL REVENUE	(\$1,832,370)	\$406,688
FUNDS		

DEPARTMENT TOTAL - ALL FUNDS	(\$1,832,370)	\$406,688
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Sec. A-11. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Adult Education 0364

Initiative: Provides funding for the increased cost of providing and administering assessments for high school equivalency diplomas.

GENERAL FUND	2021-22	2022-23
All Other	\$20,000	\$20,000

GENERAL FUND TOTAL	\$20,000	\$20,000
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Adult Education 0364

Initiative: Transfers funding for the adult education management system from the School Finance and Operations program to the Adult Education program within the same fund.

GENERAL FUND	2021-22	2022-23
All Other	\$29,000	\$29,000

GENERAL FUND TOTAL	\$29,000	\$29,000
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Child Development Services 0449

Initiative: Transfers one Office Associate II position from the Child Development Services program to the Special Services Team program and provides funding for related All Other costs in the Special Services Team program. Also provides funding for All Other costs in the Child Development Services program to maintain the same level of services provided.

FEDERAL EXPENDITURES FUND

	2021-22	2022-23
POSITIONS - LEGISLATIVE	(1,000)	(1,000)
COUNT		
Personal Services	(\$65,025)	(\$67,759)
All Other	\$65,025	\$67,759

FEDERAL EXPENDITURES	\$0	\$0
FUND TOTAL		

Child Development Services 0449

Initiative: Transfers and reallocates one vacant Public Service Coordinator II position from 75% Child Development Services program, General Fund and 25% Special Services Team program, Federal Expenditures Fund to 100% Special Services Team program, Federal Expenditures Fund and increases funding in All Other for services to be provided by the Child Development Services System.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	(1,000)	(1,000)
COUNT		
Personal Services	(\$84,617)	(\$88,690)
All Other	\$84,617	\$88,690

GENERAL FUND TOTAL	\$0	\$0
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General Purpose Aid for Local Schools 0308

Initiative: Increases allocation to align with dedicated revenue as projected by the May 2021 Revenue Forecasting Committee report.

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
All Other	\$594,982	\$951,146

OTHER SPECIAL REVENUE	\$594,982	\$951,146
FUNDS TOTAL		

General Purpose Aid for Local Schools 0308

Initiative: Provides funding to increase the state share percentage of the total cost of public education from kindergarten to grade 12 to 55%.

GENERAL FUND	2021-22	2022-23
All Other	\$74,340,697	\$109,346,389

GENERAL FUND TOTAL	\$74,340,697	\$109,346,389
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General Purpose Aid for Local Schools 0308

Initiative: Provides funding for postsecondary course payments under the "Aspirations" program pursuant to the Maine Revised Statutes, Title 20-A, chapter 208-B.

GENERAL FUND	2021-22	2022-23
All Other	\$1,500,000	\$1,500,000

GENERAL FUND TOTAL	\$1,500,000	\$1,500,000
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General Purpose Aid for Local Schools 0308

Initiative: Provides one-time funds for the Maine School of Science and Mathematics for the impacts of the COVID-19 pandemic.

GENERAL FUND	2021-22	2022-23
All Other	\$225,000	\$0
GENERAL FUND TOTAL	\$225,000	\$0

Higher Education and Educator Support Services Z082

Initiative: Transfers one Education Specialist III position from the Learning Systems Team program to the Higher Education and Educator Support Services program within the same fund.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$90,344	\$94,833
All Other	\$6,383	\$6,383
GENERAL FUND TOTAL	\$96,727	\$101,216

Higher Education and Educator Support Services Z082

Initiative: Reduces funding to align allocations with projected available resources.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	(\$5,480,535)	(\$5,480,535)
FEDERAL EXPENDITURES FUND TOTAL	(\$5,480,535)	(\$5,480,535)

Leadership Team Z077

Initiative: Transfers 2 Regional Education Representative positions and related All Other costs from the Learning Systems Team program to the Leadership Team program.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$232,350	\$237,187
All Other	\$20,000	\$20,000
GENERAL FUND TOTAL	\$252,350	\$257,187

Leadership Team Z077

Initiative: Provides funding for the proposed reorganization of one Public Service Executive II position to a Chief Innovation Officer position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$5,613	\$5,611
GENERAL FUND TOTAL	\$5,613	\$5,611

Leadership Team Z077

Initiative: Provides funding for the approved reorganization of one Senior Planner position to a Public Service Manager II position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$5,500	\$9,683

GENERAL FUND TOTAL	\$5,500	\$9,683
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Leadership Team Z077

Initiative: Transfers one Public Service Coordinator II position from the Learning Systems Team program to the Leadership Team within the same fund.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$123,964	\$130,359
GENERAL FUND TOTAL	\$123,964	\$130,359

Learning Systems Team Z081

Initiative: Transfers one Public Service Executive II position, 2 Public Service Manager II positions, 2 Regional Education Representative positions, one Office Associate II position and related All Other costs from the Learning Systems Team program to the School and Student Supports program. Also transfers one Public Service Manager II position and related All Other costs from the School Finance and Operations program to the School and Student Supports program.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(6.000)	(6.000)
Personal Services	(\$703,133)	(\$717,268)
All Other	(\$89,532)	(\$89,532)
GENERAL FUND TOTAL	(\$792,665)	(\$806,800)

Learning Systems Team Z081

Initiative: Transfers one Education Specialist III position, one part-time Migrant Education Field Recruiter position and related All Other costs from the Learning Systems Team program to the School and Student Supports program.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
POSITIONS - FTE COUNT	(0.577)	(0.577)
Personal Services	(\$157,415)	(\$160,345)
All Other	(\$1,109,069)	(\$1,109,069)
FEDERAL EXPENDITURES FUND TOTAL	(\$1,266,484)	(\$1,269,414)

Learning Systems Team Z081

Initiative: Transfers 2 Regional Education Representative positions and related All Other costs from the Learning Systems Team program to the School and Student Supports program.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$23,052)	(\$23,172)
All Other	(\$253,458)	(\$253,458)

FEDERAL EXPENDITURES	(\$276,510)	(\$276,630)
FUND TOTAL		
FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$215,242)	(\$216,947)
All Other	(\$46,001)	(\$46,001)
FEDERAL BLOCK GRANT FUND TOTAL	(\$261,243)	(\$262,948)

Learning Systems Team Z081

Initiative: Transfers one Management Analyst I position and related All Other costs from the Learning Systems Team program to the School and Student Supports program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$45,305)	(\$45,878)
GENERAL FUND TOTAL	(\$45,305)	(\$45,878)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$22,648)	(\$22,934)
All Other	(\$283,080)	(\$283,069)
FEDERAL EXPENDITURES FUND TOTAL	(\$305,728)	(\$306,003)

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$22,654)	(\$22,941)
All Other	(\$15,379)	(\$15,363)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$38,033)	(\$38,304)

Learning Systems Team Z081

Initiative: Transfers 2 Regional Education Representative positions and related All Other costs from the Learning Systems Team program to the Leadership Team program.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$232,350)	(\$237,187)
All Other	(\$20,000)	(\$20,000)
GENERAL FUND TOTAL	(\$252,350)	(\$257,187)

Learning Systems Team Z081

Initiative: Provides funding for the federal 21st Century Community Learning Centers program grant.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$169,122	\$169,122

FEDERAL EXPENDITURES	\$169,122	\$169,122
FUND TOTAL		

Learning Systems Team Z081

Initiative: Provides funding for the federal Student Support and Academic Enrichment Program grant.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$504,747	\$504,604

FEDERAL EXPENDITURES	\$504,747	\$504,604
FUND TOTAL		

Learning Systems Team Z081

Initiative: Transfers one Education Specialist III position from the Learning Systems Team program to the Higher Education and Educator Support Services program within the same fund.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$90,344)	(\$94,833)
All Other	(\$6,383)	(\$6,383)

GENERAL FUND TOTAL	(\$96,727)	(\$101,216)
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Learning Systems Team Z081

Initiative: Reduces funding to align allocations with projected available resources.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	(\$4,832,124)	(\$4,832,124)

FEDERAL EXPENDITURES	(\$4,832,124)	(\$4,832,124)
FUND TOTAL		

Learning Systems Team Z081

Initiative: Provides funding for the approved reorganization of one Regional Education Representative position to a Public Service Manager II position retroactive to March 30, 2020.

GENERAL FUND	2021-22	2022-23
Personal Services	\$25,922	\$10,564

GENERAL FUND TOTAL	\$25,922	\$10,564
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Learning Systems Team Z081

Initiative: Eliminates one limited-period Education Specialist III position and reduces All Other funding to align allocation with projected available resources.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$93,193)	(\$97,872)
All Other	(\$870,368)	(\$870,368)

FEDERAL EXPENDITURES	(\$963,561)	(\$968,240)
FUND TOTAL		

Learning Systems Team Z081

Initiative: Transfers and reallocates the cost of one Public Service Coordinator II position from 37% Other Special Revenue Funds, 36% General Fund and 27% Federal Expenditures Fund within the Learning Systems Team program to 100% Federal Expenditures Fund in the Maine School Safety Center program and adjusts funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$49,789)	(\$50,222)
GENERAL FUND TOTAL	(\$49,789)	(\$50,222)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$37,345)	(\$37,669)
All Other	(\$1,371)	(\$1,382)
FEDERAL EXPENDITURES FUND TOTAL	(\$38,716)	(\$39,051)

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$51,171)	(\$51,617)
All Other	(\$1,878)	(\$1,894)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$53,049)	(\$53,511)

Learning Systems Team Z081

Initiative: Reallocates the cost of one Regional Education Representative position from 100% General Fund to 50% General Fund and 50% Federal Expenditures Fund within the same program and provides funding for related All Other costs. This initiative also transfers and reallocates the cost of one Education Specialist III position between Federal Expenditures Fund accounts within the same program and adjusts funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$56,919)	(\$57,201)
GENERAL FUND TOTAL	(\$56,919)	(\$57,201)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$56,919	\$57,201
All Other	\$2,089	\$2,100
FEDERAL EXPENDITURES FUND TOTAL	\$59,008	\$59,301

Learning Systems Team Z081

Initiative: Provides funding for the approved reorganization of one Education Specialist III position to a Regional Education Representative position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$6,647	\$6,949

GENERAL FUND TOTAL	\$6,647	\$6,949
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Learning Systems Team Z081

Initiative: Transfers one Public Service Coordinator II position from the Learning Systems Team program to the Leadership Team program within the same fund.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$123,964)	(\$130,359)
GENERAL FUND TOTAL	(\$123,964)	(\$130,359)

Local Foods Program Z297

Initiative: Transfers one Education Specialist II position and related All Other costs from the School Finance and Operations program to the Local Foods Program. Also transfers All Other funding from the School Finance and Operations program to the Local Foods Program to support the use of local produce in schools.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$75,276	\$78,766
All Other	\$326,000	\$326,000
GENERAL FUND TOTAL	\$401,276	\$404,766

Maine HIV Prevention Education Program Z182

Initiative: Reduces funding for the Maine HIV Prevention Education Program.

GENERAL FUND	2021-22	2022-23
All Other	(\$15,600)	(\$15,600)
GENERAL FUND TOTAL	(\$15,600)	(\$15,600)

Maine School Safety Center Z293

Initiative: Transfers and reallocates the cost of one Public Service Coordinator II position from 37% Other Special Revenue Funds, 36% General Fund and 27% Federal Expenditures Fund within the Learning Systems Team program to 100% Federal Expenditures Fund in the Maine School Safety Center program and adjusts funding for related All Other costs.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$138,305	\$139,508
All Other	\$5,076	\$5,120
FEDERAL EXPENDITURES FUND TOTAL	\$143,381	\$144,628

Meals for Students Fund N406

Initiative: Allocates one-time funds to authorize the expenditure of funds received for the State to pay the difference between the federal reimbursement for a free breakfast or lunch and the full price of a breakfast or

lunch for students that are ineligible for a free or reduced-price lunch during the 2022-2023 school year only.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$500

National Board Certification Salary Supplement Fund Z147

Initiative: Provides one-time funding to support salary supplement payments for teachers with national board certifications.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$582,051	\$411,529
OTHER SPECIAL REVENUE FUNDS TOTAL	\$582,051	\$411,529

Retired Teachers Group Life Insurance Z033

Initiative: Provides funding for group life insurance for retired teachers.

GENERAL FUND	2021-22	2022-23
All Other	(\$8,383)	\$125,431
GENERAL FUND TOTAL	(\$8,383)	\$125,431

School and Student Supports Z270

Initiative: Reallocates the cost of one Regional Education Representative position from 80% Federal Block Grant Fund and 20% Federal Expenditures Fund to 88% Federal Block Grant Fund and 12% Federal Expenditures Fund within the same program.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$9,221)	(\$9,269)
FEDERAL EXPENDITURES FUND TOTAL	(\$9,221)	(\$9,269)

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
Personal Services	\$9,221	\$9,269
FEDERAL BLOCK GRANT FUND TOTAL	\$9,221	\$9,269

School and Student Supports Z270

Initiative: Transfers one Public Service Executive II position, 2 Public Service Manager II positions, 2 Regional Education Representative positions, one Office Associate II position and related All Other costs from the Learning Systems Team program to the School and Student Supports program. Also transfers one Public Service Manager II position and related All Other costs from the School Finance and Operations program to the School and Student Supports program.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	7,000	7,000
Personal Services	\$830,275	\$844,704
All Other	\$89,532	\$89,532
GENERAL FUND TOTAL	\$919,807	\$934,236

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$6,544	\$6,814
All Other	\$240	\$250
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,784	\$7,064

School and Student Supports Z270

Initiative: Transfers one Education Specialist III position, one part-time Migrant Education Field Recruiter position and related All Other costs from the Learning Systems Team program to the School and Student Supports program.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
POSITIONS - FTE COUNT	0.577	0.577
Personal Services	\$157,415	\$160,345
All Other	\$1,109,069	\$1,109,069
FEDERAL EXPENDITURES FUND TOTAL	\$1,266,484	\$1,269,414

School and Student Supports Z270

Initiative: Transfers 2 Regional Education Representative positions and related All Other costs from the Learning Systems Team program to the School and Student Supports program.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$23,052	\$23,172
All Other	\$253,458	\$253,458
FEDERAL EXPENDITURES FUND TOTAL	\$276,510	\$276,630

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$215,242	\$216,947
All Other	\$46,001	\$46,001
FEDERAL BLOCK GRANT FUND TOTAL	\$261,243	\$262,948

School and Student Supports Z270

Initiative: Transfers one Management Analyst I position and related All Other costs from the Learning Systems Team program to the School and Student Supports program.

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GENERAL FUND	2021-22	2022-23
Personal Services	\$45,305	\$45,878
GENERAL FUND TOTAL	<u>\$45,305</u>	<u>\$45,878</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$22,648	\$22,934
All Other	\$283,080	\$283,069
FEDERAL EXPENDITURES FUND TOTAL	<u>\$305,728</u>	<u>\$306,003</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$22,654	\$22,941
All Other	\$15,379	\$15,363
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$38,033</u>	<u>\$38,304</u>

School and Student Supports Z270

Initiative: Transfers one Juvenile Program Worker position and related All Other costs from the Long Creek Youth Development Center program in the Department of Corrections to the School and Student Supports program in the Department of Education for the creation of one Restorative Justice Coordinator position.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$81,707	\$84,954
All Other	\$10,086	\$10,409
GENERAL FUND TOTAL	<u>\$91,793</u>	<u>\$95,363</u>

School Finance and Operations Z078

Initiative: Transfers one Public Service Executive II position, 2 Public Service Manager II positions, 2 Regional Education Representative positions, one Office Associate II position and related All Other costs from the Learning Systems Team program to the School and Student Supports program. Also transfers one Public Service Manager II position and related All Other costs from the School Finance and Operations program to the School and Student Supports program.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$133,686)	(\$134,250)
GENERAL FUND TOTAL	<u>(\$133,686)</u>	<u>(\$134,250)</u>

School Finance and Operations Z078

Initiative: Provides funding for the federal child nutrition grant.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
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All Other	\$6,745,641	\$6,740,141
FEDERAL EXPENDITURES FUND TOTAL	<u>\$6,745,641</u>	<u>\$6,740,141</u>

School Finance and Operations Z078

Initiative: Transfers funding for the adult education management system from the School Finance and Operations program to the Adult Education program within the same fund.

GENERAL FUND	2021-22	2022-23
All Other	(\$29,000)	(\$29,000)
GENERAL FUND TOTAL	<u>(\$29,000)</u>	<u>(\$29,000)</u>

School Finance and Operations Z078

Initiative: Transfers one Education Specialist II position and related All Other costs from the School Finance and Operations program to the Local Foods Program. Also transfers All Other funding from the School Finance and Operations program to the Local Foods Program to support the use of local produce in schools.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$75,276)	(\$78,766)
All Other	(\$326,000)	(\$326,000)
GENERAL FUND TOTAL	<u>(\$401,276)</u>	<u>(\$404,766)</u>

Special Services Team Z080

Initiative: Transfers one Office Associate II position from the Child Development Services program to the Special Services Team program and provides funding for related All Other costs in the Special Services Team program. Also provides funding for All Other costs in the Child Development Services program to maintain the same level of services provided.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$65,025	\$67,759
All Other	\$2,386	\$2,487
FEDERAL EXPENDITURES FUND TOTAL	<u>\$67,411</u>	<u>\$70,246</u>

Special Services Team Z080

Initiative: Reallocates the cost of one Public Service Executive II position from 30% Federal Expenditures Fund and 70% General Fund to 100% Federal Expenditures Fund within the same program and provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$99,555)	(\$100,104)
GENERAL FUND TOTAL	<u>(\$99,555)</u>	<u>(\$100,104)</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$99,555	\$100,104
All Other	\$3,654	\$3,674
FEDERAL EXPENDITURES FUND TOTAL	\$103,209	\$103,778

Special Services Team Z080

Initiative: Transfers and reallocates one vacant Public Service Coordinator II position from 75% Child Development Services program, General Fund and 25% Special Services Team program, Federal Expenditures Fund to 100% Special Services Team program, Federal Expenditures Fund and increases funding in All Other for services to be provided by the Child Development Services System.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$84,617	\$88,690
All Other	\$3,106	\$3,255
FEDERAL EXPENDITURES FUND TOTAL	\$87,723	\$91,945

EDUCATION, DEPARTMENT OF

DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$75,984,382	\$110,890,049
FEDERAL EXPENDITURES FUND	(\$3,443,915)	(\$3,445,454)
OTHER SPECIAL REVENUE FUNDS	\$1,130,768	\$1,316,728
FEDERAL BLOCK GRANT FUND	\$9,221	\$9,269
DEPARTMENT TOTAL - ALL FUNDS	\$73,680,456	\$108,770,592

Sec. A-12. Appropriations and allocations. The following appropriations and allocations are made.

EFFICIENCY MAINE TRUST

Efficiency Maine Trust Z100

Initiative: Reduces funding in All Other to align allocation with diminished natural gas assessment revenue.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$2,457,628)	(\$2,457,628)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$2,457,628)	(\$2,457,628)

Sec. A-13. Appropriations and allocations. The following appropriations and allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Administration - Environmental Protection 0251

Initiative: Establishes one Environmental Specialist IV position and related All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$97,845	\$102,591
All Other	\$7,648	\$7,648
GENERAL FUND TOTAL	\$105,493	\$110,239

Air Quality 0250

Initiative: Provides one-time funding to support the state forest carbon mapping project. Funding for this allocation is settlement funds transferred from the Department of the Attorney General.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$400,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$400,000	\$0

Maine Environmental Protection Fund 0421

Initiative: Provides one-time funding for the replacement of equipment essential for the State to meet its obligation to monitor and maintain baseline data about ambient air quality.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$91,000	\$158,500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$91,000	\$158,500

Maine Environmental Protection Fund 0421

Initiative: Establishes one Senior Environmental Engineer position, one Environmental Engineer position, one Assistant Environmental Engineer position and 2 Environmental Specialist III positions to support land use licensing activities and provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$464,538	\$486,801
All Other	\$17,160	\$17,160
GENERAL FUND TOTAL	\$481,698	\$503,961

Maine Environmental Protection Fund 0421

Initiative: Establishes 4 limited-period and 2 permanent Geology Technician II positions, 2 Planning & Research Associate II positions, one Environmental Engineer position, one Environmental Specialist II position, one limited-period and 2 permanent Environmental

Specialist III positions, one Chemist I position, one limited-period GIS Coordinator position, one Certified Environmental Hydrogeologist position and one Public Service Coordinator I position to assist in the identification and management of perfluoroalkyl and polyfluoroalkyl substances, or PFAS, and provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	11.000	11.000
COUNT		
Personal Services	\$1,405,523	\$1,474,112
All Other	\$69,801	\$69,801
GENERAL FUND TOTAL	\$1,475,324	\$1,543,913

Performance Partnership Grant 0851

Initiative: Provides funding for the approved reclassification of one Environmental Engineer position to an Environmental Engineer Specialist position.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$30,944	\$7,928
FEDERAL EXPENDITURES FUND TOTAL	\$30,944	\$7,928

Performance Partnership Grant 0851

Initiative: Provides funding for the approved reclassification of one Biologist II position to a Biologist III position.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$23,550	\$10,796
FEDERAL EXPENDITURES FUND TOTAL	\$23,550	\$10,796

Performance Partnership Grant 0851

Initiative: Provides one-time funding for the replacement of equipment essential for the State to meet its obligation to manage, protect, monitor and enhance the quality of the State's water resources.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Capital Expenditures	\$62,302	\$12,100
FEDERAL EXPENDITURES FUND TOTAL	\$62,302	\$12,100

Performance Partnership Grant 0851

Initiative: Provides one-time funding for the purchase of 2 additional water quality sondes that are essential for the State to meet its obligation to manage, protect, monitor and enhance the quality of the State's water resources.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Capital Expenditures	\$14,000	\$0

FEDERAL EXPENDITURES	\$14,000	\$0
FUND TOTAL		

Remediation and Waste Management 0247

Initiative: Provides funding to administer the landfill closure and remediation cost-sharing program.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$250,000	\$250,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$250,000	\$250,000

Remediation and Waste Management 0247

Initiative: Provides one-time funding for the replacement of equipment and vehicle purchases that are essential for the State to meet its obligation for investigating and cleaning up spilled hazardous materials and petroleum products.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$679,950	\$351,050
OTHER SPECIAL REVENUE FUNDS TOTAL	\$679,950	\$351,050

Remediation and Waste Management 0247

Initiative: Provides one-time funding for 3 additional benzene monitor meters that are essential for the State to meet its obligation for investigating and cleaning up spilled hazardous materials and petroleum products.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$0	\$18,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$18,000

Remediation and Waste Management 0247

Initiative: Provides one-time funding to support the treatment of drinking water, environmental testing and management of contaminated wastes caused by perfluoroalkyl and polyfluoroalkyl substances, or PFAS.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$6,116,773	\$10,425,159
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,116,773	\$10,425,159

Water Quality 0248

Initiative: Provides funding for the approved reclassification of one Assistant Environmental Engineer position to an Environmental Engineer position retroactive to December 2020 and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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Personal Services	\$5,500	\$5,808
All Other	\$325	\$343
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$5,825</u>	<u>\$6,151</u>
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$2,062,515	\$2,158,113
FEDERAL EXPENDITURES FUND	\$130,796	\$30,824
OTHER SPECIAL REVENUE FUNDS	\$7,543,548	\$11,208,860
DEPARTMENT TOTAL - ALL FUNDS	<u>\$9,736,859</u>	<u>\$13,397,797</u>

Sec. A-14. Appropriations and allocations. The following appropriations and allocations are made.

ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL

Governmental Ethics and Election Practices - Commission on 0414

Initiative: Establishes one limited-period Planning and Research Assistant position that starts on January 1, 2022 and ends on December 31, 2022 to administer the 2022 election.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$36,411	\$41,300
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$36,411</u>	<u>\$41,300</u>

Sec. A-15. Appropriations and allocations. The following appropriations and allocations are made.

EXECUTIVE DEPARTMENT

Administration - Executive - Governor's Office 0165

Initiative: Establishes 2 Governor's Special Assistant positions to support policy analysis and development and provides funding for related All Other expenses.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$356,932	\$372,930
All Other	\$8,058	\$8,058
GENERAL FUND TOTAL	<u>\$364,990</u>	<u>\$380,988</u>

Governor's Energy Office Z122

Initiative: Establishes 4 Public Service Coordinator II positions and one limited-period Public Service Coordinator II position and provides funding for related All

Other costs as well as one-time funding to establish a research consortium.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$569,380	\$592,544
All Other	\$1,016,116	\$1,016,116
GENERAL FUND TOTAL	<u>\$1,585,496</u>	<u>\$1,608,660</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$142,345	\$148,136
All Other	\$107,655	\$101,864
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$250,000</u>	<u>\$250,000</u>

Office of Policy Innovation and the Future Z135

Initiative: Provides funding for green communities emissions reduction planning, technical assistance and grants for community climate projects.

GENERAL FUND	2021-22	2022-23
All Other	\$1,000,000	\$1,500,000
GENERAL FUND TOTAL	<u>\$1,000,000</u>	<u>\$1,500,000</u>

Office of Policy Innovation and the Future Z135

Initiative: Establishes 2 Public Service Coordinator II positions and one Public Service Coordinator III position to support the Governor's Office of Policy Innovation and the Future and provides funding for related All Other expenses.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$421,140	\$430,111
All Other	\$12,087	\$12,387
GENERAL FUND TOTAL	<u>\$433,227</u>	<u>\$442,498</u>

Office of Policy Innovation and the Future Z135

Initiative: Provides one-time funding for municipal resilience planning and implementation grants.

GENERAL FUND	2021-22	2022-23
All Other	\$1,000,000	\$1,250,000
GENERAL FUND TOTAL	<u>\$1,000,000</u>	<u>\$1,250,000</u>

Public Advocate 0410

Initiative: Provides funding for projected increases in operational expenditures.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$12,550	\$12,660
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$12,550</u>	<u>\$12,660</u>

Public Advocate 0410

Initiative: Adjusts funding to align with current revenue projections.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$150,000	\$150,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$150,000</u>	<u>\$150,000</u>

EXECUTIVE DEPARTMENT DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$4,383,713	\$5,182,146
OTHER SPECIAL REVENUE FUNDS	\$412,550	\$412,660
DEPARTMENT TOTAL - ALL FUNDS	<u>\$4,796,263</u>	<u>\$5,594,806</u>

Sec. A-16. Appropriations and allocations. The following appropriations and allocations are made.

FINANCE AUTHORITY OF MAINE

Dairy Improvement Fund Z143

Initiative: Reduces funding to align with dedicated revenue as projected by the December 2020 Revenue Forecasting Committee report.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$162,420)	(\$22,023)
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$162,420)</u>	<u>(\$22,023)</u>

Student Financial Assistance Programs 0653

Initiative: Provides ongoing funds to the Maine State Grant Program to increase the minimum grant award from \$1,000 to \$2,500.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$10,000,000
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$10,000,000</u>

Student Financial Assistance Programs 0653

Initiative: Allocates one-time funds to the Maine State Grant Program to increase the minimum grant award from \$1,000 to \$2,500.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$10,000,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$10,000,000</u>	<u>\$0</u>

Waste Motor Oil Disposal Site Remediation Program Z060

Initiative: Adjusts funding to reflect the termination of the waste motor oil disposal site remediation program.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$5,000,000)	(\$5,000,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$5,000,000)</u>	<u>(\$5,000,000)</u>

FINANCE AUTHORITY OF MAINE DEPARTMENT TOTALS

GENERAL FUND	\$0	\$10,000,000
OTHER SPECIAL REVENUE FUNDS	\$4,837,580	(\$5,022,023)
DEPARTMENT TOTAL - ALL FUNDS	<u>\$4,837,580</u>	<u>\$4,977,977</u>

Sec. A-17. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Additional Support for People in Retraining and Employment 0146

Initiative: Continues 7 limited-period Senior Planner positions previously established by Financial Order 001370 F1 and provides funding for related All Other costs. These positions will end on June 17, 2023.

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
Personal Services	\$643,734	\$674,037
All Other	\$60,314	\$61,011
FEDERAL BLOCK GRANT FUND TOTAL	<u>\$704,048</u>	<u>\$735,048</u>

Brain Injury Z213

Initiative: Transfers funding for an advocacy contract from the Developmental Services - Community program, the Office of Advocacy - BDS program and the Brain Injury program, General Fund to the Office of MaineCare Services program, Federal Expenditures Fund.

GENERAL FUND	2021-22	2022-23
All Other	(\$24,722)	(\$24,722)
GENERAL FUND TOTAL	<u>(\$24,722)</u>	<u>(\$24,722)</u>

Brain Injury Z213

Initiative: Transfers one part-time Social Services Program Specialist I position from 100% General Fund in the Brain Injury program to 100% General Fund in the Developmental Services - Community program.

GENERAL FUND POSITIONS - LEGISLATIVE COUNCIL	2021-22	2022-23
Personal Services	(\$44,091)	(\$46,107)
All Other	(\$6,354)	(\$6,354)

GENERAL FUND TOTAL (\$50,445) (\$52,461)

Child Care Services 0563

Initiative: Provides allocation to align funding with available resources.

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$7,911,473	\$7,911,473
FEDERAL BLOCK GRANT FUND TOTAL	\$7,911,473	\$7,911,473

Child Care Services 0563

Initiative: Continues one limited-period Financial Resources Specialist position to serve as the Child Care Subsidy Program Specialist previously continued by Financial Order 001085 F1 and provides funding for related All Other costs. This position will end on June 17, 2023.

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
Personal Services	\$73,376	\$76,624
All Other	\$9,312	\$9,432
FEDERAL BLOCK GRANT FUND TOTAL	\$82,688	\$86,056

Child Support 0100

Initiative: Adjusts funding to align with existing resources.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$5,200,000	\$5,200,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,200,000	\$5,200,000

Community Services Block Grant 0716

Initiative: Continues one limited-period Social Services Program Specialist II position to serve as the State of Maine Community Services Block Grant Program - Grant Manager previously continued in Financial Order 001084 F1 and provides funding for related All Other costs. This position will end on June 17, 2023.

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
Personal Services	\$91,962	\$96,291
All Other	\$10,127	\$10,304
FEDERAL BLOCK GRANT FUND TOTAL	\$102,089	\$106,595

Crisis Outreach Program Z216

Initiative: Transfers and reallocates 4 Mental Health Worker III positions from 100% General Fund in the Developmental Services - Community program to 52.4% General Fund and 47.6% Other Special Revenue Funds in the Crisis Outreach Program and adjusts funding for related All Other costs.

GENERAL FUND POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
Personal Services	4,000	4,000
All Other	\$166,601	\$171,946
	\$13,319	\$13,319

GENERAL FUND TOTAL \$179,920 \$185,265

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$151,344	\$156,203
All Other	\$12,280	\$12,308

OTHER SPECIAL REVENUE FUNDS TOTAL \$163,624 \$168,511

Crisis Outreach Program Z216

Initiative: Provides funding for the proposed reclassification of 47 Mental Health Worker III positions to Community Integration Worker positions and provides funding for related STA-CAP charges.

GENERAL FUND Personal Services	2021-22	2022-23
	\$649,197	\$181,589
GENERAL FUND TOTAL	\$649,197	\$181,589

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$589,718	\$164,971
All Other	\$16,481	\$7,295

OTHER SPECIAL REVENUE FUNDS TOTAL \$606,199 \$172,266

Department of Health and Human Services Central Operations 0142

Initiative: Establishes one Public Service Manager III position funded 60% General Fund and 40% Other Special Revenue Funds within the Department of Health and Human Services Central Operations program to serve as the Health Information Technology Coordinator. Also provides related All Other funding.

GENERAL FUND POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
Personal Services	1,000	1,000
All Other	\$83,478	\$87,499
	\$3,813	\$3,813

GENERAL FUND TOTAL \$87,291 \$91,312

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$55,649	\$58,332
All Other	\$3,881	\$3,942

OTHER SPECIAL REVENUE FUNDS TOTAL \$59,530 \$62,274

Department of Health and Human Services Central Operations 0142

Initiative: Establishes one Public Service Manager III position funded 60% General Fund and 40% Other Special Revenue Funds within the Department of Health and Human Services Central Operations program to serve as the Director of Program Implementation. Also provides related All Other funding.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$83,478	\$87,499
All Other	\$3,813	\$3,813
GENERAL FUND TOTAL	\$87,291	\$91,312
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$55,649	\$58,332
All Other	\$3,881	\$3,942
OTHER SPECIAL REVENUE FUNDS TOTAL	\$59,530	\$62,274

Department of Health and Human Services Central Operations 0142

Initiative: Establishes one Public Service Coordinator II position funded 60% General Fund and 40% Other Special Revenue Funds within the Department of Health and Human Services Central Operations program to serve as the Senior Financial Analyst for MaineCare-related analysis. Also provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$70,432	\$73,844
All Other	\$3,813	\$3,813
GENERAL FUND TOTAL	\$74,245	\$77,657
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$46,955	\$49,227
All Other	\$3,681	\$3,733
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,636	\$52,960

Developmental Services - Community Z208

Initiative: Provides funding to contract with a provider to implement and provide technical support for the use of a standardized developmental disability needs assessment.

GENERAL FUND	2021-22	2022-23
All Other	\$825,000	\$825,000
GENERAL FUND TOTAL	\$825,000	\$825,000

Developmental Services - Community Z208

Initiative: Transfers funding for an advocacy contract from the Developmental Services - Community program, the Office of Advocacy - BDS program and the Brain Injury program, General Fund to the Office of MaineCare Services program, Federal Expenditures Fund.

GENERAL FUND	2021-22	2022-23
All Other	(\$45,191)	(\$45,191)
GENERAL FUND TOTAL	(\$45,191)	(\$45,191)

Developmental Services - Community Z208

Initiative: Transfers and reallocates 4 Mental Health Worker III positions from 100% General Fund in the Developmental Services - Community program to 52.4% General Fund and 47.6% Other Special Revenue Funds in the Crisis Outreach Program and adjusts funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(4.000)	(4.000)
Personal Services	(\$317,945)	(\$328,149)
All Other	(\$25,416)	(\$25,416)
GENERAL FUND TOTAL	(\$343,361)	(\$353,565)

Developmental Services - Community Z208

Initiative: Reduces funding by recognizing one-time savings achieved by implementing new programmatic management practices for emergency transitional housing.

GENERAL FUND	2021-22	2022-23
All Other	(\$215,000)	(\$215,000)
GENERAL FUND TOTAL	(\$215,000)	(\$215,000)

Developmental Services - Community Z208

Initiative: Reallocates 3 MH/DD Caseworker positions, 2 Human Services Casework Supervisor positions, 6 Human Services Caseworker positions and one Regional Supervisor position from 100% General Fund in the Developmental Services - Community program to various ratios between the General Fund in the Developmental Services - Community program and Federal Expenditures Fund in the Office of MaineCare Services program to align the positions with their duties and adjusts All Other.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$294,012)	(\$298,066)
All Other	(\$19,602)	(\$19,602)
GENERAL FUND TOTAL	(\$313,614)	(\$317,668)

Developmental Services - Community Z208

Initiative: Transfers one part-time Social Services Program Specialist I position from 100% General Fund in the Brain Injury program to 100% General Fund in the Developmental Services - Community program.

GENERAL FUND	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$44,091	\$46,107
All Other	\$6,354	\$6,354
GENERAL FUND TOTAL	\$50,445	\$52,461

Developmental Services Waiver - MaineCare Z211

Initiative: Provides funding to increase rates for services under the department's rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder, and Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$7,954,167
GENERAL FUND TOTAL	\$0	\$7,954,167

Developmental Services Waiver - MaineCare Z211

Initiative: Increases funding in the Medicaid Services - Developmental Services program and decreases funding in the Developmental Services Waiver - MaineCare program, the Developmental Services Waiver - Supports program, the Traumatic Brain Injury Seed program and the Medicaid Waiver for Brain Injury Residential/Community Serv program to consolidate the 6 developmental services waiver programs into one program as part of the consolidation of MaineCare-related programs from 13 to 4.

GENERAL FUND	2021-22	2022-23
All Other	\$0	(\$132,461,531)
GENERAL FUND TOTAL	\$0	(\$132,461,531)

Developmental Services Waiver - MaineCare Z211

Initiative: Provides funding to increase rates for family-centered homes and shared living providers under the MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder and Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder.

GENERAL FUND	2021-22	2022-23
All Other	\$123,439	\$154,130
GENERAL FUND TOTAL	\$123,439	\$154,130

Developmental Services Waiver - MaineCare Z211

Initiative: Adjusts funding one time to reflect the 6.2 percentage point increase provided as part of the federal Families First Coronavirus Response Act available through the first quarter of fiscal year 2021-22.

GENERAL FUND	2021-22	2022-23
All Other	(\$7,260,234)	\$0

GENERAL FUND TOTAL	(\$7,260,234)	\$0
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Developmental Services Waiver - MaineCare Z211

Initiative: Deappropriates funds on a one-time basis from available balances carried forward from fiscal year 2020-21.

GENERAL FUND	2021-22	2022-23
All Other	(\$10,000,000)	\$0
GENERAL FUND TOTAL	(\$10,000,000)	\$0

Developmental Services Waiver - MaineCare Z211

Initiative: Provides funding to the department for the new requirement that the labor portion of reimbursement under MaineCare or state-funded home and community-based services and residential services be at 125% of the minimum wage as well as taxes and benefits related to the labor portion.

GENERAL FUND	2021-22	2022-23
All Other	\$1,170,249	\$0

GENERAL FUND TOTAL	\$1,170,249	\$0
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Developmental Services Waiver - Supports Z212

Initiative: Provides funding for individuals with intellectual disabilities to receive services pursuant to the department's rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 29, Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder.

GENERAL FUND	2021-22	2022-23
All Other	\$1,366,275	\$4,701,186

GENERAL FUND TOTAL	\$1,366,275	\$4,701,186
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Developmental Services Waiver - Supports Z212

Initiative: Provides funding to increase rates for services under the department's rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder, and Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$1,806,980

GENERAL FUND TOTAL	\$0	\$1,806,980
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Developmental Services Waiver - Supports Z212

Initiative: Increases funding in the Medicaid Services - Developmental Services program and decreases funding in the Developmental Services Waiver - MaineCare program, the Developmental Services Waiver - Supports program, the Traumatic Brain Injury Seed program and the Medicaid Waiver for Brain Injury Residential/Community Serv program to consolidate the 6 developmental services waiver programs into one

program as part of the consolidation of MaineCare-related programs from 13 to 4.

GENERAL FUND	2021-22	2022-23
All Other	\$0	(\$32,143,655)
GENERAL FUND TOTAL	\$0	(\$32,143,655)

Developmental Services Waiver - Supports Z212

Initiative: Increases funding in the Nursing Facilities program and decreases funding in the Residential Treatment Facilities Assessment program, the Medicaid Services - Developmental Services program and the Developmental Services Waiver - Supports program to consolidate the 4 programs into one program as part of the consolidation of MaineCare-related programs and accounts.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	(\$105,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$105,000)

Developmental Services Waiver - Supports Z212

Initiative: Provides funding to increase rates for family-centered homes and shared living providers under the MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder and Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$65,646
GENERAL FUND TOTAL	\$0	\$65,646

Developmental Services Waiver - Supports Z212

Initiative: Adjusts funding in the Medicaid dedicated tax accounts and the corresponding General Fund accounts to bring baseline resources in line with the May 2021 Revenue Forecasting Committee recommendations.

GENERAL FUND	2021-22	2022-23
All Other	(\$18,355)	(\$18,355)
GENERAL FUND TOTAL	(\$18,355)	(\$18,355)

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$18,355	\$18,355
OTHER SPECIAL REVENUE FUNDS TOTAL	\$18,355	\$18,355

Developmental Services Waiver - Supports Z212

Initiative: Adjusts funding one time to reflect the 6.2 percentage point increase provided as part of the federal

Families First Coronavirus Response Act available through the first quarter of fiscal year 2021-22.

GENERAL FUND	2021-22	2022-23
All Other	(\$1,504,463)	\$0
GENERAL FUND TOTAL	(\$1,504,463)	\$0

Developmental Services Waiver - Supports Z212

Initiative: Deappropriates funds on a one-time basis from available balances carried forward from fiscal year 2020-21.

GENERAL FUND	2021-22	2022-23
All Other	(\$7,000,000)	\$0
GENERAL FUND TOTAL	(\$7,000,000)	\$0

Developmental Services Waiver - Supports Z212

Initiative: Provides funding to the department for the new requirement that the labor portion of reimbursement under MaineCare or state-funded home and community-based services and residential services be at 125% of the minimum wage as well as taxes and benefits related to the labor portion.

GENERAL FUND	2021-22	2022-23
All Other	\$130,630	\$0
GENERAL FUND TOTAL	\$130,630	\$0

Disability Determination - Division of 0208

Initiative: Establishes one limited-period Disability Claims Supervisor position, 5 limited-period Disability Claims Adjudicator positions and one limited-period Office Associate II position funded 100% Federal Expenditures Fund within the Disability Determination - Division of program and provides funding for related All Other costs.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$564,331	\$598,880
All Other	\$58,773	\$59,380
FEDERAL EXPENDITURES FUND TOTAL	\$623,104	\$658,260

Disproportionate Share - Dorothea Dix Psychiatric Center Z225

Initiative: Establishes one Psychiatric Nurse Practitioner position funded 36.0775% General Fund in the Disproportionate Share - Dorothea Dix Psychiatric Center program and 63.9225% Other Special Revenue Funds in the Dorothea Dix Psychiatric Center program to assist the psychiatrists and physicians and to avoid higher locum tenens contracts. This initiative also provides funding for related All Other costs and transfers All Other to Personal Services to cover the cost of the position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$84,759	\$88,674
All Other	(\$84,759)	(\$88,674)

GENERAL FUND TOTAL \$0 \$0

Disproportionate Share - Dorothea Dix Psychiatric Center Z225

Initiative: Adjusts funding for positions in the Riverview and Dorothea Dix Psychiatric Centers as a result of the increase in the Federal Medical Assistance Percentage. The blended rate is 63.92% Federal Expenditures Fund and 36.08% General Fund in federal fiscal year 2022 and 64% Federal Expenditures Fund and 36% General Fund in federal fiscal year 2023.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	(6.000)	(6.000)
COUNT		
Personal Services	(\$255,630)	(\$279,792)
GENERAL FUND TOTAL	(\$255,630)	(\$279,792)

Disproportionate Share - Dorothea Dix Psychiatric Center Z225

Initiative: Establishes one Emergency Response Training Coordinator position funded 37.33% General Fund within the Disproportionate Share - Dorothea Dix Psychiatric Center program and 62.67% Other Special Revenue Funds within the Dorothea Dix Psychiatric Center program to support an emergency preparedness plan. Reduces funding in All Other to fund the position.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	1.000	1.000
COUNT		
Personal Services	\$34,330	\$35,944
All Other	(\$34,330)	(\$35,944)
GENERAL FUND TOTAL	\$0	\$0

Disproportionate Share - Dorothea Dix Psychiatric Center Z225

Initiative: Establishes one Management Analyst II position funded 18.1% General Fund in the Disproportionate Share - Dorothea Dix Psychiatric Center program, 31.9% Other Special Revenue Funds in the Dorothea Dix Psychiatric Center program, 18.1% General Fund in the Disproportionate Share - Riverview Psychiatric Center program and 31.9% Other Special Revenue Funds in the Riverview Psychiatric Center program to serve as the Revenue Cycle Manager. Also provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	1.000	1.000
COUNT		
Personal Services	\$16,081	\$16,825
All Other	\$1,151	\$1,151
GENERAL FUND TOTAL	\$17,232	\$17,976

Disproportionate Share - Riverview Psychiatric Center Z220

Initiative: Adjusts funding for positions in the Riverview and Dorothea Dix Psychiatric Centers as a result

of the increase in the Federal Medical Assistance Percentage. The blended rate is 63.92% Federal Expenditures Fund and 36.08% General Fund in federal fiscal year 2022 and 64% Federal Expenditures Fund and 36% General Fund in federal fiscal year 2023.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$420,894)	(\$456,368)
GENERAL FUND TOTAL	(\$420,894)	(\$456,368)

Disproportionate Share - Riverview Psychiatric Center Z220

Initiative: Establishes one Management Analyst II position funded 18.1% General Fund in the Disproportionate Share - Dorothea Dix Psychiatric Center program, 31.9% Other Special Revenue Funds in the Dorothea Dix Psychiatric Center program, 18.1% General Fund in the Disproportionate Share - Riverview Psychiatric Center program and 31.9% Other Special Revenue Funds in the Riverview Psychiatric Center program to serve as the Revenue Cycle Manager. Also provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
Personal Services	\$16,081	\$16,825
All Other	\$1,151	\$1,151
GENERAL FUND TOTAL	\$17,232	\$17,976

Division of Licensing and Certification Z036

Initiative: Transfers and reallocates one Senior Health Care Financial Analyst position from 35% General Fund and 65% Other Special Revenue Funds to 100% Other Special Revenue Funds within the same program and transfers funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	(1.000)	(1.000)
COUNT		
Personal Services	(\$44,061)	(\$44,359)
All Other	(\$2,224)	(\$2,224)
GENERAL FUND TOTAL	(\$46,285)	(\$46,583)

OTHER SPECIAL REVENUE FUNDS

	2021-22	2022-23
POSITIONS - LEGISLATIVE	1.000	1.000
COUNT		
Personal Services	\$44,061	\$44,359
All Other	\$3,289	\$3,296
OTHER SPECIAL REVENUE FUNDS TOTAL	\$47,350	\$47,655

Division of Licensing and Certification Z036

Initiative: Adjusts funding to align with existing resources.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$319,865	\$319,865

OTHER SPECIAL REVENUE	\$319,865	\$319,865
FUNDS TOTAL		

Dorothea Dix Psychiatric Center Z222

Initiative: Provides funding for the integrated care management system at the Dorothea Dix Psychiatric Center.

GENERAL FUND	2021-22	2022-23
All Other	\$306,374	\$306,374

GENERAL FUND TOTAL	\$306,374	\$306,374
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Dorothea Dix Psychiatric Center Z222

Initiative: Establishes one Psychiatric Nurse Practitioner position funded 36.0775% General Fund in the Disproportionate Share - Dorothea Dix Psychiatric Center program and 63.9225% Other Special Revenue Funds in the Dorothea Dix Psychiatric Center program to assist the psychiatrists and physicians and to avoid higher locum tenens contracts. This initiative also provides funding for related All Other costs and transfers All Other to Personal Services to cover the cost of the position.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$150,164	\$157,641
All Other	(\$150,164)	(\$157,641)

OTHER SPECIAL REVENUE	\$0	\$0
FUNDS TOTAL		

Dorothea Dix Psychiatric Center Z222

Initiative: Adjusts funding for positions in the Riverview and Dorothea Dix Psychiatric Centers as a result of the increase in the Federal Medical Assistance Percentage. The blended rate is 63.92% Federal Expenditures Fund and 36.08% General Fund in federal fiscal year 2022 and 64% Federal Expenditures Fund and 36% General Fund in federal fiscal year 2023.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$256,919	\$281,081
All Other	\$8,221	\$8,995

OTHER SPECIAL REVENUE	\$265,140	\$290,076
FUNDS TOTAL		

Dorothea Dix Psychiatric Center Z222

Initiative: Provides allocation to align with available resources.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500,520	\$500,520

OTHER SPECIAL REVENUE	\$500,520	\$500,520
FUNDS TOTAL		

Dorothea Dix Psychiatric Center Z222

Initiative: Establishes one Management Analyst II position funded 18.1% General Fund in the Disproportionate Share - Dorothea Dix Psychiatric Center program, 31.9% Other Special Revenue Funds in the Dorothea Dix Psychiatric Center program, 18.1% General Fund in the Disproportionate Share - Riverview Psychiatric Center program and 31.9% Other Special Revenue Funds in the Riverview Psychiatric Center program to serve as the Revenue Cycle Manager. Also provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$28,343	\$29,653
All Other	\$2,999	\$3,041

OTHER SPECIAL REVENUE	\$31,342	\$32,694
FUNDS TOTAL		

Dorothea Dix Psychiatric Center Z222

Initiative: Establishes one Emergency Response Training Coordinator position funded 37.33% General Fund within the Disproportionate Share - Dorothea Dix Psychiatric Center program and 62.67% Other Special Revenue Funds within the Dorothea Dix Psychiatric Center program to support an emergency preparedness plan. Reduces funding in All Other to fund the position.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$57,632	\$60,347
All Other	(\$57,632)	(\$60,347)

OTHER SPECIAL REVENUE	\$0	\$0
FUNDS TOTAL		

Drinking Water Enforcement 0728

Initiative: Adjusts funding to align with existing resources.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$275,000	\$275,000

OTHER SPECIAL REVENUE	\$275,000	\$275,000
FUNDS TOTAL		

Food Supplement Administration Z019

Initiative: Continues one limited-period Social Services Program Specialist I position to serve as the Supplemental Nutrition Assistance Program Education Program Specialist previously continued by Financial Order 001082 F1 and provides funding for related All Other costs. This position will end on June 17, 2023.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$82,819	\$86,661
All Other	\$8,406	\$8,494

FEDERAL EXPENDITURES	\$91,225	\$95,155
FUND TOTAL		

IV-E Foster Care/Adoption Assistance 0137

Initiative: Provides allocation to align funding with available resources.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$10,803,295	\$10,803,295
FEDERAL EXPENDITURES FUND TOTAL	<u>\$10,803,295</u>	<u>\$10,803,295</u>

IV-E Foster Care/Adoption Assistance 0137

Initiative: Provides one-time funding for the development of a new comprehensive child welfare information system.

GENERAL FUND	2021-22	2022-23
All Other	\$971,696	\$0
GENERAL FUND TOTAL	<u>\$971,696</u>	<u>\$0</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$994,055	\$0
FEDERAL EXPENDITURES FUND TOTAL	<u>\$994,055</u>	<u>\$0</u>

IV-E Foster Care/Adoption Assistance 0137

Initiative: Provides funding for ongoing maintenance and operational costs of the new comprehensive child welfare information system.

GENERAL FUND	2021-22	2022-23
All Other	\$1,313,633	\$1,921,486
GENERAL FUND TOTAL	<u>\$1,313,633</u>	<u>\$1,921,486</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,343,860	\$1,965,700
FEDERAL EXPENDITURES FUND TOTAL	<u>\$1,343,860</u>	<u>\$1,965,700</u>

IV-E Foster Care/Adoption Assistance 0137

Initiative: Provides one-time funding for the increase in the number of children in foster care.

GENERAL FUND	2021-22	2022-23
All Other	\$737,486	\$737,486
GENERAL FUND TOTAL	<u>\$737,486</u>	<u>\$737,486</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,106,228	\$1,106,228
FEDERAL EXPENDITURES FUND TOTAL	<u>\$1,106,228</u>	<u>\$1,106,228</u>

Long Term Care - Office of Aging and Disability Services 0420

Initiative: Provides funding to the department for the new requirement that the labor portion of reimbursement under MaineCare or state-funded home and community-based services and residential services be at 125% of the minimum wage as well as taxes and benefits related to the labor portion.

GENERAL FUND	2021-22	2022-23
All Other	\$606,738	\$1,603,433
GENERAL FUND TOTAL	<u>\$606,738</u>	<u>\$1,603,433</u>

Low-cost Drugs To Maine's Elderly 0202

Initiative: Increases funding in the Medical Care - Payments to Providers program and decreases funding in the Low-cost Drugs to Maine's Elderly program, the Mental Health Services - Community Medicaid program and the Office of Substance Abuse & Mental Health Srv-Medicaid Seed program to consolidate the 4 Medicaid assistance programs into one program as part of the consolidation of MaineCare-related programs from 13 to 4.

GENERAL FUND	2021-22	2022-23
All Other	\$0	(\$3,994,560)
GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$3,994,560)</u>

Maine Center for Disease Control and Prevention 0143

Initiative: Establishes one Microbiologist III position, one Microbiologist II position and one Public Service Manager II position and provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$314,349	\$329,666
All Other	\$19,062	\$19,062
GENERAL FUND TOTAL	<u>\$333,411</u>	<u>\$348,728</u>

Maine Center for Disease Control and Prevention 0143

Initiative: Establishes 6 Public Health Inspector I positions to reduce the health inspection program backlog and improve capacity to ensure the statutorily required inspection frequency rate will be met and provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$496,914	\$519,966
All Other	\$38,124	\$38,124
GENERAL FUND TOTAL	<u>\$535,038</u>	<u>\$558,090</u>

Maine Center for Disease Control and Prevention 0143

Initiative: Establishes 3 Comprehensive Health Planner II positions funded 100% General Fund in the Maine

Center for Disease Control and Prevention program. Also provides funding for related All Other costs and transfers General Fund All Other to Personal Services to fund a portion of the positions.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	3.000	3.000
COUNT		
Personal Services	\$282,717	\$296,754
All Other	(\$55,568)	(\$55,568)
GENERAL FUND TOTAL	\$227,149	\$241,186

Maine Center for Disease Control and Prevention 0143

Initiative: Establishes 2 Comprehensive Health Planner II positions in the Maine Center for Disease Control and Prevention program, General Fund to assist in building infrastructure with the public health emergency preparedness services program.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	2.000	2.000
COUNT		
Personal Services	\$188,478	\$197,836
All Other	\$12,708	\$12,708
GENERAL FUND TOTAL	\$201,186	\$210,544

Maine Center for Disease Control and Prevention 0143

Initiative: Establishes one Epidemiologist position to strengthen internal epidemiology expertise to assist with chronic disease prevention. Also provides funding for related All Other costs and transfers All Other to Personal Services to partially fund the position.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	1.000	1.000
COUNT		
Personal Services	\$94,239	\$98,918
All Other	(\$53,379)	(\$53,271)
FEDERAL EXPENDITURES FUND TOTAL	\$40,860	\$45,647

Maine Center for Disease Control and Prevention 0143

Initiative: Provides funding for the proposed reclassification of one Office Assistant II position to an Accounting Technician position funded 93% Other Special Revenue Funds and 7% General Fund in the Maine Center for Disease Control and Prevention program to increase staffing levels to be able to perform the required duties.

GENERAL FUND	2021-22	2022-23
Personal Services	\$4,016	\$3,939
All Other	\$445	\$445
GENERAL FUND TOTAL	\$4,461	\$4,384

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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Personal Services	\$2,462	\$2,412
All Other	\$492	\$484

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,954	\$2,896
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Maine Center for Disease Control and Prevention 0143

Initiative: Transfers and reallocates one Public Service Coordinator III position from 25% General Fund and 75% Federal Expenditures Fund to 100% General Fund within the same program and adjusts funding for related All Other.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	1.000	1.000
COUNT		
Personal Services	\$222,060	\$222,775
All Other	\$4,766	\$4,766
GENERAL FUND TOTAL	\$226,826	\$227,541

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	(1.000)	(1.000)
COUNT		
Personal Services	(\$222,060)	(\$222,775)
All Other	(\$9,985)	(\$10,002)
FEDERAL EXPENDITURES FUND TOTAL	(\$232,045)	(\$232,777)

Maine Center for Disease Control and Prevention 0143

Initiative: Provides funding for the proposed reclassification of 2 Public Health Inspector II positions to Public Health Inspector II - Supervisory positions and the proposed reclassification of one Office Assistant II position to an Office Associate II position.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$12,548	\$19,564
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,548	\$19,564

Maine Center for Disease Control and Prevention 0143

Initiative: Establishes one Public Health Nurse Consultant position funded 25% General Fund within the Maine Center for Disease Control and Prevention program and 75% Other Special Revenue Funds in the Office of MaineCare Services program to oversee a mortality review committee for all home and community-based services waiver programs to ensure federal compliance and provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
Personal Services	\$29,223	\$30,485
All Other	\$1,589	\$1,589

GENERAL FUND TOTAL \$30,812 \$32,074

Maine Center for Disease Control and Prevention 0143

Initiative: Transfers one Public Service Manager III position from the Office of Substance Abuse and Mental Health Services program to the Maine Center for Disease Control and Prevention program within the same fund and transfers funding for All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$153,912	\$155,169
All Other	\$6,354	\$6,354

GENERAL FUND TOTAL \$160,266 \$161,523

Maine Center for Disease Control and Prevention 0143

Initiative: Provides allocation to align with available resources.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,227,612	\$1,227,612

OTHER SPECIAL REVENUE FUNDS TOTAL \$1,227,612 \$1,227,612

Maine Center for Disease Control and Prevention 0143

Initiative: Establishes one limited-period Systems Analyst position and one limited-period Inventory and Property Associate I position through June 17, 2023.

GENERAL FUND	2021-22	2022-23
Personal Services	\$178,480	\$185,955
All Other	\$12,708	\$12,708

GENERAL FUND TOTAL \$191,188 \$198,663

Maine Center for Disease Control and Prevention 0143

Initiative: Reallocates the costs of 43 positions currently funded in the Federal Expenditures Fund and Other Special Revenue Funds to charge all positions within the Health and Environmental Testing Laboratory to the Federal Expenditures Fund, Other Special Revenue Funds and General Fund. Position and allocation detail is on file with the Bureau of the Budget.

GENERAL FUND	2021-22	2022-23
Personal Services	\$1,960,596	\$2,014,244

GENERAL FUND TOTAL \$1,960,596 \$2,014,244

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(4.000)	(4.000)
Personal Services	\$10	(\$572)

FEDERAL EXPENDITURES FUND TOTAL \$10 (\$572)

OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	(\$1,960,606)	(\$2,013,672)

OTHER SPECIAL REVENUE FUNDS TOTAL (\$1,960,606) (\$2,013,672)

Maine Center for Disease Control and Prevention 0143

Initiative: Provides funding in the health and environmental testing laboratory for maintenance agreements for laboratory equipment and laboratory supplies.

GENERAL FUND	2021-22	2022-23
All Other	\$535,847	\$432,927

GENERAL FUND TOTAL \$535,847 \$432,927

Maine Center for Disease Control and Prevention 0143

Initiative: Reallocates the costs of 16 various positions within the health inspection program account. Position detail is on file with the Bureau of the Budget.

GENERAL FUND	2021-22	2022-23
Personal Services	\$547,014	\$557,166

GENERAL FUND TOTAL \$547,014 \$557,166

OTHER SPECIAL REVENUE FUNDS

Personal Services	(\$547,014)	(\$557,166)
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OTHER SPECIAL REVENUE FUNDS TOTAL (\$547,014) (\$557,166)

Maine Center for Disease Control and Prevention 0143

Initiative: Establishes one Public Health Educator III position for the Maine immunization program and reduces funding in All Other to fund the position.

FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$85,718	\$89,749
All Other	(\$85,718)	(\$89,749)

FEDERAL EXPENDITURES FUND TOTAL \$0 \$0

Maine Center for Disease Control and Prevention 0143

Initiative: Establishes 7 Epidemiologist positions, 2 Public Health Educator III positions and one Senior Health Program Manager position for the epidemiology

program and reduces funding in All Other to fund the positions.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	10,000	10,000
Personal Services	\$935,114	\$981,108
All Other	(\$935,114)	(\$981,108)
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

Maine Center for Disease Control and Prevention 0143

Initiative: Establishes 2 Management Analyst II positions funded 35% General Fund and 65% Other Special Revenue Funds in the Maine Center for Disease Control and Prevention program to build adequate infrastructure to perform essential functions. Also provides related All Other funding.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$62,192	\$65,070
All Other	\$4,448	\$4,448
GENERAL FUND TOTAL	\$66,640	\$69,518

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$115,500	\$120,846
All Other	\$11,108	\$11,231
OTHER SPECIAL REVENUE FUNDS TOTAL	\$126,608	\$132,077

Maine Center for Disease Control and Prevention 0143

Initiative: Repeals the continuation of 5 limited-period Environmental Specialist III positions and 3 limited-period Environmental Specialist III positions until June 17, 2023 contained in Public Law 2021, chapter 29.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$700,008)	(\$722,454)
All Other	(\$50,832)	(\$50,832)
GENERAL FUND TOTAL	(\$750,840)	(\$773,286)

Maine Center for Disease Control and Prevention 0143

Initiative: Continues 5 limited-period Environmental Specialist III positions previously continued in Public Law 2019, chapter 343 and 3 limited-period Environmental Specialist III positions previously established in Public Law 2019, chapter 343. These positions will end June 14, 2025.

GENERAL FUND	2021-22	2022-23
Personal Services	\$700,008	\$722,454
All Other	\$50,832	\$50,832

GENERAL FUND TOTAL	\$750,840	\$773,286
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Maine Children's Growth Council Z074

Initiative: Eliminates funding in the Maine Children's Growth Council program per Public Law 2019, chapter 450.

GENERAL FUND	2021-22	2022-23
All Other	(\$25,000)	(\$25,000)

GENERAL FUND TOTAL	(\$25,000)	(\$25,000)
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Maine Health Insurance Marketplace Trust Fund Z292

Initiative: Provides allocation to align with available resources for the state-based marketplace.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$6,604,172	\$12,179,227

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,604,172	\$12,179,227
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Maternal and Child Health 0191

Initiative: Transfers one Public Health Nurse Supervisor position, 2 Public Health Nurse II positions and one Public Health Nurse I position from the Maternal and Child Health program, Federal Block Grant Fund to the Maternal and Child Health Block Grant Match program, General Fund in order to remain in compliance with the required ratio of targeted populations according to the current maternal and child health block grant work plan. Transfers General Fund All Other to Personal Services to fund the positions.

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(4,000)	(4,000)
Personal Services	(\$433,964)	(\$448,027)
All Other	(\$9,986)	(\$9,986)

FEDERAL BLOCK GRANT FUND TOTAL	(\$443,950)	(\$458,013)
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Maternal and Child Health 0191

Initiative: Adjusts funding to align with existing resources.

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$92,071	\$92,071

FEDERAL BLOCK GRANT FUND TOTAL	\$92,071	\$92,071
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Maternal and Child Health 0191

Initiative: Continues one limited-period Comprehensive Health Planner I position previously continued by Financial Order 001086 F1 and provides funding for related All Other costs. This position will end on June 17, 2023.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$33,159	\$34,772
All Other	\$3,384	\$3,422
FEDERAL EXPENDITURES FUND TOTAL	\$36,543	\$38,194

Maternal and Child Health 0191

Initiative: Continues one limited-period Comprehensive Health Planner II position to serve as the Pediatric Mental Health Access Program and Grant Coordinator previously continued by Financial Order 001130 F1 and provides funding for related All Other costs. This position will end on June 17, 2023.

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
Personal Services	\$94,239	\$98,918
All Other	\$8,726	\$8,824
FEDERAL BLOCK GRANT FUND TOTAL	\$102,965	\$107,742

Maternal and Child Health Block Grant Match Z008

Initiative: Transfers one Public Health Nurse Supervisor position, 2 Public Health Nurse II positions and one Public Health Nurse I position from the Maternal and Child Health program, Federal Block Grant Fund to the Maternal and Child Health Block Grant Match program, General Fund in order to remain in compliance with the required ratio of targeted populations according to the current maternal and child health block grant work plan. Transfers General Fund All Other to Personal Services to fund the positions.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$433,964	\$448,027
All Other	(\$433,964)	(\$448,027)
GENERAL FUND TOTAL	\$0	\$0

Medicaid Services - Developmental Services Z210

Initiative: Provides funding for individuals with intellectual disabilities to receive services pursuant to the department's rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 29, Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$273,118	\$940,237
OTHER SPECIAL REVENUE FUNDS TOTAL	\$273,118	\$940,237

Medicaid Services - Developmental Services Z210

Initiative: Provides funding to increase rates for services under the department's rule Chapter 101:

MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder, and Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$1,952,229
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$1,952,229

Medicaid Services - Developmental Services Z210

Initiative: Adjusts funding in the Medicaid dedicated tax accounts and the corresponding General Fund accounts to bring baseline resources in line with the December 2020 Revenue Forecasting Committee recommendations.

GENERAL FUND	2021-22	2022-23
All Other	\$4,232,214	\$4,232,214
GENERAL FUND TOTAL	\$4,232,214	\$4,232,214

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$4,483,329)	(\$4,483,329)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$4,483,329)	(\$4,483,329)

Medicaid Services - Developmental Services Z210

Initiative: Increases funding in the Medicaid Services - Developmental Services program and decreases funding in the Developmental Services Waiver - MaineCare program, the Developmental Services Waiver - Supports program, the Traumatic Brain Injury Seed program and the Medicaid Waiver for Brain Injury Residential/Community Serv program to consolidate the 6 developmental services waiver programs into one program as part of the consolidation of MaineCare-related programs from 13 to 4.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$175,535,445
GENERAL FUND TOTAL	\$0	\$175,535,445

Medicaid Services - Developmental Services Z210

Initiative: Increases funding in the Nursing Facilities program and decreases funding in the Residential Treatment Facilities Assessment program, the Medicaid Services - Developmental Services program and the Developmental Services Waiver - Supports program to consolidate the 4 programs into one program as part of the consolidation of MaineCare-related programs and accounts.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	(\$57,000)

OTHER SPECIAL REVENUE	\$0	(\$57,000)
FUNDS TOTAL		

Medicaid Services - Developmental Services Z210

Initiative: Increases funding in the Medical Care - Payments to Providers program and decreases funding in the Mental Health Services - Community Medicaid program, the Office of Substance Abuse & Mental Health Srv-Medicaid Seed program and the Medicaid Services - Developmental Services program to consolidate the 4 programs into one program as part of the consolidation of MaineCare-related programs and accounts.

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
All Other	\$0	(\$750,000)

OTHER SPECIAL REVENUE	\$0	(\$750,000)
FUNDS TOTAL		

Medicaid Services - Developmental Services Z210

Initiative: Increases funding in the Mental Health Services - Community Medicaid program and decreases funding in the Medicaid Services - Developmental Services program to consolidate the 2 accounts into one as part of the consolidation of MaineCare-related programs and accounts.

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
All Other	\$0	\$3,909,786

OTHER SPECIAL REVENUE	\$0	\$3,909,786
FUNDS TOTAL		

Medicaid Services - Developmental Services Z210

Initiative: Provides funding to ensure MaineCare services receive a cost-of-living adjustment.

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
All Other	\$0	\$1,570,000

OTHER SPECIAL REVENUE	\$0	\$1,570,000
FUNDS TOTAL		

Medicaid Services - Developmental Services Z210

Initiative: Provides funding to implement recommended rates from rate study of substance use disorder intensive outpatient program services.

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
All Other	\$71,814	\$143,628

OTHER SPECIAL REVENUE	\$71,814	\$143,628
FUNDS TOTAL		

Medicaid Services - Developmental Services Z210

Initiative: Provides funding to increase rates for family-centered homes and shared living providers under the MaineCare Benefits Manual, Chapter III, Section 21,

Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder and Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder.

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
All Other	\$24,622	\$74,601

OTHER SPECIAL REVENUE	\$24,622	\$74,601
FUNDS TOTAL		

Medicaid Services - Developmental Services Z210

Initiative: Adjusts funding in the Medicaid dedicated tax accounts and the corresponding General Fund accounts to bring baseline resources in line with the May 2021 Revenue Forecasting Committee recommendations.

GENERAL FUND	2021-22	2022-23
All Other	(\$187,558)	(\$187,558)

GENERAL FUND TOTAL	(\$187,558)	(\$187,558)
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OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
All Other	\$304,046	\$304,046

OTHER SPECIAL REVENUE	\$304,046	\$304,046
FUNDS TOTAL		

Medicaid Services - Developmental Services Z210

Initiative: Adjusts funding one time to reflect the 6.2 percentage point increase provided as part of the federal Families First Coronavirus Response Act available through the first quarter of fiscal year 2021-22.

GENERAL FUND	2021-22	2022-23
All Other	(\$1,266,537)	\$0

GENERAL FUND TOTAL	(\$1,266,537)	\$0
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Medicaid Services - Developmental Services Z210

Initiative: Provides funding for an increase to certain rates under the department's rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 65, Behavioral Health Services, in place on January 1, 2019, by 25%.

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
All Other	\$174,181	\$174,182

OTHER SPECIAL REVENUE	\$174,181	\$174,182
FUNDS TOTAL		

Medicaid Services - Developmental Services Z210

Initiative: Provides funding to the department for the new requirement that the labor portion of reimbursement under MaineCare or state-funded home and community-based services and residential services be at

125% of the minimum wage as well as taxes and benefits related to the labor portion.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$248,956	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$248,956</u>	<u>\$0</u>

Medicaid Waiver for Brain Injury Residential /Community Serv Z218

Initiative: Increases funding in the Medicaid Services - Developmental Services program and decreases funding in the Developmental Services Waiver - MaineCare program, the Developmental Services Waiver - Supports program, the Traumatic Brain Injury Seed program and the Medicaid Waiver for Brain Injury Residential/Community Serv program to consolidate the 6 developmental services waiver programs into one program as part of the consolidation of MaineCare-related programs from 13 to 4.

GENERAL FUND	2021-22	2022-23
All Other	\$0	(\$7,352,600)
GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$7,352,600)</u>

Medicaid Waiver for Brain Injury Residential /Community Serv Z218

Initiative: Adjusts funding one time to reflect the 6.2 percentage point increase provided as part of the federal Families First Coronavirus Response Act available through the first quarter of fiscal year 2021-22.

GENERAL FUND	2021-22	2022-23
All Other	(\$316,570)	\$0
GENERAL FUND TOTAL	<u>(\$316,570)</u>	<u>\$0</u>

Medicaid Waiver for Brain Injury Residential /Community Serv Z218

Initiative: Provides funding to the department for the new requirement that the labor portion of reimbursement under MaineCare or state-funded home and community-based services and residential services be at 125% of the minimum wage as well as taxes and benefits related to the labor portion.

GENERAL FUND	2021-22	2022-23
All Other	\$5,030	\$0
GENERAL FUND TOTAL	<u>\$5,030</u>	<u>\$0</u>

Medicaid Waiver for Other Related Conditions Z217

Initiative: Increases funding in the Medicaid Services - Developmental Services program and decreases funding in the Developmental Services Waiver - MaineCare program, the Developmental Services Waiver - Supports program, the Traumatic Brain Injury Seed program and the Medicaid Waiver for Brain Injury Residential/Community Serv program to consolidate

the 6 developmental services waiver programs into one program as part of the consolidation of MaineCare-related programs from 13 to 4.

GENERAL FUND	2021-22	2022-23
All Other	\$0	(\$3,455,078)
GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$3,455,078)</u>

Medicaid Waiver for Other Related Conditions Z217

Initiative: Adjusts funding one time to reflect the 6.2 percentage point increase provided as part of the federal Families First Coronavirus Response Act available through the first quarter of fiscal year 2021-22.

GENERAL FUND	2021-22	2022-23
All Other	(\$148,760)	\$0
GENERAL FUND TOTAL	<u>(\$148,760)</u>	<u>\$0</u>

Medicaid Waiver for Other Related Conditions Z217

Initiative: Provides funding to the department for the new requirement that the labor portion of reimbursement under MaineCare or state-funded home and community-based services and residential services be at 125% of the minimum wage as well as taxes and benefits related to the labor portion.

GENERAL FUND	2021-22	2022-23
All Other	\$32,576	\$44,724
GENERAL FUND TOTAL	<u>\$32,576</u>	<u>\$44,724</u>

Medical Care - Payments to Providers 0147

Initiative: Transfers funding for a revision to the department's rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 19, Home and Community Benefits for the Elderly and Adults with Disabilities, which allows enhanced Federal Medical Assistance Percentage for the community first choice option, from the General Fund to the Federal Expenditures Fund within the same program.

GENERAL FUND	2021-22	2022-23
All Other	(\$741,019)	(\$1,482,038)
GENERAL FUND TOTAL	<u>(\$741,019)</u>	<u>(\$1,482,038)</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$741,019	\$1,482,038
FEDERAL EXPENDITURES FUND TOTAL	<u>\$741,019</u>	<u>\$1,482,038</u>

Medical Care - Payments to Providers 0147

Initiative: Provides funding for individuals with intellectual disabilities to receive services pursuant to the department's rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 29, Support Services for

Adults with Intellectual Disabilities or Autism Spectrum Disorder.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$2,912,549	\$10,029,197
FEDERAL EXPENDITURES FUND TOTAL	<u>\$2,912,549</u>	<u>\$10,029,197</u>

Medical Care - Payments to Providers 0147

Initiative: Provides funding for a new intensive outpatient program for high-acuity MaineCare members to address the gap in the State's behavioral health services system.

GENERAL FUND	2021-22	2022-23
All Other	\$467,662	\$3,741,311
GENERAL FUND TOTAL	<u>\$467,662</u>	<u>\$3,741,311</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,595,271	\$12,762,168
FEDERAL EXPENDITURES FUND TOTAL	<u>\$1,595,271</u>	<u>\$12,762,168</u>

Medical Care - Payments to Providers 0147

Initiative: Provides funding to increase rates for services under the department's rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder, and Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$0	\$20,823,780
FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$20,823,780</u>

Medical Care - Payments to Providers 0147

Initiative: Provides funding to increase rates related to the department's rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Appendix D, Principles of Reimbursement for Child Care Facilities, due to a planned rate study and to meet the requirements of the federal Family First Prevention Services Act.

GENERAL FUND	2021-22	2022-23
All Other	\$180,087	\$1,723,781
GENERAL FUND TOTAL	<u>\$180,087</u>	<u>\$1,723,781</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,177,409	\$10,330,439
FEDERAL EXPENDITURES FUND TOTAL	<u>\$1,177,409</u>	<u>\$10,330,439</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$113,602	\$1,027,095
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$113,602</u>	<u>\$1,027,095</u>

Medical Care - Payments to Providers 0147

Initiative: Increases funding one time in the Medical Care - Payments to Providers program due to increased enrollment in the department's rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 113, Non-Emergency Transportation (NET) broker payments for fiscal year 2021-22.

GENERAL FUND	2021-22	2022-23
All Other	\$967,089	\$0
GENERAL FUND TOTAL	<u>\$967,089</u>	<u>\$0</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$2,614,721	\$0
FEDERAL EXPENDITURES FUND TOTAL	<u>\$2,614,721</u>	<u>\$0</u>

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding for changes instituted in the Maine integrated health management solution system to require providers to follow certain billing procedures to correctly identify family planning claims.

GENERAL FUND	2021-22	2022-23
All Other	(\$493,985)	(\$492,470)
GENERAL FUND TOTAL	<u>(\$493,985)</u>	<u>(\$492,470)</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$493,985	\$492,470
FEDERAL EXPENDITURES FUND TOTAL	<u>\$493,985</u>	<u>\$492,470</u>

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding as a result of maximizing the Federal Medical Assistance Percentage by incorporating primary care case management, primary care health homes and primary care provider incentive payments into population-based payments that are directly tied to performance on quality, utilization and cost measures.

GENERAL FUND	2021-22	2022-23
All Other	(\$59,595)	(\$53,456)
GENERAL FUND TOTAL	<u>(\$59,595)</u>	<u>(\$53,456)</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$59,595	\$53,456
FEDERAL EXPENDITURES FUND TOTAL	<u>\$59,595</u>	<u>\$53,456</u>

Medical Care - Payments to Providers 0147

Initiative: Reduces funding in the Medical Care - Payments to Providers program by developing a preferred drug list and prior authorization process for physician-administered drugs when there are biosimilar equivalents eligible for rebates.

GENERAL FUND	2021-22	2022-23
All Other	(\$343,989)	(\$599,768)
GENERAL FUND TOTAL	(\$343,989)	(\$599,768)
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	(\$831,011)	(\$1,400,232)
FEDERAL EXPENDITURES FUND TOTAL	(\$831,011)	(\$1,400,232)

Medical Care - Payments to Providers 0147

Initiative: Reduces funding to align the rate structures and fee schedule for purchased durable medical equipment with those used by the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services.

GENERAL FUND	2021-22	2022-23
All Other	(\$202,090)	(\$201,654)
GENERAL FUND TOTAL	(\$202,090)	(\$201,654)
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	(\$388,262)	(\$388,690)
FEDERAL EXPENDITURES FUND TOTAL	(\$388,262)	(\$388,690)
FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	(\$11,242)	(\$11,250)
FEDERAL BLOCK GRANT FUND TOTAL	(\$11,242)	(\$11,250)

Medical Care - Payments to Providers 0147

Initiative: Provides funding to increase private nonmedical institution services rates by inflation per the department's rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Appendix C, Principles of Reimbursement for Medical and Remedial Service Facilities.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$649,343
GENERAL FUND TOTAL	\$0	\$649,343
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$0	\$1,566,848

FEDERAL EXPENDITURES	\$0	\$1,566,848
FUND TOTAL		

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$232,009
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$232,009

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding in the Medicaid dedicated tax accounts and the corresponding General Fund accounts to bring baseline resources in line with the December 2020 Revenue Forecasting Committee recommendations.

GENERAL FUND	2021-22	2022-23
All Other	\$2,038,111	\$2,038,111
GENERAL FUND TOTAL	\$2,038,111	\$2,038,111
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$2,038,111)	(\$2,038,111)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$2,038,111)	(\$2,038,111)

Medical Care - Payments to Providers 0147

Initiative: Increases funding in the Medical Care - Payments to Providers program and decreases funding in the Low-cost Drugs to Maine's Elderly program, the Mental Health Services - Community Medicaid program and the Office of Substance Abuse & Mental Health Srv-Medicaid Seed program to consolidate the 4 Medicaid assistance programs into one program as part of the consolidation of MaineCare-related programs from 13 to 4.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$45,201,624
GENERAL FUND TOTAL	\$0	\$45,201,624

Medical Care - Payments to Providers 0147

Initiative: Provides funding for an increase in rates for federally qualified health centers as required by the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$299,140
GENERAL FUND TOTAL	\$0	\$299,140
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$0	\$673,985
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$673,985

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$0	\$31,563
FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$31,563

Medical Care - Payments to Providers 0147

Initiative: Provides funding for an increase in rates for rural health centers as required by the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$74,869
GENERAL FUND TOTAL	\$0	\$74,869

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$0	\$159,968
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$159,968

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$0	\$8,180
FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$8,180

Medical Care - Payments to Providers 0147

Initiative: Provides funding for cost-of-living adjustments for adult family care homes.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$92,375
GENERAL FUND TOTAL	\$0	\$92,375

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$0	\$164,223
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$164,223

Medical Care - Payments to Providers 0147

Initiative: Provides funding to modify MaineCare estate recovery rules to mandatory federal requirements.

GENERAL FUND	2021-22	2022-23
All Other	\$416,870	\$415,946
GENERAL FUND TOTAL	\$416,870	\$415,946

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$738,535	\$739,459
FEDERAL EXPENDITURES FUND TOTAL	\$738,535	\$739,459

Medical Care - Payments to Providers 0147

Initiative: Increases funding in the Medical Care - Payments to Providers program and decreases funding in the Mental Health Services - Community Medicaid program, the Office of Substance Abuse & Mental Health Srv-Medicaid Seed program and the Medicaid Services - Developmental Services program to consolidate the 4 programs into one program as part of the consolidation of MaineCare-related programs and accounts.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$4,296,854
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$4,296,854

Medical Care - Payments to Providers 0147

Initiative: Provides funding to implement the recommendations of the MaineCare comprehensive rate system evaluation report for dental rates.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$2,846,428
GENERAL FUND TOTAL	\$0	\$2,846,428

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$0	\$5,753,572
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$5,753,572

Medical Care - Payments to Providers 0147

Initiative: Provides funding to implement a new payment model for the Maine maternal opioid misuse program, as required per the federal grant.

GENERAL FUND	2021-22	2022-23
All Other	\$335,163	\$1,292,772
GENERAL FUND TOTAL	\$335,163	\$1,292,772

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$630,725	\$2,432,796
FEDERAL EXPENDITURES FUND TOTAL	\$630,725	\$2,432,796

Medical Care - Payments to Providers 0147

Initiative: Provides funding to ensure MaineCare services receive a cost-of-living adjustment.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$8,402,107
GENERAL FUND TOTAL	\$0	\$8,402,107

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$0	\$18,638,637

FEDERAL EXPENDITURES \$0 \$18,638,637
 FUND TOTAL

Medical Care - Payments to Providers 0147

Initiative: Provides funding for creation of a value-based hospital supplemental payment sub-pool.

GENERAL FUND	2021-22	2022-23
All Other	\$168,562	\$183,139

GENERAL FUND TOTAL	\$168,562	\$183,139
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$426,538	\$411,924

FEDERAL EXPENDITURES FUND TOTAL	\$426,538	\$411,924
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FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$5,080	\$4,937

FEDERAL BLOCK GRANT FUND TOTAL	\$5,080	\$4,937
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Medical Care - Payments to Providers 0147

Initiative: Provides funding to establish a pilot program to provide reimbursement for structured recovery housing services that support parents with substance use disorder who are at risk of or currently involved with child protective services.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$74,520

GENERAL FUND TOTAL	\$0	\$74,520
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$0	\$132,480

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$132,480
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Medical Care - Payments to Providers 0147

Initiative: Provides funding for a pilot for evidence-based parenting programs designated for parents identified with substance use disorder risk factors focused enhancing the child's behavioral and regulatory capabilities and strengthening parent/caregiver attachment.

GENERAL FUND	2021-22	2022-23
All Other	\$62,460	\$160,020

GENERAL FUND TOTAL	\$62,460	\$160,020
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$111,040	\$284,480

FEDERAL EXPENDITURES FUND TOTAL	\$111,040	\$284,480
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Medical Care - Payments to Providers 0147

Initiative: Provides funding to support individuals with chronic homelessness in securing and maintaining housing.

GENERAL FUND	2021-22	2022-23
All Other	\$40,727	\$281,362

GENERAL FUND TOTAL	\$40,727	\$281,362
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$206,102	\$1,423,863

FEDERAL EXPENDITURES FUND TOTAL	\$206,102	\$1,423,863
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Medical Care - Payments to Providers 0147

Initiative: Provides funding to establish the National Diabetes Prevention Program for MaineCare members.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$539,912

GENERAL FUND TOTAL	\$0	\$539,912
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$0	\$1,033,809

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$1,033,809
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Medical Care - Payments to Providers 0147

Initiative: Provides funding to establish a pilot program under the Section 1115 Medicaid exclusion waiver for facilities meeting the federal regulatory definition of "Institutes for Mental Disease" for the treatment of substance use disorder to provide reimbursement for skills development services that support parents with substance use disorder.

GENERAL FUND	2021-22	2022-23
All Other	\$95,400	\$189,720

GENERAL FUND TOTAL	\$95,400	\$189,720
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$169,600	\$337,280

FEDERAL EXPENDITURES FUND TOTAL	\$169,600	\$337,280
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Medical Care - Payments to Providers 0147

Initiative: Provides funding to standardize Medicare benchmark used for rate setting across numerous sections of MaineCare policy.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$9,748,223

GENERAL FUND TOTAL	\$0	\$9,748,223
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$0	\$20,901,047
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$20,901,047

Medical Care - Payments to Providers 0147

Initiative: Provides funding for anticipated increase in available supply of private nonmedical institutions appendix B substance use disorder treatment beds resulting from approval and implementation of the Section 1115 Medicaid exclusion waiver for facilities meeting the federal regulatory definition of "Institutes for Mental Disease" for the treatment of substance use disorder.

GENERAL FUND	2021-22	2022-23
All Other	\$120,705	\$131,717
GENERAL FUND TOTAL	\$120,705	\$131,717

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$749,855	\$738,843
FEDERAL EXPENDITURES FUND TOTAL	\$749,855	\$738,843

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$55,568	\$55,568
OTHER SPECIAL REVENUE FUNDS TOTAL	\$55,568	\$55,568

Medical Care - Payments to Providers 0147

Initiative: Provides funding to increase rates for the department's rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Private Non-Medical Institution Services, Appendix B, Substance Use Disorder Facilities.

GENERAL FUND	2021-22	2022-23
All Other	\$150,119	\$209,124
GENERAL FUND TOTAL	\$150,119	\$209,124

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$886,498	\$1,173,031
FEDERAL EXPENDITURES FUND TOTAL	\$886,498	\$1,173,031

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$66,166	\$88,222
OTHER SPECIAL REVENUE FUNDS TOTAL	\$66,166	\$88,222

Medical Care - Payments to Providers 0147

Initiative: Provides funding for the proposed Section 1115 Medicaid exclusion waiver for facilities meeting the federal regulatory definition of "Institutes for Mental Disease" for the treatment of substance use disorder to continue MaineCare coverage for parents during the process of substance use disorder rehabilitation and reunification with their children.

GENERAL FUND	2021-22	2022-23
All Other	\$876,960	\$1,753,920
GENERAL FUND TOTAL	\$876,960	\$1,753,920

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,559,040	\$3,118,080
FEDERAL EXPENDITURES FUND TOTAL	\$1,559,040	\$3,118,080

Medical Care - Payments to Providers 0147

Initiative: Provides funding to implement recommended rates from rate study of substance use disorder intensive outpatient program services.

GENERAL FUND	2021-22	2022-23
All Other	\$170,175	\$340,350
GENERAL FUND TOTAL	\$170,175	\$340,350

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$954,911	\$1,909,822
FEDERAL EXPENDITURES FUND TOTAL	\$954,911	\$1,909,822

Medical Care - Payments to Providers 0147

Initiative: Provides funding to implement a coordinated specialty care model to treat members for a first episode of psychosis.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$1,618,972
GENERAL FUND TOTAL	\$0	\$1,618,972

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$0	\$4,978,531
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$4,978,531

Medical Care - Payments to Providers 0147

Initiative: Provides funding to increase rates for family-centered homes and shared living providers under the MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder and Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$262,308	\$948,970

FEDERAL EXPENDITURES FUND TOTAL	\$262,308	\$948,970
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Medical Care - Payments to Providers 0147

Initiative: Adjusts funding in the Medicaid dedicated tax accounts and the corresponding General Fund accounts to bring baseline resources in line with the May 2021 Revenue Forecasting Committee recommendations.

GENERAL FUND	2021-22	2022-23
All Other	\$3,780,948	\$3,780,948
GENERAL FUND TOTAL	\$3,780,948	\$3,780,948

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$3,780,948)	(\$3,780,948)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$3,780,948)	(\$3,780,948)

Medical Care - Payments to Providers 0147

Initiative: Provides one-time funding to support hospitals in their response to the COVID-19 pandemic.

GENERAL FUND	2021-22	2022-23
All Other	\$5,396,720	\$0
GENERAL FUND TOTAL	\$5,396,720	\$0

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$17,603,280	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$17,603,280	\$0

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding one time to reflect the 6.2 percentage point increase provided as part of the federal Families First Coronavirus Response Act available through the first quarter of fiscal year 2021-22.

GENERAL FUND	2021-22	2022-23
All Other	(\$25,954,566)	\$0
GENERAL FUND TOTAL	(\$25,954,566)	\$0

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$42,189,111	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$42,189,111	\$0

FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	(\$1,328,929)	\$0

FUND FOR A HEALTHY MAINE TOTAL	(\$1,328,929)	\$0
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FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	(\$301,702)	\$0
FEDERAL BLOCK GRANT FUND TOTAL	(\$301,702)	\$0

Medical Care - Payments to Providers 0147

Initiative: Provides funding for a full dental benefit to MaineCare adults over 21 years of age.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$10,691,607
GENERAL FUND TOTAL	\$0	\$10,691,607

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$0	\$26,201,445
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$26,201,445

Medical Care - Payments to Providers 0147

Initiative: Provides one-time funding to support private nonmedical institutions under the department's rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Appendix C, Principles of Reimbursement for Medical and Remedial Service Facilities for increased costs and lost revenue during the COVID-19 pandemic.

GENERAL FUND	2021-22	2022-23
All Other	\$2,593,800	\$0
GENERAL FUND TOTAL	\$2,593,800	\$0

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$7,650,620	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$7,650,620	\$0

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$698,976	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$698,976	\$0

Medical Care - Payments to Providers 0147

Initiative: Provides funding beginning in fiscal year 2022-23 for full benefits to children under 21 years of age who would be otherwise eligible for federal benefits but for their immigration status and establishes the Children's Health Insurance Program unborn child option to cover care during pregnancy and a limited postpartum period for pregnant people who would be otherwise

eligible for federal benefits but for their immigration status. Also provides one-time funding in fiscal year 2021-22 for required technology changes.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$1,532,915
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$1,532,915</u>

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$0	\$1,278,757
FEDERAL BLOCK GRANT FUND TOTAL	<u>\$0</u>	<u>\$1,278,757</u>

Medical Care - Payments to Providers 0147

Initiative: Provides funding for an increase to certain rates under the department's rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 65, Behavioral Health Services, in place on January 1, 2019, by 25%.

GENERAL FUND	2021-22	2022-23
All Other	\$670,501	\$743,687
GENERAL FUND TOTAL	<u>\$670,501</u>	<u>\$743,687</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$2,011,009	\$1,939,505
FEDERAL EXPENDITURES FUND TOTAL	<u>\$2,011,009</u>	<u>\$1,939,505</u>

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$47,342	\$45,659
FEDERAL BLOCK GRANT FUND TOTAL	<u>\$47,342</u>	<u>\$45,659</u>

Medical Care - Payments to Providers 0147

Initiative: Deappropriates funds on a one-time basis from available balances carried forward from fiscal year 2020-21.

GENERAL FUND	2021-22	2022-23
All Other	(\$20,000,000)	\$0
GENERAL FUND TOTAL	<u>(\$20,000,000)</u>	<u>\$0</u>

Medical Care - Payments to Providers 0147

Initiative: Provides a one-time adjustment in funding for the MaineCare program to reflect a transfer from the unappropriated surplus of the General Fund.

GENERAL FUND	2021-22	2022-23
All Other	\$0	(\$15,000,000)
GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$15,000,000)</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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All Other	\$0	\$15,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$15,000,000</u>

Medical Care - Payments to Providers 0147

Initiative: Provides funding to the department for the new requirement that the labor portion of reimbursement under MaineCare or state-funded home and community-based services and residential services be at 125% of the minimum wage as well as taxes and benefits related to the labor portion.

GENERAL FUND	2021-22	2022-23
All Other	\$769,886	\$2,070,976
GENERAL FUND TOTAL	<u>\$769,886</u>	<u>\$2,070,976</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$9,494,450	\$18,024,316
FEDERAL EXPENDITURES FUND TOTAL	<u>\$9,494,450</u>	<u>\$18,024,316</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$614,389	\$1,871,907
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$614,389</u>	<u>\$1,871,907</u>

Medical Care - Payments to Providers 0147

Initiative: Provides one-time funding for the department to provide equal monthly supplemental payments from January 2022 through December 2022 to all providers of services under the department's rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 2, Adult Family Care Services in equal proportion to the services provided by providers in the previous 12-month period.

GENERAL FUND	2021-22	2022-23
All Other	\$43,794	\$57,506
GENERAL FUND TOTAL	<u>\$43,794</u>	<u>\$57,506</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$73,452	\$95,584
FEDERAL EXPENDITURES FUND TOTAL	<u>\$73,452</u>	<u>\$95,584</u>

Medical Care - Payments to Providers 0147

Initiative: Provides one-time funding for the department to provide equal monthly supplemental payments from January 2022 through December 2022 to all providers of services under the department's rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 17, Community Support Services in equal proportion to the services provided by providers in the previous 12-month period.

GENERAL FUND	2021-22	2022-23
All Other	\$253,247	\$128,438
GENERAL FUND TOTAL	<u>\$253,247</u>	<u>\$128,438</u>
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$506,041	\$298,728
FEDERAL EXPENDITURES FUND TOTAL	<u>\$506,041</u>	<u>\$298,728</u>
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$48,465	\$63,503
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$48,465</u>	<u>\$63,503</u>

Medical Care - Payments to Providers 0147

Initiative: Provides one-time funding for the department to provide equal monthly supplemental payments from January 2022 through December 2022 to all providers of services under the department’s rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 26, Day Health Services in equal proportion to the services provided by providers in the previous 12-month period.

GENERAL FUND	2021-22	2022-23
All Other	\$6,886	\$9,161
GENERAL FUND TOTAL	<u>\$6,886</u>	<u>\$9,161</u>
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$13,759	\$18,121
FEDERAL EXPENDITURES FUND TOTAL	<u>\$13,759</u>	<u>\$18,121</u>
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,318	\$1,742
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$1,318</u>	<u>\$1,742</u>

Medical Care - Payments to Providers 0147

Initiative: Provides one-time funding for the department to provide equal monthly supplemental payments from January 2022 through December 2022 to all providers of services under the department’s rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 65, Behavioral Health Services in equal proportion to the services provided by providers in the previous 12-month period.

GENERAL FUND	2021-22	2022-23
All Other	\$1,329,227	\$923,193
GENERAL FUND TOTAL	<u>\$1,329,227</u>	<u>\$923,193</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$2,656,078	\$2,001,029
FEDERAL EXPENDITURES FUND TOTAL	<u>\$2,656,078</u>	<u>\$2,001,029</u>
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$254,381	\$328,518
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$254,381</u>	<u>\$328,518</u>

Medical Care - Payments to Providers 0147

Initiative: Provides one-time funding for the department to provide equal monthly supplemental payments from January 2022 through December 2022 to all providers of services under the department’s rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 28, Rehabilitative and Community Support Services for Children with Cognitive Impairments and Functional Limitations in equal proportion to the services provided by providers in the previous 12-month period.

GENERAL FUND	2021-22	2022-23
All Other	\$176,018	\$0
GENERAL FUND TOTAL	<u>\$176,018</u>	<u>\$0</u>
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$295,222	\$0
FEDERAL EXPENDITURES FUND TOTAL	<u>\$295,222</u>	<u>\$0</u>

Mental Health Services - Child Medicaid Z207

Initiative: Provides funding to increase rates related to the department’s rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Appendix D, Principles of Reimbursement for Child Care Facilities, due to a planned rate study and to meet the requirements of the federal Family First Prevention Services Act.

GENERAL FUND	2021-22	2022-23
All Other	\$299,203	\$2,924,249
GENERAL FUND TOTAL	<u>\$299,203</u>	<u>\$2,924,249</u>

Mental Health Services - Child Medicaid Z207

Initiative: Adjusts funding one time to reflect the 6.2 percentage point increase provided as part of the federal Families First Coronavirus Response Act available through the first quarter of fiscal year 2021-22.

GENERAL FUND	2021-22	2022-23
All Other	(\$1,673,383)	\$0
GENERAL FUND TOTAL	<u>(\$1,673,383)</u>	<u>\$0</u>

Mental Health Services - Children Z206

Initiative: Provides funding to increase rates related to the department's rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Appendix D, Principles of Reimbursement for Child Care Facilities, due to a planned rate study and to meet the requirements of the federal Family First Prevention Services Act.

GENERAL FUND	2021-22	2022-23
All Other	\$123,069	\$1,112,686
GENERAL FUND TOTAL	<u>\$123,069</u>	<u>\$1,112,686</u>

Mental Health Services - Children Z206

Initiative: Transfers funding from the Office of Substance Abuse and Mental Health Services program, General Fund to the Mental Health Services - Children program, General Fund for youth and family substance use disorder agreements.

GENERAL FUND	2021-22	2022-23
All Other	\$1,277,740	\$1,277,740
GENERAL FUND TOTAL	<u>\$1,277,740</u>	<u>\$1,277,740</u>

Mental Health Services - Children Z206

Initiative: Continues one limited-period Developmental Disabilities Resources Coordinator position previously continued by Financial Order 001059 F1 and provides funding for related All Other. This position will end June 17, 2023.

GENERAL FUND	2021-22	2022-23
Personal Services	\$85,718	\$89,749
All Other	\$6,354	\$6,354
GENERAL FUND TOTAL	<u>\$92,072</u>	<u>\$96,103</u>

Mental Health Services - Community Z198

Initiative: Provides funding to continue the crisis center in order to meet the requirements of the consent decree to provide crisis services in Cumberland County.

GENERAL FUND	2021-22	2022-23
All Other	\$250,000	\$250,000
GENERAL FUND TOTAL	<u>\$250,000</u>	<u>\$250,000</u>

Mental Health Services - Community Z198

Initiative: Reduces funding in the Mental Health Services - Community program by recognizing contract savings and program efficiencies.

GENERAL FUND	2021-22	2022-23
All Other	(\$1,730,000)	(\$1,730,000)
GENERAL FUND TOTAL	<u>(\$1,730,000)</u>	<u>(\$1,730,000)</u>

Mental Health Services - Community Z198

Initiative: Establishes one Public Service Executive III position, one Social Service Program Manager position and 8 Intensive Case Manager positions funded 100% General Fund in the Mental Health Services - Community program to coordinate services related to

individuals with forensic mental health needs across the State. Also provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	10.000	10.000
COUNT		
Personal Services	\$960,716	\$1,006,606
All Other	\$76,248	\$76,248
GENERAL FUND TOTAL	<u>\$1,036,964</u>	<u>\$1,082,854</u>

Mental Health Services - Community Z198

Initiative: Establishes one Public Service Manager III position funded 50% General Fund in the Mental Health Services - Community program and 50% General Fund in the Office of Substance Abuse and Mental Health Services program to serve as the deputy director of operations.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	1.000	1.000
COUNT		
Personal Services	\$86,622	\$87,220
All Other	\$3,177	\$3,177

GENERAL FUND TOTAL	<u>\$89,799</u>	<u>\$90,397</u>
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Mental Health Services - Community Z198

Initiative: Provides allocation to align with available resources.

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$1,815,253	\$1,810,709
FEDERAL BLOCK GRANT FUND TOTAL	<u>\$1,815,253</u>	<u>\$1,810,709</u>

Mental Health Services - Community Z198

Initiative: Provides funding to increase an agreement with a statewide organization for disability rights to expand advocacy services for community-based mental health services.

GENERAL FUND	2021-22	2022-23
All Other	\$253,033	\$253,033
GENERAL FUND TOTAL	<u>\$253,033</u>	<u>\$253,033</u>

Mental Health Services - Community Z198

Initiative: Provides funding for the approved reclassification of one Behavioral Health Program Coordinator position to a Social Services Manager I position retroactive to February 2019.

GENERAL FUND	2021-22	2022-23
Personal Services	\$24,932	\$16,363
GENERAL FUND TOTAL	<u>\$24,932</u>	<u>\$16,363</u>

Mental Health Services - Community Z198

Initiative: Establishes 2 Nurse III positions funded 50% General Fund within the Office of Substance Abuse and Mental Health Services program and 50% General Fund

within the Mental Health Services - Community program to review critical incidents involving recipients of behavioral health services. Also provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
Personal Services	\$95,386	\$99,196
All Other	\$6,354	\$6,354
GENERAL FUND TOTAL	<u>\$101,740</u>	<u>\$105,550</u>

Mental Health Services - Community Z198

Initiative: Establishes 2 Comprehensive Health Planner II positions funded 50% General Fund within the Office of Substance Abuse and Mental Health Services Program and 50% General Fund within the Bureau of Mental Health Services - Community program to serve as the Request For Proposals Coordinator, Grant Manager and Consent Decree Coordinator to assist with the management and coordination of the office of behavioral health services programs. Also provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
Personal Services	\$94,234	\$98,910
All Other	\$6,354	\$6,354
GENERAL FUND TOTAL	<u>\$100,588</u>	<u>\$105,264</u>

Mental Health Services - Community Medicaid Z201

Initiative: Provides funding for a new intensive outpatient program for high-acuity MaineCare members to address the gap in the State's behavioral health services system.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$131,678	\$1,053,413
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$131,678</u>	<u>\$1,053,413</u>

Mental Health Services - Community Medicaid Z201

Initiative: Adjusts funding in the Medicaid dedicated tax accounts and the corresponding General Fund accounts to bring baseline resources in line with the December 2020 Revenue Forecasting Committee recommendations.

GENERAL FUND	2021-22	2022-23
All Other	\$540,637	\$540,637
GENERAL FUND TOTAL	<u>\$540,637</u>	<u>\$540,637</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$540,637)	(\$540,637)
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$540,637)</u>	<u>(\$540,637)</u>

Mental Health Services - Community Medicaid Z201

Initiative: Increases funding in the Medical Care - Payments to Providers program and decreases funding in the Low-cost Drugs to Maine's Elderly program, the Mental Health Services - Community Medicaid program and the Office of Substance Abuse & Mental Health Srv-Medicaid Seed program to consolidate the 4 Medicaid assistance programs into one program as part of the consolidation of MaineCare-related programs from 13 to 4.

GENERAL FUND	2021-22	2022-23
All Other	\$0	(\$38,525,138)
GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$38,525,138)</u>

Mental Health Services - Community Medicaid Z201

Initiative: Increases funding in the Medical Care - Payments to Providers program and decreases funding in the Mental Health Services - Community Medicaid program, the Office of Substance Abuse & Mental Health Srv-Medicaid Seed program and the Medicaid Services - Developmental Services program to consolidate the 4 programs into one program as part of the consolidation of MaineCare-related programs and accounts.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	(\$3,030,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>(\$3,030,000)</u>

Mental Health Services - Community Medicaid Z201

Initiative: Increases funding in the Medicaid Services - Developmental Services program and decreases funding in the Mental Health Services - Community Medicaid program to consolidate the 2 accounts into one as part of the consolidation of MaineCare-related programs and accounts.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	(\$3,909,786)
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>(\$3,909,786)</u>

Mental Health Services - Community Medicaid Z201

Initiative: Provides funding to implement a coordinated specialty care model to treat members for a first episode of psychosis.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$421,117

OTHER SPECIAL REVENUE _____ \$0 _____ \$421,117
 FUNDS TOTAL

Mental Health Services - Community Medicaid Z201

Initiative: Adjusts funding in the Medicaid dedicated tax accounts and the corresponding General Fund accounts to bring baseline resources in line with the May 2021 Revenue Forecasting Committee recommendations.

GENERAL FUND	2021-22	2022-23
All Other	(\$2,412,415)	(\$2,412,415)
GENERAL FUND TOTAL	<u>(\$2,412,415)</u>	<u>(\$2,412,415)</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$2,412,415	\$2,412,415

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,412,415</u>	<u>\$2,412,415</u>
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Mental Health Services - Community Medicaid Z201

Initiative: Adjusts funding one time to reflect the 6.2 percentage point increase provided as part of the federal Families First Coronavirus Response Act available through the first quarter of fiscal year 2021-22.

GENERAL FUND	2021-22	2022-23
All Other	(\$2,039,490)	\$0
GENERAL FUND TOTAL	<u>(\$2,039,490)</u>	<u>\$0</u>

Nursing Facilities 0148

Initiative: Provides funding in the Nursing Facilities program for a cost-of-living increase in fiscal year 2021-22 and a cost-of-living increase and rebasing in fiscal year 2022-23.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$6,897,020
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$6,897,020</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$0	\$14,713,644
FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$14,713,644</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$1,379,404
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$1,379,404</u>

Nursing Facilities 0148

Initiative: Adjusts funding in the Medicaid dedicated tax accounts and the corresponding General Fund

accounts to bring baseline resources in line with the December 2020 Revenue Forecasting Committee recommendations.

GENERAL FUND	2021-22	2022-23
All Other	(\$988,368)	(\$988,368)
GENERAL FUND TOTAL	<u>(\$988,368)</u>	<u>(\$988,368)</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$988,368	\$988,368

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$988,368</u>	<u>\$988,368</u>
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Nursing Facilities 0148

Initiative: Adjusts funding to align with existing resources.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$30,000,000	\$30,000,000

FEDERAL EXPENDITURES FUND TOTAL	<u>\$30,000,000</u>	<u>\$30,000,000</u>
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Nursing Facilities 0148

Initiative: Increases funding in the Nursing Facilities program and decreases funding in the PNMI Room and Board program to consolidate the 2 residential programs into one program as part of the consolidation of MaineCare-related programs from 13 to 4.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$17,383,689
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$17,383,689</u>

Nursing Facilities 0148

Initiative: Increases funding in the Nursing Facilities program and decreases funding in the Residential Treatment Facilities Assessment program, the Medicaid Services - Developmental Services program and the Developmental Services Waiver - Supports program to consolidate the 4 programs into one program as part of the consolidation of MaineCare-related programs and accounts.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$2,027,000

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$2,027,000</u>
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Nursing Facilities 0148

Initiative: Adjusts funding in the Medicaid dedicated tax accounts and the corresponding General Fund accounts to bring baseline resources in line with the May 2021 Revenue Forecasting Committee recommendations.

GENERAL FUND	2021-22	2022-23
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All Other	\$3,658,759	\$3,658,759
GENERAL FUND TOTAL	<u>\$3,658,759</u>	<u>\$3,658,759</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$3,658,759)	(\$3,658,759)
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$3,658,759)</u>	<u>(\$3,658,759)</u>

Nursing Facilities 0148

Initiative: Adjusts funding one time to reflect the 6.2 percentage point increase provided as part of the federal Families First Coronavirus Response Act available through the first quarter of fiscal year 2021-22.

GENERAL FUND	2021-22	2022-23
All Other	(\$7,235,516)	\$0
GENERAL FUND TOTAL	<u>(\$7,235,516)</u>	<u>\$0</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$7,235,516	\$0
FEDERAL EXPENDITURES FUND TOTAL	<u>\$7,235,516</u>	<u>\$0</u>

Nursing Facilities 0148

Initiative: Provides one-time funding to support nursing facilities for increased costs and lost revenue during the COVID-19 pandemic.

GENERAL FUND	2021-22	2022-23
All Other	\$6,700,000	\$0
GENERAL FUND TOTAL	<u>\$6,700,000</u>	<u>\$0</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$19,762,185	\$0
FEDERAL EXPENDITURES FUND TOTAL	<u>\$19,762,185</u>	<u>\$0</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,689,076	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$1,689,076</u>	<u>\$0</u>

Nursing Facilities 0148

Initiative: Deappropriates funds on a one-time basis from available balances carried forward from fiscal year 2020-21.

GENERAL FUND	2021-22	2022-23
All Other	(\$5,000,000)	\$0
GENERAL FUND TOTAL	<u>(\$5,000,000)</u>	<u>\$0</u>

Nursing Facilities 0148

Initiative: Provides funding to the department for the new requirement that the labor portion of reimbursement under MaineCare or state-funded home and community-based services and residential services be at 125% of the minimum wage as well as taxes and benefits related to the labor portion.

GENERAL FUND	2021-22	2022-23
All Other	\$476,336	\$1,006,764
GENERAL FUND TOTAL	<u>\$476,336</u>	<u>\$1,006,764</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$951,820	\$1,991,490
FEDERAL EXPENDITURES FUND TOTAL	<u>\$951,820</u>	<u>\$1,991,490</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$91,159	\$191,378
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$91,159</u>	<u>\$191,378</u>

Office for Family Independence Z020

Initiative: Provides funding for 3rd-party technology-related costs due to increased operational costs of the automated client eligibility system and related support systems.

GENERAL FUND	2021-22	2022-23
All Other	\$1,723,113	\$1,723,113
GENERAL FUND TOTAL	<u>\$1,723,113</u>	<u>\$1,723,113</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$2,700,467	\$2,700,467
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,700,467</u>	<u>\$2,700,467</u>

Office for Family Independence Z020

Initiative: Establishes one limited-period Social Services Program Specialist II position funded 38% General Fund and 62% Other Special Revenue Funds in the Office for Family Independence program and provides funding for related All Other costs. This position will end on June 17, 2023.

GENERAL FUND	2021-22	2022-23
Personal Services	\$34,947	\$36,591
All Other	\$2,415	\$2,415
GENERAL FUND TOTAL	<u>\$37,362</u>	<u>\$39,006</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$57,015	\$59,700
All Other	\$5,342	\$5,404

OTHER SPECIAL REVENUE	\$62,357	\$65,104
FUNDS TOTAL		

Office for Family Independence Z020

Initiative: Provides funding beginning in fiscal year 2022-23 for full benefits to children under 21 years of age who would be otherwise eligible for federal benefits but for their immigration status and establishes the Children's Health Insurance Program unborn child option to cover care during pregnancy and a limited postpartum period for pregnant people who would be otherwise eligible for federal benefits but for their immigration status. Also provides one-time funding in fiscal year 2021-22 for required technology changes.

GENERAL FUND	2021-22	2022-23
All Other	\$90,000	\$0

GENERAL FUND TOTAL	\$90,000	\$0
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Office for Family Independence - District 0453

Initiative: Provides allocation to align with available resources.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$432,837	\$432,837

OTHER SPECIAL REVENUE FUNDS TOTAL	\$432,837	\$432,837
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Office of Advocacy - BDS Z209

Initiative: Transfers funding for an advocacy contract from the Developmental Services - Community program, the Office of Advocacy - BDS program and the Brain Injury program, General Fund to the Office of MaineCare Services program, Federal Expenditures Fund.

GENERAL FUND	2021-22	2022-23
All Other	(\$163,088)	(\$163,088)

GENERAL FUND TOTAL	(\$163,088)	(\$163,088)
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Office of Aging and Disability Services Adult Protective Services Z040

Initiative: Reduces funding in the Office of Aging and Disability Services Adult Protective Services program due to the elimination of the bond requirement for a public guardian or public conservator under the Maine Revised Statutes, Title 18-C, section 5-710.

GENERAL FUND	2021-22	2022-23
All Other	(\$14,000)	(\$14,000)

GENERAL FUND TOTAL	(\$14,000)	(\$14,000)
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Office of Aging and Disability Services Adult Protective Services Z040

Initiative: Reallocates one Human Services Casework Supervisor position from 100% General Fund in the

Office of Aging and Disability Services Adult Protective Services program to 83% General Fund in the Office of Aging and Disability Services Adult Protective Services program and 17% Federal Expenditures Fund in the Office of MaineCare Services program and adjusts All Other.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$18,700)	(\$18,850)
All Other	(\$1,049)	(\$1,049)

GENERAL FUND TOTAL	(\$19,749)	(\$19,899)
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Office of Aging and Disability Services Central Office 0140

Initiative: Provides funding for the approved reorganization of one Office Assistant II position to a Social Services Program Specialist I position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$19,591	\$20,248

GENERAL FUND TOTAL	\$19,591	\$20,248
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Office of Aging and Disability Services Central Office 0140

Initiative: Establishes one Social Services Manager I position to serve as the nutrition services manager focusing on nutrition-related programs under the federal Older Americans Act of 1965 and one Social Services Program Specialist II position to serve as the aging services program specialist providing legal assistance developer services as required by the federal Older Americans Act of 1965. Also provides funding for related All Other costs.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$193,665	\$202,874
All Other	\$17,510	\$17,728

FEDERAL EXPENDITURES FUND TOTAL	\$211,175	\$220,602
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Office of Child and Family Services - Central 0307

Initiative: Provides funding for the approved reorganization of one Office Specialist I position to an Office Specialist II position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$4,419	\$4,671

GENERAL FUND TOTAL	\$4,419	\$4,671
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OTHER SPECIAL REVENUE FUNDS

Personal Services	\$1,715	\$1,812
All Other	\$39	\$42

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,754	\$1,854
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Office of Child and Family Services - Central 0307

Initiative: Provides funding for the approved reclassification of one Social Services Program Specialist I position to a Social Services Program Specialist II position retroactive to September 2019.

GENERAL FUND	2021-22	2022-23
Personal Services	\$18,275	\$9,555
GENERAL FUND TOTAL	\$18,275	\$9,555

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$7,107	\$3,716
All Other	\$164	\$86
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,271	\$3,802

Office of Child and Family Services - Central 0307

Initiative: Establishes one Identification Specialist II position funded 72% General Fund and 28% Other Special Revenue Funds in the Office of Child and Family Services - Central program to support children's residential treatment facilities background checks. Also provides funding for related All Other.

GENERAL FUND POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
	1.000	1.000
Personal Services	\$50,188	\$52,389
All Other	\$4,575	\$4,575
GENERAL FUND TOTAL	\$54,763	\$56,964

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$19,518	\$20,375
All Other	\$2,569	\$2,601
OTHER SPECIAL REVENUE FUNDS TOTAL	\$22,087	\$22,976

Office of Child and Family Services - District 0452

Initiative: Establishes 10 Child Protective Services Caseworker positions effective January 1, 2022 and establishes an additional 5 Child Protective Services Caseworker positions effective July 1, 2022 funded 79% General Fund and 21% Other Special Revenue Funds within the Office of Child and Family Services - District program to implement the federal Family First Prevention Services Act. Funding will be realized by reallocating funding for community intervention services.

GENERAL FUND POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
	10.000	15.000
Personal Services	\$381,200	\$1,189,035
All Other	\$25,099	\$75,495
GENERAL FUND TOTAL	\$406,299	\$1,264,530

OTHER SPECIAL REVENUE FUNDS

Personal Services	\$101,330	\$316,095
All Other	\$9,157	\$27,749

OTHER SPECIAL REVENUE FUNDS TOTAL	\$110,487	\$343,844
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Office of Child and Family Services - District 0452

Initiative: Adjusts funding to align with existing resources.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$409,204	\$409,204

OTHER SPECIAL REVENUE FUNDS TOTAL	\$409,204	\$409,204
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Office of MaineCare Services 0129

Initiative: Provides funding to contract with a provider to implement and provide technical support for the use of a standardized developmental disability needs assessment.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$843,983	\$843,983

FEDERAL EXPENDITURES FUND TOTAL	\$843,983	\$843,983
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Office of MaineCare Services 0129

Initiative: Transfers funding for an advocacy contract from the Developmental Services - Community program, the Office of Advocacy - BDS program and the Brain Injury program, General Fund to the Office of MaineCare Services program, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$233,001	\$233,001

FEDERAL EXPENDITURES FUND TOTAL	\$233,001	\$233,001
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Office of MaineCare Services 0129

Initiative: Establishes one Public Health Nurse Consultant position funded 25% General Fund in the Maine Center For Disease Control and Prevention program and 75% Other Special Revenue Funds in the Office of MaineCare Services program to oversee a mortality review committee for all home and community-based services waiver programs to ensure federal compliance and provides funding for related All Other costs.

FEDERAL EXPENDITURES FUND POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
	1.000	1.000
Personal Services	\$87,673	\$91,461
All Other	\$6,893	\$6,910

FEDERAL EXPENDITURES	\$94,566	\$98,371
FUND TOTAL		

Office of MaineCare Services 0129

Initiative: Reallocates 3 MH/DD Caseworker positions, 2 Human Services Casework Supervisor positions, 6 Human Services Caseworker positions and one Regional Supervisor position from 100% General Fund in the Developmental Services - Community program to various ratios between the General Fund in the Developmental Services - Community program and Federal Expenditures Fund in the Office of MaineCare Services program to align the positions with their duties and adjusts All Other.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$294,012	\$298,066
All Other	\$26,124	\$26,232

FEDERAL EXPENDITURES	\$320,136	\$324,298
FUND TOTAL		

Office of MaineCare Services 0129

Initiative: Reduces funding in the Office of MaineCare Services program by recognizing ongoing savings achieved through general efficiencies and reestablishing priorities.

GENERAL FUND	2021-22	2022-23
All Other	(\$500,000)	(\$500,000)
GENERAL FUND TOTAL	(\$500,000)	(\$500,000)

Office of MaineCare Services 0129

Initiative: Reallocates one Human Services Casework Supervisor position from 100% General Fund in the Office of Aging and Disability Services Adult Protective Services program to 83% General Fund in the Office of Aging and Disability Services Adult Protective Services program and 17% Federal Expenditures Fund in the Office of MaineCare Services program and adjusts All Other.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$18,700	\$18,850
All Other	\$2,178	\$2,186

FEDERAL EXPENDITURES	\$20,878	\$21,036
FUND TOTAL		

Office of MaineCare Services 0129

Initiative: Adjusts funding to align with existing resources.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,400,000	\$1,400,000

FEDERAL EXPENDITURES	\$1,400,000	\$1,400,000
FUND TOTAL		

Office of MaineCare Services 0129

Initiative: Provides funding to conduct the recommended rate and methodology studies from the Office of MaineCare Services' comprehensive rate system evaluation.

GENERAL FUND	2021-22	2022-23
All Other	\$837,500	\$737,500
GENERAL FUND TOTAL	\$837,500	\$737,500

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,061,373	\$959,072

FEDERAL EXPENDITURES	\$1,061,373	\$959,072
FUND TOTAL		

Office of MaineCare Services 0129

Initiative: Provides funding for consultant contracts to implement the certified community behavioral health clinic service delivery model.

GENERAL FUND	2021-22	2022-23
All Other	\$50,000	\$225,000
GENERAL FUND TOTAL	\$50,000	\$225,000

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$51,151	\$230,177

FEDERAL EXPENDITURES	\$51,151	\$230,177
FUND TOTAL		

Office of MaineCare Services 0129

Initiative: Continues one limited-period Comprehensive Health Planner I position previously continued by Financial Order 001086 F1 and provides funding for related All Other costs. This position will end on June 17, 2023.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$49,739	\$52,159
All Other	\$5,077	\$5,135

FEDERAL EXPENDITURES	\$54,816	\$57,294
FUND TOTAL		

Office of MaineCare Services 0129

Initiative: Continues one limited-period Comprehensive Health Planner II position previously continued by Financial Order 001132 F1 and provides funding for related All Other costs. This position will end on June 17, 2023.

GENERAL FUND	2021-22	2022-23
Personal Services	\$23,795	\$24,977
All Other	\$1,605	\$1,601

GENERAL FUND TOTAL	\$25,400	\$26,578
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$70,444	\$73,941
All Other	\$6,524	\$6,610
FEDERAL EXPENDITURES FUND TOTAL	\$76,968	\$80,551

Office of MaineCare Services 0129

Initiative: Establishes 3 Public Service Coordinator I positions, one Comprehensive Health Planner II position and one limited-period Comprehensive Health Planner II position through June 17, 2023 funded 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services Program to implement recommendations from the Office of MaineCare Services' comprehensive rate system evaluation. Also provides funding for related All Other costs.

GENERAL FUND POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
Personal Services	4.000	4.000
All Other	\$259,520	\$272,452
	\$15,885	\$15,885
GENERAL FUND TOTAL	\$275,405	\$288,337

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$259,492	\$272,418
All Other	\$22,221	\$22,519
FEDERAL EXPENDITURES FUND TOTAL	\$281,713	\$294,937

Office of MaineCare Services 0129

Initiative: Establishes one limited-period Social Services Program Specialist II position, one limited-period Management Analyst II position, one limited-period Public Service Coordinator I position and one limited-period Social Services Manager I position funded 50% General Fund and 50% Federal Expenditure Funds within the Office of MaineCare Services program through June 17, 2023 and provides funding for related All Other costs to implement the certified community behavioral health clinic service delivery model.

GENERAL FUND	2021-22	2022-23
Personal Services	\$193,667	\$202,830
All Other	\$9,531	\$12,708
GENERAL FUND TOTAL	\$203,198	\$215,538

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$193,647	\$202,812
All Other	\$14,206	\$17,667
FEDERAL EXPENDITURES FUND TOTAL	\$207,853	\$220,479

Office of MaineCare Services 0129

Initiative: Establishes one limited-period Public Service Coordinator II position funded 50% General Fund and 50% Federal Expenditures Fund within the Office of MaineCare Services program to serve as the SUPPORT for ME Program Manager through June 17, 2023, and provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
Personal Services	\$56,937	\$59,652
All Other	\$2,383	\$3,177
GENERAL FUND TOTAL	\$59,320	\$62,829

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$56,930	\$59,647
All Other	\$3,748	\$4,623
FEDERAL EXPENDITURES FUND TOTAL	\$60,678	\$64,270

Office of MaineCare Services 0129

Initiative: Provides funding beginning in fiscal year 2022-23 for full benefits to children under 21 years of age who would be otherwise eligible for federal benefits but for their immigration status and establishes the Children's Health Insurance Program unborn child option to cover care during pregnancy and a limited postpartum period for pregnant people who would be otherwise eligible for federal benefits but for their immigration status. Also provides one-time funding in fiscal year 2021-22 for required technology changes.

GENERAL FUND	2021-22	2022-23
All Other	\$332,500	\$0
GENERAL FUND TOTAL	\$332,500	\$0

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$217,500	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$217,500	\$0

Office of MaineCare Services 0129

Initiative: Eliminates one vacant Planning and Research Associate I position from the Office of MaineCare Services.

GENERAL FUND POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
Personal Services	(1.000)	(1.000)
All Other	(\$25,533)	(\$26,608)
	(\$3,455)	(\$3,455)
GENERAL FUND TOTAL	(\$28,988)	(\$30,063)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$25,528)	(\$26,606)
All Other	(\$3,455)	(\$3,455)

FEDERAL EXPENDITURES	(\$28,983)	(\$30,061)
FUND TOTAL		

Office of Substance Abuse & Mental Health Srv-Medicaid Seed Z202

Initiative: Increases funding in the Medical Care - Payments to Providers program and decreases funding in the Low-cost Drugs to Maine's Elderly program, the Mental Health Services - Community Medicaid program and the Office of Substance Abuse & Mental Health Srv-Medicaid Seed program to consolidate the 4 Medicaid assistance programs into one program as part of the consolidation of MaineCare-related programs from 13 to 4.

GENERAL FUND	2021-22	2022-23
All Other	\$0	(\$5,681,926)

GENERAL FUND TOTAL	\$0	(\$5,681,926)
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Office of Substance Abuse & Mental Health Srv-Medicaid Seed Z202

Initiative: Increases funding in the Medical Care - Payments to Providers program and decreases funding in the Mental Health Services - Community Medicaid program, the Office of Substance Abuse & Mental Health Srv-Medicaid Seed program and the Medicaid Services - Developmental Services program to consolidate the 4 programs into one program as part of the consolidation of MaineCare-related programs and accounts.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	(\$516,854)

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$516,854)
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Office of Substance Abuse & Mental Health Srv-Medicaid Seed Z202

Initiative: Adjusts funding in the Medicaid dedicated tax accounts and the corresponding General Fund accounts to bring baseline resources in line with the May 2021 Revenue Forecasting Committee recommendations.

GENERAL FUND	2021-22	2022-23
All Other	\$283,146	\$283,146

GENERAL FUND TOTAL	\$283,146	\$283,146
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$283,146)	(\$283,146)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$283,146)	(\$283,146)
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Office of Substance Abuse & Mental Health Srv-Medicaid Seed Z202

Initiative: Adjusts funding one time to reflect the 6.2 percentage point increase provided as part of the federal Families First Coronavirus Response Act available through the first quarter of fiscal year 2021-22.

GENERAL FUND	2021-22	2022-23
All Other	(\$333,277)	\$0

GENERAL FUND TOTAL	(\$333,277)	\$0
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FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	(\$55,922)	\$0

FUND FOR A HEALTHY MAINE TOTAL	(\$55,922)	\$0
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Office of Substance Abuse & Mental Health Srv-Medicaid Seed Z202

Initiative: Provides funding to the department for the new requirement that the labor portion of reimbursement under MaineCare or state-funded home and community-based services and residential services be at 125% of the minimum wage as well as taxes and benefits related to the labor portion.

GENERAL FUND	2021-22	2022-23
All Other	\$2,689,067	\$6,959,919

GENERAL FUND TOTAL	\$2,689,067	\$6,959,919
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Office of Substance Abuse and Mental Health Services Z199

Initiative: Provides allocation to align with available resources.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$6,564,196	\$6,559,016

FEDERAL EXPENDITURES FUND TOTAL	\$6,564,196	\$6,559,016
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FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$162,081	\$151,044

FEDERAL BLOCK GRANT FUND TOTAL	\$162,081	\$151,044
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Office of Substance Abuse and Mental Health Services Z199

Initiative: Establishes one Epidemiologist position to strengthen internal epidemiology expertise to assist with tobacco and substance use initiatives and provides funding for related All Other costs. Also transfers All Other to Personal Services to partially fund the position.

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$94,239	\$98,918
All Other	(\$81,748)	(\$81,640)

FEDERAL BLOCK GRANT FUND	\$12,491	\$17,278
TOTAL		

Office of Substance Abuse and Mental Health Services Z199

Initiative: Establishes one Public Service Manager III position funded 50% General Fund in the Mental Health Services - Community program and 50% General Fund in the Office of Substance Abuse and Mental Health Services program to serve as the deputy director of operations.

GENERAL FUND	2021-22	2022-23
Personal Services	\$86,619	\$87,216
All Other	\$3,177	\$3,177

GENERAL FUND TOTAL	\$89,796	\$90,393
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Office of Substance Abuse and Mental Health Services Z199

Initiative: Transfers one Public Service Manager III position from the Office of Substance Abuse and Mental Health Services program to the Maine Center for Disease Control and Prevention program within the same fund and transfers funding for All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	(1.000)	(1.000)
COUNT		
Personal Services	(\$153,912)	(\$155,169)
All Other	(\$6,354)	(\$6,354)

GENERAL FUND TOTAL	(\$160,266)	(\$161,523)
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Office of Substance Abuse and Mental Health Services Z199

Initiative: Provides one-time funding to establish the overdose prevention through intensive outreach, naloxone and safety program to raise awareness about drug overdose risks and to promote the new opiate use disorder and substance use disorder treatment locator.

FUND FOR A HEALTHY MAINE	2021-22	2022-23
All Other	\$1,000,000	\$1,000,000

FUND FOR A HEALTHY MAINE TOTAL	\$1,000,000	\$1,000,000
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Office of Substance Abuse and Mental Health Services Z199

Initiative: Transfers funding from the Office of Substance Abuse and Mental Health Services program, General Fund to the Mental Health Services - Children program, General Fund for youth and family substance use disorder agreements.

GENERAL FUND	2021-22	2022-23
All Other	(\$1,277,740)	(\$1,277,740)

GENERAL FUND TOTAL	(\$1,277,740)	(\$1,277,740)
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Office of Substance Abuse and Mental Health Services Z199

Initiative: Establishes 2 Nurse III positions funded 50% General Fund within the Office of Substance Abuse and Mental Health Services program and 50% General Fund within the Mental Health Services - Community program to review critical incidents involving recipients of behavioral health services. Also provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	2.000	2.000
COUNT		
Personal Services	\$95,392	\$99,206
All Other	\$6,354	\$6,354

GENERAL FUND TOTAL	\$101,746	\$105,560
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Office of Substance Abuse and Mental Health Services Z199

Initiative: Establishes 2 Comprehensive Health Planner II positions funded 50% General Fund within the Office of Substance Abuse and Mental Health Services Program and 50% General Fund within the Bureau of Mental Health Services - Community program to serve as the Request For Proposals Coordinator, Grant Manager and Consent Decree Coordinator to assist with the management and coordination of the office of behavioral health services programs. Also provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	2.000	2.000
COUNT		
Personal Services	\$94,244	\$98,926
All Other	\$6,354	\$6,354

GENERAL FUND TOTAL	\$100,598	\$105,280
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PNMI Room and Board Z009

Initiative: Provides funding to increase private nonmedical institution services rates by inflation per the department's rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Appendix C, Principles of Reimbursement for Medical and Remedial Service Facilities.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$1,418,609

GENERAL FUND TOTAL	\$0	\$1,418,609
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PNMI Room and Board Z009

Initiative: Increases funding in the Nursing Facilities program and decreases funding in the PNMI Room and Board program to consolidate the 2 residential programs into one program as part of the consolidation of MaineCare-related programs from 13 to 4.

GENERAL FUND	2021-22	2022-23
All Other	\$0	(\$17,383,689)

GENERAL FUND TOTAL	\$0	(\$17,383,689)
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PNMI Room and Board Z009

Initiative: Provides funding for cost-of-living adjustments for adult family care homes.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$34,330
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$34,330</u>

PNMI Room and Board Z009

Initiative: Provides one-time funding to support private nonmedical institutions under the department's rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Appendix C, Principles of Reimbursement for Medical and Remedial Service Facilities for increased costs and lost revenue during the COVID-19 pandemic.

GENERAL FUND	2021-22	2022-23
All Other	\$706,200	\$0
GENERAL FUND TOTAL	<u>\$706,200</u>	<u>\$0</u>

PNMI Room and Board Z009

Initiative: Deappropriates funds on a one-time basis from available balances carried forward from fiscal year 2020-21.

GENERAL FUND	2021-22	2022-23
All Other	(\$3,000,000)	\$0
GENERAL FUND TOTAL	<u>(\$3,000,000)</u>	<u>\$0</u>

Purchased Social Services 0228

Initiative: Adjusts funding to align with existing resources.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$2,100,000	\$2,100,000
FEDERAL EXPENDITURES FUND TOTAL	<u>\$2,100,000</u>	<u>\$2,100,000</u>

Purchased Social Services 0228

Initiative: Continues one limited-period Social Services Program Specialist II position previously continued in Financial Order 001083 F1 and provides funding for related All Other costs. This position will end on June 17, 2023.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$91,962	\$96,291
All Other	\$10,002	\$10,162
FEDERAL EXPENDITURES FUND TOTAL	<u>\$101,964</u>	<u>\$106,453</u>

Residential Treatment Facilities Assessment Z197

Initiative: Adjusts funding in the Medicaid dedicated tax accounts and the corresponding General Fund accounts to bring baseline resources in line with the

December 2020 Revenue Forecasting Committee recommendations.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$251,115	\$251,115
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$251,115</u>	<u>\$251,115</u>

Residential Treatment Facilities Assessment Z197

Initiative: Increases funding in the Nursing Facilities program and decreases funding in the Residential Treatment Facilities Assessment program, the Medicaid Services - Developmental Services program and the Developmental Services Waiver - Supports program to consolidate the 4 programs into one program as part of the consolidation of MaineCare-related programs and accounts.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	(\$1,865,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>(\$1,865,000)</u>

Residential Treatment Facilities Assessment Z197

Initiative: Adjusts funding in the Medicaid dedicated tax accounts and the corresponding General Fund accounts to bring baseline resources in line with the May 2021 Revenue Forecasting Committee recommendations.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$116,488)	(\$116,488)
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$116,488)</u>	<u>(\$116,488)</u>

Riverview Psychiatric Center Z219

Initiative: Provides funding for the integrated care management system at the Riverview Psychiatric Center.

GENERAL FUND	2021-22	2022-23
All Other	\$306,374	\$306,374
GENERAL FUND TOTAL	<u>\$306,374</u>	<u>\$306,374</u>

Riverview Psychiatric Center Z219

Initiative: Adjusts funding for positions in the Riverview and Dorothea Dix Psychiatric Centers as a result of the increase in the Federal Medical Assistance Percentage. The blended rate is 63.92% Federal Expenditures Fund and 36.08% General Fund in federal fiscal year 2022 and 64% Federal Expenditures Fund and 36% General Fund in federal fiscal year 2023.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$420,894	\$456,368
All Other	\$13,469	\$14,604

OTHER SPECIAL REVENUE	\$434,363	\$470,972
FUNDS TOTAL		

Riverview Psychiatric Center Z219

Initiative: Provides allocation to align with available resources.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,425,600	\$1,425,600

OTHER SPECIAL REVENUE	\$1,425,600	\$1,425,600
FUNDS TOTAL		

Riverview Psychiatric Center Z219

Initiative: Establishes one Management Analyst II position funded 18.1% General Fund in the Disproportionate Share - Dorothea Dix Psychiatric Center program, 31.9% Other Special Revenue Funds in the Dorothea Dix Psychiatric Center program, 18.1% General Fund in the Disproportionate Share - Riverview Psychiatric Center program and 31.9% Other Special Revenue Funds in the Riverview Psychiatric Center program to serve as the Revenue Cycle Manager. Also provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$28,341	\$29,655
All Other	\$2,999	\$3,041

OTHER SPECIAL REVENUE	\$31,340	\$32,696
FUNDS TOTAL		

Riverview Psychiatric Center Z219

Initiative: Eliminates one vacant Mental Health Worker III position from the Riverview Psychiatric Center.

GENERAL FUND POSITIONS - LEGISLATIVE COUNT	2021-22	2022-23
Personal Services	(1.000)	(1.000)
All Other	(\$69,295)	(\$71,922)
	(\$9,677)	(\$9,677)

GENERAL FUND TOTAL	(\$78,972)	(\$81,599)
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State Supplement to Federal Supplemental Security Income 0131

Initiative: Provides funding in the State Supplement to Federal Supplemental Security Income program to bring appropriations in line with projected expenditures.

GENERAL FUND	2021-22	2022-23
All Other	\$689,907	\$920,688

GENERAL FUND TOTAL	\$689,907	\$920,688
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State-funded Foster Care/Adoption Assistance 0139

Initiative: Establishes 10 Child Protective Services Caseworker positions effective January 1, 2022 and establishes an additional 5 Child Protective Services Caseworker positions effective July 1, 2022 funded

79% General Fund and 21% Other Special Revenue Funds within the Office of Child and Family Services - District program to implement the federal Family First Prevention Services Act. Funding will be realized by reallocating funding for community intervention services.

GENERAL FUND	2021-22	2022-23
All Other	(\$1,031,149)	(\$2,062,297)
GENERAL FUND TOTAL	(\$1,031,149)	(\$2,062,297)

State-funded Foster Care/Adoption Assistance 0139

Initiative: Adjusts funding to align with existing resources.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$414,840	\$414,840

OTHER SPECIAL REVENUE	\$414,840	\$414,840
FUNDS TOTAL		

State-funded Foster Care/Adoption Assistance 0139

Initiative: Provides one-time funding for the increase in the number of children in foster care.

GENERAL FUND	2021-22	2022-23
All Other	\$3,888,676	\$3,888,676

GENERAL FUND TOTAL	\$3,888,676	\$3,888,676
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State-funded Foster Care/Adoption Assistance 0139

Initiative: Continues one limited-period Public Services Manager II position to serve as the Comprehensive Child Welfare Information System Business Lead previously continued by Financial Order 001056 F1 funded 50% General Fund and 50% Other Special Revenue Funds in the State-funded Foster Care/Adoption Assistance program and provides funding for related All Other costs. This position will end on June 18, 2022.

GENERAL FUND	2021-22	2022-23
Personal Services	\$60,395	\$0
All Other	\$3,177	\$0

GENERAL FUND TOTAL	\$63,572	\$0
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$60,389	\$0
All Other	\$5,535	\$0

OTHER SPECIAL REVENUE	\$65,924	\$0
FUNDS TOTAL		

State-funded Foster Care/Adoption Assistance 0139

Initiative: Provides one-time funding to extend the alternative response services contract through June 30, 2022.

GENERAL FUND	2021-22	2022-23
All Other	\$1,574,626	\$0

GENERAL FUND TOTAL \$1,574,626 \$0

Traumatic Brain Injury Seed Z214

Initiative: Increases funding in the Medicaid Services - Developmental Services program and decreases funding in the Developmental Services Waiver - MaineCare program, the Developmental Services Waiver - Supports program, the Traumatic Brain Injury Seed program and the Medicaid Waiver for Brain Injury Residential/Community Serv program to consolidate the 6 developmental services waiver programs into one program as part of the consolidation of MaineCare-related programs from 13 to 4.

GENERAL FUND	2021-22	2022-23
All Other	\$0	(\$122,581)

GENERAL FUND TOTAL \$0 (\$122,581)

Traumatic Brain Injury Seed Z214

Initiative: Adjusts funding one time to reflect the 6.2 percentage point increase provided as part of the federal Families First Coronavirus Response Act available through the first quarter of fiscal year 2021-22.

GENERAL FUND	2021-22	2022-23
All Other	(\$5,278)	\$0

GENERAL FUND TOTAL (\$5,278) \$0

HEALTH AND HUMAN SERVICES, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	(\$36,158,073)	\$92,782,177
FEDERAL EXPENDITURES FUND	\$184,193,074	\$245,252,745
FUND FOR A HEALTHY MAINE	(\$384,851)	\$1,000,000
OTHER SPECIAL REVENUE FUNDS	\$12,793,891	\$40,140,463
FEDERAL BLOCK GRANT FUND	\$10,280,687	\$11,917,849

DEPARTMENT TOTAL - ALL FUNDS \$170,724,728 \$391,093,234

Sec. A-18. Appropriations and allocations. The following appropriations and allocations are made.

HISTORIC PRESERVATION COMMISSION, MAINE

Historic Preservation Commission 0036

Initiative: Provides funding for an anticipated increase in dedicated revenue and related All Other expenditures for historic preservation efforts related to construction and renovation projects.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$30,000	\$30,000

OTHER SPECIAL REVENUE \$30,000 \$30,000
FUNDS TOTAL

Sec. A-19. Appropriations and allocations. The following appropriations and allocations are made.

HOUSING AUTHORITY, MAINE STATE

Maine Energy, Housing and Economic Recovery Program Z124

Initiative: Increases funding to bring debt service payments into accordance with the repayment schedule.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$3,700	\$2,838

OTHER SPECIAL REVENUE \$3,700 \$2,838
FUNDS TOTAL

Sec. A-20. Appropriations and allocations. The following appropriations and allocations are made.

HUMAN RIGHTS COMMISSION, MAINE

Human Rights Commission - Regulation 0150

Initiative: Reorganizes one Maine Human Rights Investigator - Supervisor position to a Maine Human Rights Investigator position.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$9,381)	(\$12,122)

GENERAL FUND TOTAL (\$9,381) (\$12,122)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$3,125)	(\$4,038)

FEDERAL EXPENDITURES (\$3,125) (\$4,038)
FUND TOTAL

Human Rights Commission - Regulation 0150

Initiative: Provides funding for increases in technology and general operating costs.

GENERAL FUND	2021-22	2022-23
All Other	\$34,996	\$34,996

GENERAL FUND TOTAL \$34,996 \$34,996

Human Rights Commission - Regulation 0150

Initiative: Provides funding for the approved management-initiated range change of 6 Maine Human Rights Investigator positions from range 24 to range 26.

GENERAL FUND	2021-22	2022-23
Personal Services	\$41,147	\$41,974

GENERAL FUND TOTAL \$41,147 \$41,974

Human Rights Commission - Regulation 0150

Initiative: Continues one limited-period Management Analyst II position previously established by Financial Order 001238 F1 that will end on June 10, 2023 and eliminates one Paralegal position and transfers All Other to Personal Services to fund the position.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	\$10,282	\$13,788
All Other	(\$10,282)	(\$13,788)
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

Human Rights Commission - Regulation 0150

Initiative: Provides funding for the retroactive pay due an employee who has since been terminated.

GENERAL FUND	2021-22	2022-23
Personal Services	\$5,760	\$0
GENERAL FUND TOTAL	\$5,760	\$0

HUMAN RIGHTS COMMISSION, MAINE DEPARTMENT TOTALS

GENERAL FUND FEDERAL EXPENDITURES FUND	2021-22	2022-23
	\$72,522	\$64,848
	(\$3,125)	(\$4,038)
DEPARTMENT TOTAL - ALL FUNDS	\$69,397	\$60,810

Sec. A-21. Appropriations and allocations. The following appropriations and allocations are made.

INDIAN TRIBAL-STATE COMMISSION, MAINE

Maine Indian Tribal-state Commission 0554

Initiative: Provides one-time additional funding to support staff at the Maine Indian Tribal-State Commission.

GENERAL FUND	2021-22	2022-23
All Other	\$55,200	\$55,200
GENERAL FUND TOTAL	\$55,200	\$55,200

Sec. A-22. Appropriations and allocations. The following appropriations and allocations are made.

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON

Maine Commission on Indigent Legal Services Z112

Initiative: Allocates funds for the cost of changing the salary range of the executive director from 52 to 37.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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Personal Services	\$38,542	\$31,677
OTHER SPECIAL REVENUE FUNDS TOTAL	\$38,542	\$31,677

Maine Commission on Indigent Legal Services Z112

Initiative: Allocates additional funding to reflect projected costs of the Maine Commission on Indigent Legal Services.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$2,804,980	\$2,804,980
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,804,980	\$2,804,980

Maine Commission on Indigent Legal Services Z112

Initiative: Establishes and allocates funds for 4 Public Service Manager II positions and 2 Paralegal positions to lead and staff the attorney supervision subdivision and the auditing subdivision. Also provides funding for All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6,000	6,000
Personal Services	\$670,116	\$691,559
All Other	\$47,073	\$27,573
OTHER SPECIAL REVENUE FUNDS TOTAL	\$717,189	\$719,132

Maine Commission on Indigent Legal Services Z112

Initiative: Allocates funds to increase reimbursement for indigent legal services from \$60 per hour to \$80 per hour.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$5,732,980	\$5,732,980
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,732,980	\$5,732,980

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON DEPARTMENT TOTALS

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
	\$9,293,691	\$9,288,769
DEPARTMENT TOTAL - ALL FUNDS	\$9,293,691	\$9,288,769

Sec. A-23. Appropriations and allocations. The following appropriations and allocations are made.

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Reduces funding in an obsolete department indirect cost allocation plan account.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$7,298)	(\$7,298)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$7,298)	(\$7,298)

Boating Access Sites 0631

Initiative: Provides one-time funding to purchase and improve land for boat launch facilities throughout the State.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Capital Expenditures	\$575,000	\$575,000
FEDERAL EXPENDITURES FUND TOTAL	\$575,000	\$575,000
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$175,000	\$175,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$175,000	\$175,000

Boating Access Sites 0631

Initiative: Provides funding for improvements and maintenance activities at publicly owned boat launch facilities on inland waters.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$130,000	\$130,000
FEDERAL EXPENDITURES FUND TOTAL	\$130,000	\$130,000
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$90,000	\$90,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$90,000	\$90,000

Endangered Nongame Operations 0536

Initiative: Provides funding for the approved reclassification of one IF&W Senior Resource Biologist position to an IF&W Resource Supervisor position and reallocates the cost of the position from 27% General Fund and 73% Federal Expenditures Fund within the Fisheries and Hatcheries Operations program to 34% Fisheries and Hatcheries Operations program, General Fund, 58% Endangered Nongame Operations program, Federal Expenditures Fund and 8% Fisheries and Hatcheries Operations program, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$74,303	\$74,921
All Other	\$2,066	\$2,084
FEDERAL EXPENDITURES FUND TOTAL	\$76,369	\$77,005

Endangered Nongame Operations 0536

Initiative: Reallocates the cost of 16 positions within the Resource Management Services - Inland Fisheries and Wildlife program, the Fisheries and Hatcheries Operations program and the Endangered Nongame Operations program to align the positions with the appropriate funding. Also transfers one IF&W Resource Supervisor position from the Fisheries and Hatcheries Operations program, Federal Expenditures Fund to the Resource Management Services - Inland Fisheries and Wildlife program, General Fund.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$86,504)	(\$87,030)
All Other	(\$2,437)	(\$2,452)
FEDERAL EXPENDITURES FUND TOTAL	(\$88,941)	(\$89,482)
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	(\$2,324)	(\$1,039)
All Other	(\$65)	(\$29)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$2,389)	(\$1,068)

Endangered Nongame Operations 0536

Initiative: Establishes one Inland Fisheries and Wildlife Resource Biologist position in the Bureau of Resource Management funded in the Resource Management Services - Inland Fisheries and Wildlife program, 50% Federal Expenditures Fund, 10% General Fund and 20% Other Special Revenue Funds and in the Endangered Nongame Operations program, 10% Federal Expenditures Fund and 10% Other Special Revenue Funds.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$9,454	\$9,923
All Other	\$263	\$276
FEDERAL EXPENDITURES FUND TOTAL	\$9,717	\$10,199
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$9,450	\$9,912
All Other	\$263	\$276
OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,713	\$10,188

Endangered Nongame Operations 0536

Initiative: Establishes one Public Relations Specialist position in the Bureau of Resource Management funded in the Resource Management Services - Inland Fisheries and Wildlife program, 40% Other Special Revenue Funds, 30% Federal Expenditures Fund and 10% General Fund and in the Endangered Nongame Operations program, 10% Federal Expenditures Fund and 10% Other Special Revenue Funds.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$7,816	\$8,147
All Other	\$217	\$227
FEDERAL EXPENDITURES FUND TOTAL	\$8,033	\$8,374

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$7,818	\$8,142
All Other	\$217	\$226
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,035	\$8,368

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Provides funding for aircraft repairs on the Maine Warden Service aircraft.

GENERAL FUND	2021-22	2022-23
All Other	\$68,000	\$68,000
GENERAL FUND TOTAL	\$68,000	\$68,000

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Provides funding for the Maine Warden Service due to the increased cost of leasing vehicles.

GENERAL FUND	2021-22	2022-23
All Other	\$131,093	\$172,331
GENERAL FUND TOTAL	\$131,093	\$172,331

Enforcement Operations - Inland Fisheries and Wildlife 0537

Initiative: Provides one-time funding for contractual services to provide nuisance, sick and injured animal services to the public.

GENERAL FUND	2021-22	2022-23
All Other	\$86,525	\$90,340
GENERAL FUND TOTAL	\$86,525	\$90,340

Fisheries and Hatcheries Operations 0535

Initiative: Provides funding for the approved reclassification of one IF&W Senior Resource Biologist position to an IF&W Resource Supervisor position and reallocates the cost of the position from 27% General Fund and 73% Federal Expenditures Fund within the Fisheries and Hatcheries Operations program to 34%

Fisheries and Hatcheries Operations program, General Fund, 58% Endangered Nongame Operations program, Federal Expenditures Fund and 8% Fisheries and Hatcheries Operations program, Federal Expenditures Fund.

GENERAL FUND	2021-22	2022-23
Personal Services	\$23,276	\$12,993
GENERAL FUND TOTAL	\$23,276	\$12,993

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$44,594)	(\$73,284)
All Other	(\$1,265)	(\$2,045)

FEDERAL EXPENDITURES FUND TOTAL	(\$45,859)	(\$75,329)
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Fisheries and Hatcheries Operations 0535

Initiative: Reallocates the cost of 16 positions within the Resource Management Services - Inland Fisheries and Wildlife program, the Fisheries and Hatcheries Operations program and the Endangered Nongame Operations program to align the positions with the appropriate funding. Also transfers one IF&W Resource Supervisor position from the Fisheries and Hatcheries Operations program, Federal Expenditures Fund to the Resource Management Services - Inland Fisheries and Wildlife program, General Fund.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$29,540)	(\$29,728)
GENERAL FUND TOTAL	(\$29,540)	(\$29,728)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$76,542)	(\$77,049)
All Other	(\$2,156)	(\$2,170)

FEDERAL EXPENDITURES FUND TOTAL	(\$78,698)	(\$79,219)
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Fisheries and Hatcheries Operations 0535

Initiative: Provides one-time funding for one all-terrain vehicle, one boat, one boat motor, one trailer and one electrofishing boat setup. This initiative transfers funding from All Other to Capital Expenditures to fund these expenses.

GENERAL FUND	2021-22	2022-23
All Other	(\$2,250)	\$0
Capital Expenditures	\$2,250	\$0
GENERAL FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Capital Expenditures	\$6,750	\$0

FEDERAL EXPENDITURES	\$6,750	\$0
FUND TOTAL		
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$36,500	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$36,500	\$0

Fisheries and Hatcheries Operations 0535

Initiative: Provides one-time funding for the replacement of 2 snowmobiles, one snowmobile trailer, one boat, one boat motor, one boat trailer and one electro-fishing backpack. This initiative transfers funding from All Other to Capital Expenditures to fund these expenses.

GENERAL FUND	2021-22	2022-23
All Other	(\$7,125)	(\$11,000)
Capital Expenditures	\$7,125	\$11,000
GENERAL FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	(\$21,375)	(\$33,000)
Capital Expenditures	\$21,375	\$33,000

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0
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Fisheries and Hatcheries Operations 0535

Initiative: Provides one-time funding for a storage building at the Dry Mills fish hatchery and for repairs to the water intake at the Embden fish hatchery.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$400,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$400,000	\$0

Fisheries and Hatcheries Operations 0535

Initiative: Eliminates one full-time Fish Culturist position and provides funding for the reorganization of 2 seasonal Fish Culturist positions for 30 weeks each.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
POSITIONS - FTE COUNT	1.154	1.154
Personal Services	\$45,597	\$47,581
GENERAL FUND TOTAL	\$45,597	\$47,581

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$34,999)	(\$36,529)
FEDERAL EXPENDITURES FUND TOTAL	(\$34,999)	(\$36,529)

Fisheries and Hatcheries Operations 0535

Initiative: Provides one-time funding in Capital Expenditures for the replacement of 2 one-ton fish stocking trucks, 2 2-ton fish stocking trucks, 2 fish stocking truck beds and 2 sets of fish stocking tanks.

GENERAL FUND	2021-22	2022-23
Capital Expenditures	\$125,000	\$125,000
GENERAL FUND TOTAL	\$125,000	\$125,000

Fisheries and Hatcheries Operations 0535

Initiative: Reallocates the cost of 24 positions from variously split funding in the General Fund and Federal Expenditures Fund to 50% General Fund and 50% Federal Expenditures Fund within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	\$572,958	\$583,747
GENERAL FUND TOTAL	\$572,958	\$583,747

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$572,958)	(\$583,747)

FEDERAL EXPENDITURES FUND TOTAL	(\$572,958)	(\$583,747)
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Landowner Relations Fund Z140

Initiative: Reorganizes 2 part-time Recreation Safety Coordinator positions to one full-time Recreation Safety Coordinator position.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$261	\$294
All Other	\$7	\$8

OTHER SPECIAL REVENUE FUNDS TOTAL	\$268	\$302
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Office of the Commissioner - Inland Fisheries and Wildlife 0529

Initiative: Provides funding for the same level of application and end-user support provided by the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2021-22	2022-23
All Other	\$310,199	\$279,509
GENERAL FUND TOTAL	\$310,199	\$279,509

Office of the Commissioner - Inland Fisheries and Wildlife 0529

Initiative: Provides funding for increased fees for the natural resources service center.

GENERAL FUND	2021-22	2022-23
All Other	\$98,821	\$112,324
GENERAL FUND TOTAL	\$98,821	\$112,324

Office of the Commissioner - Inland Fisheries and Wildlife 0529

Initiative: Provides funding for increased insurance rates.

GENERAL FUND	2021-22	2022-23
All Other	\$12,000	\$12,000
GENERAL FUND TOTAL	<u>\$12,000</u>	<u>\$12,000</u>

Office of the Commissioner - Inland Fisheries and Wildlife 0529

Initiative: Provides one-time funding for the assessment and repair of department-owned dams.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$1,450,700	\$633,800
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$1,450,700</u>	<u>\$633,800</u>

Public Information and Education, Division of 0729

Initiative: Provides funding for operating expenses of the youth conservation education program.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$33,564	\$33,564
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$33,564</u>	<u>\$33,564</u>

Public Information and Education, Division of 0729

Initiative: Reorganizes one Office Associate II position to a Public Relations Specialist position and transfers and reallocates the cost from 60% Resource Management Services - Inland Fisheries and Wildlife program, General Fund and 40% Resource Management Services - Inland Fisheries and Wildlife program, Federal Expenditures Fund to 40% Resource Management Services - Inland Fisheries and Wildlife program, Other Special Revenue Funds, 40% Public Information and Education, Division of program, General Fund and 20% Public Information and Education, Division of program, Other Special Revenue Funds.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$31,263	\$32,584
GENERAL FUND TOTAL	<u>\$31,263</u>	<u>\$32,584</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$15,634	\$16,291
All Other	\$293	\$305

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$15,927</u>	<u>\$16,596</u>
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Public Information and Education, Division of 0729

Initiative: Reallocates the cost of one Media Graphics Supervisor position from 100% Public Information and Education, Division of program, General Fund to 80% Public Information and Education, Division of program, General Fund and 20% Resource Management Services - Inland Fisheries and Wildlife program, Other Special Revenue Funds.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$15,536)	(\$16,142)
GENERAL FUND TOTAL	<u>(\$15,536)</u>	<u>(\$16,142)</u>

Public Information and Education, Division of 0729

Initiative: Reallocates the cost of one IF&W Education Coordinator position from 70% Licensing Services - Inland Fisheries and Wildlife program, Other Special Revenue Funds and 30% Public Information and Education, Division of program, General Fund to 70% Licensing Services - Inland Fisheries and Wildlife program, Other Special Revenue Funds, 20% Public Information and Education, Division of program, General Fund and 10% Resource Management Services - Inland Fisheries and Wildlife program, Other Special Revenue Funds.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$9,427)	(\$9,881)
GENERAL FUND TOTAL	<u>(\$9,427)</u>	<u>(\$9,881)</u>

Public Information and Education, Division of 0729

Initiative: Provides funding for the approved reclassification of one Public Service Manager II position from range 30 to range 32 and reallocates the cost from 70% General Fund and 30% Other Special Revenue Funds within the Public Information and Education, Division of program to 60% Public Information and Education, Division of program, General Fund, 30% Public Information and Education, Division of program, Other Special Revenue Funds and 10% Resource Management Services - Inland Fisheries and Wildlife program, Other Special Revenue Funds.

GENERAL FUND	2021-22	2022-23
Personal Services	\$3,484	(\$7,094)
GENERAL FUND TOTAL	<u>\$3,484</u>	<u>(\$7,094)</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$8,140	\$2,878
All Other	\$221	\$20

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$8,361</u>	<u>\$2,898</u>
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Public Information and Education, Division of 0729

Initiative: Establishes one Office Associate II position at the Maine Wildlife Park to support continued growth at the park and provides funding for related All Other expenses.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$69,895	\$73,389
All Other	\$2,065	\$2,168
OTHER SPECIAL REVENUE FUNDS TOTAL	\$71,960	\$75,557

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Provides funding for operating expenses of the Black Bear Research Fund.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$17,000	\$17,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,000	\$17,000

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reorganizes one Office Associate II position to a Public Relations Specialist position and transfers and reallocates the cost from 60% Resource Management Services - Inland Fisheries and Wildlife program, General Fund and 40% Resource Management Services - Inland Fisheries and Wildlife program, Federal Expenditures Fund to 40% Resource Management Services - Inland Fisheries and Wildlife program, Other Special Revenue Funds, 40% Public Information and Education, Division of program, General Fund and 20% Public Information and Education, Division of program, Other Special Revenue Funds.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$41,938)	(\$44,034)
GENERAL FUND TOTAL	(\$41,938)	(\$44,034)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$27,957)	(\$29,355)
All Other	(\$788)	(\$827)
FEDERAL EXPENDITURES FUND TOTAL	(\$28,745)	(\$30,182)

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$31,263	\$32,584
All Other	\$293	\$305
OTHER SPECIAL REVENUE FUNDS TOTAL	\$31,556	\$32,889

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reorganizes 2 part-time Recreation Safety Coordinator positions to one full-time Recreation Safety Coordinator position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$3,407	\$3,807
GENERAL FUND TOTAL	\$3,407	\$3,807

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
POSITIONS - FTE COUNT	(1,000)	(1,000)
Personal Services	\$9,434	\$10,541
All Other	\$266	\$297

FEDERAL EXPENDITURES FUND TOTAL	\$9,700	\$10,838
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Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reallocates the cost of one Media Graphics Supervisor position from 100% Public Information and Education, Division of program, General Fund to 80% Public Information and Education, Division of program, General Fund and 20% Resource Management Services - Inland Fisheries and Wildlife program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$15,536	\$16,142
All Other	\$438	\$455
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,974	\$16,597

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reallocates the cost of one IF&W Education Coordinator position from 70% Licensing Services - Inland Fisheries and Wildlife program, Other Special Revenue Funds and 30% Public Information and Education, Division of program, General Fund to 70% Licensing Services - Inland Fisheries and Wildlife program, Other Special Revenue Funds, 20% Public Information and Education, Division of program, General Fund and 10% Resource Management Services - Inland Fisheries and Wildlife program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$9,427	\$9,881
All Other	\$266	\$278
OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,693	\$10,159

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Provides funding for the approved reclassification of one Public Service Manager II position from range 30 to range 32 and reallocates the cost from 70% General Fund and 30% Other Special Revenue Funds within the Public Information and Education, Division of program to 60% Public Information and Education, Division of program, General Fund, 30% Public Information and Education, Division of program, Other Special Revenue Funds and 10% Resource Management Services - Inland Fisheries and Wildlife program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$15,500	\$13,799
All Other	\$421	\$375
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,921	\$14,174

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Provides funding for the proposed reclassification of one Secretary Associate position to an Office Associate II Manager Supervisor position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$1,422	\$478
GENERAL FUND TOTAL	\$1,422	\$478

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$3,316	\$1,118
All Other	\$93	\$31
FEDERAL EXPENDITURES FUND TOTAL	\$3,409	\$1,149

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Provides funding for the proposed reclassification of one GIS Coordinator position to a Senior Programmer Analyst position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$12,824	\$9,274
GENERAL FUND TOTAL	\$12,824	\$9,274

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$29,920	\$21,639
All Other	\$843	\$610
FEDERAL EXPENDITURES FUND TOTAL	\$30,763	\$22,249

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Reallocates the cost of 16 positions within the Resource Management Services - Inland Fisheries and

Wildlife program, the Fisheries and Hatcheries Operations program and the Endangered Nongame Operations program to align the positions with the appropriate funding. Also transfers one IF&W Resource Supervisor position from the Fisheries and Hatcheries Operations program, Federal Expenditures Fund to the Resource Management Services - Inland Fisheries and Wildlife program, General Fund.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	(\$186,235)	(\$190,765)
GENERAL FUND TOTAL	(\$186,235)	(\$190,765)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$346,501	\$351,113
All Other	\$9,761	\$9,891
FEDERAL EXPENDITURES FUND TOTAL	\$356,262	\$361,004

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$34,644	\$34,498
All Other	\$976	\$972
OTHER SPECIAL REVENUE FUNDS TOTAL	\$35,620	\$35,470

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Establishes one Inland Fisheries and Wildlife Resource Biologist position in the Bureau of Resource Management funded in the Resource Management Services - Inland Fisheries and Wildlife program, 50% Federal Expenditures Fund, 10% General Fund and 20% Other Special Revenue Funds and in the Endangered Nongame Operations program, 10% Federal Expenditures Fund and 10% Other Special Revenue Funds.

GENERAL FUND	2021-22	2022-23
Personal Services	\$9,454	\$9,923
GENERAL FUND TOTAL	\$9,454	\$9,923

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$47,271	\$49,612
All Other	\$1,315	\$1,380
FEDERAL EXPENDITURES FUND TOTAL	\$48,586	\$50,992

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$18,908	\$19,846
All Other	\$526	\$552

OTHER SPECIAL REVENUE	\$19,434	\$20,398
FUNDS TOTAL		

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Establishes one Public Relations Specialist position in the Bureau of Resource Management funded in the Resource Management Services - Inland Fisheries and Wildlife program, 40% Other Special Revenue Funds, 30% Federal Expenditures Fund and 10% General Fund and in the Endangered Nongame Operations program, 10% Federal Expenditures Fund and 10% Other Special Revenue Funds.

GENERAL FUND	2021-22	2022-23
Personal Services	\$7,816	\$8,147
GENERAL FUND TOTAL	\$7,816	\$8,147

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$23,447	\$24,439
All Other	\$652	\$680
FEDERAL EXPENDITURES FUND TOTAL	\$24,099	\$25,119

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$31,263	\$32,584
All Other	\$869	\$906

OTHER SPECIAL REVENUE FUNDS TOTAL	\$32,132	\$33,490
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Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Establishes one limited-period Inland Fisheries and Wildlife Resource Biologist position in the Bureau of Resource Management funded 75% Federal Expenditures Fund and 25% Other Special Revenue Funds within the same program.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$70,903	\$74,412
All Other	\$1,972	\$2,069
FEDERAL EXPENDITURES FUND TOTAL	\$72,875	\$76,481

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$23,634	\$24,804
All Other	\$657	\$690

OTHER SPECIAL REVENUE FUNDS TOTAL	\$24,291	\$25,494
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Waterfowl Habitat Acquisition and Management 0561

Initiative: Provides one-time funding to purchase land for wildlife habitat.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Capital Expenditures	\$1,800,000	\$1,800,000
FEDERAL EXPENDITURES FUND TOTAL	\$1,800,000	\$1,800,000

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF DEPARTMENT TOTALS

GENERAL FUND	\$1,260,463	\$1,270,394
FEDERAL EXPENDITURES FUND	\$2,301,363	\$2,253,922
OTHER SPECIAL REVENUE FUNDS	\$2,491,962	\$1,243,578

DEPARTMENT TOTAL - ALL FUNDS	\$6,053,788	\$4,767,894
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Sec. A-24. Appropriations and allocations. The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for increases in technology costs.

GENERAL FUND	2021-22	2022-23
All Other	\$80,000	\$80,000
GENERAL FUND TOTAL	\$80,000	\$80,000

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for facility operation increases to operate 38 facilities across the State.

GENERAL FUND	2021-22	2022-23
All Other	\$762,927	\$762,927
GENERAL FUND TOTAL	\$762,927	\$762,927

Courts - Supreme, Superior and District 0063

Initiative: Establishes 10 Deputy Marshal positions to provide entry screening in the courthouses throughout the State.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$807,760	\$849,440
All Other	\$60,500	\$36,000
GENERAL FUND TOTAL	\$868,260	\$885,440

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for the reclassification of one IT Field Tech Lead position to an IT Operations Administrator position.

GENERAL FUND	2021-22	2022-23
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Personal Services	\$20,289	\$20,284
GENERAL FUND TOTAL	<u>\$20,289</u>	<u>\$20,284</u>

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for the reclassification of one Division Supervisor I position to a Court Operations Coordinator position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$11,658	\$12,243
GENERAL FUND TOTAL	<u>\$11,658</u>	<u>\$12,243</u>

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for the reclassification of one Windows Administrator position to an IT Enterprise Architect position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$11,573	\$11,568
GENERAL FUND TOTAL	<u>\$11,573</u>	<u>\$11,568</u>

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for the range change of one Revenue Manager position from range 16 to range 17.

GENERAL FUND	2021-22	2022-23
Personal Services	\$8,878	\$8,877
GENERAL FUND TOTAL	<u>\$8,878</u>	<u>\$8,877</u>

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for the reclassification of one Senior Database Administrator position to a Senior DBA & Security Officer position.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$10,578	\$10,575
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$10,578</u>	<u>\$10,575</u>

Courts - Supreme, Superior and District 0063

Initiative: Provides funding to move all current Deputy Marshal positions up one step.

GENERAL FUND	2021-22	2022-23
Personal Services	\$63,667	\$45,237
GENERAL FUND TOTAL	<u>\$63,667</u>	<u>\$45,237</u>

Courts - Supreme, Superior and District 0063

Initiative: Allocates funds to increase reimbursement for guardian ad litem services from \$60 per hour to \$80 per hour.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$972,234	\$972,234
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$972,234</u>	<u>\$972,234</u>

Judicial - Debt Service Z097

Initiative: Reduces funding on a one-time basis to reflect savings achieved by restructuring the 2011 debt issuance.

GENERAL FUND	2021-22	2022-23
All Other	\$0	(\$1,045,657)
GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$1,045,657)</u>

JUDICIAL DEPARTMENT DEPARTMENT TOTALS	2021-22	2022-23
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GENERAL FUND	\$1,827,252	\$780,919
OTHER SPECIAL REVENUE FUNDS	\$982,812	\$982,809

DEPARTMENT TOTAL - ALL FUNDS	<u>\$2,810,064</u>	<u>\$1,763,728</u>
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Sec. A-25. Appropriations and allocations. The following appropriations and allocations are made.

LABOR, DEPARTMENT OF

Administration - Labor 0030

Initiative: Transfers funds from the General Fund to Other Special Revenue Funds in fiscal years 2021-22 and 2022-23 only for financial and human resources services within the same program in order to maintain operations within available resources.

GENERAL FUND	2021-22	2022-23
All Other	(\$55,009)	(\$55,276)
GENERAL FUND TOTAL	<u>(\$55,009)</u>	<u>(\$55,276)</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$55,009	\$55,276

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$55,009</u>	<u>\$55,276</u>
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Blind and Visually Impaired - Division for the 0126

Initiative: Provides funding to increase the contract for one Teacher for the Visually Impaired position.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$5,000	\$5,000

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$5,000</u>	<u>\$5,000</u>
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Blind and Visually Impaired - Division for the 0126

Initiative: Reallocates the cost of one Blindness Rehabilitation Specialist position from 100% General Fund and one Blindness Rehabilitation Specialist position from 100% Federal Expenditures Fund to 50% General Fund and 50% Federal Expenditures Fund each within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$1,900)	(\$208)
All Other	\$1,900	\$208
GENERAL FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$1,900	\$208
All Other	(\$1,900)	(\$208)
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

Employment Security Services 0245

Initiative: Establishes 5 limited-period Accounting Associate II positions and one Business Systems Manager position through June 10, 2023.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$481,545	\$505,659
All Other	\$9,506	\$9,982
FEDERAL EXPENDITURES FUND TOTAL	\$491,051	\$515,641

Employment Security Services 0245

Initiative: Establishes 2 Public Service Coordinator I positions and one Public Service Manager II position.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$332,556	\$349,131
All Other	\$6,565	\$6,892
FEDERAL EXPENDITURES FUND TOTAL	\$339,121	\$356,023

Employment Security Services 0245

Initiative: Establishes allocation for the Unemployment Program Administrative Fund in order to support the operations of the unemployment insurance program.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$7,000,000	\$7,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,000,000	\$7,000,000

Employment Security Services 0245

Initiative: Reduces funding due to an approved reorganization of 5 limited-period Accounting Specialist positions to Accounting Associate II positions. These positions will end on June 10, 2023.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$13,265)	(\$13,950)
FEDERAL EXPENDITURES FUND TOTAL	(\$13,265)	(\$13,950)

Employment Security Services 0245

Initiative: Continues 2 limited-period Secretary Associate Legal positions and one Management Analyst II position previously continued by Financial Order 01090 F1 through June 10, 2023.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$245,135	\$257,153
All Other	\$4,839	\$5,076
FEDERAL EXPENDITURES FUND TOTAL	\$249,974	\$262,229

Employment Services Activity 0852

Initiative: Transfers and reallocates the cost of various positions between General Fund, Federal Expenditures Fund, Other Special Revenue Funds and Competitive Skills Scholarship Fund to better align the positions with their funding sources.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$15,982)	(\$16,324)
GENERAL FUND TOTAL	(\$15,982)	(\$16,324)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$709,888	\$724,360
All Other	\$23,590	\$24,071
FEDERAL EXPENDITURES FUND TOTAL	\$733,478	\$748,431

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	(\$232,692)	(\$240,593)
All Other	(\$7,733)	(\$7,994)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$240,425)	(\$248,587)

COMPETITIVE SKILLS SCHOLARSHIP FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$461,213)	(\$467,444)
All Other	\$461,213	\$467,444
COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$0	\$0

Employment Services Activity 0852

Initiative: Transfers one Director of Labor Outreach & Education position and reallocates the cost from 100% Employment Services Activity program, Federal Expenditures Fund to 60% Regulation and Enforcement program, Federal Expenditures Fund and 40% Safety Education and Training Programs program, Other Special Revenue Funds.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$108,408)	(\$108,977)
All Other	(\$3,602)	(\$3,621)
FEDERAL EXPENDITURES FUND TOTAL	(\$112,010)	(\$112,598)

Employment Services Activity 0852

Initiative: Provides funding for federal CARES Act funds to support workers who have lost their jobs.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,474,698	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$1,474,698	\$0

Racial, Indigenous and Maine Tribal Populations Z287

Initiative: Provides funding for professional services needed to further the work of the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations. Revenue for this funding will be raised through donations and fund-raising efforts.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000

Racial, Indigenous and Maine Tribal Populations Z287

Initiative: Provides funding for one Public Service Executive I position, one Business Manager II position, one Public Service Coordinator I position and one Planning and Research Associate I position and related All Other to support the work of the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$414,801	\$434,795
All Other	\$500,000	\$500,000
GENERAL FUND TOTAL	\$914,801	\$934,795

Racial, Indigenous and Maine Tribal Populations Z287

Initiative: Provides funding for the per diem costs for members of the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations.

GENERAL FUND	2021-22	2022-23
Personal Services	\$46,500	\$46,500
GENERAL FUND TOTAL	\$46,500	\$46,500

Racial, Indigenous and Maine Tribal Populations Z287

Initiative: Provides base allocations to authorize expenditures from funds received from federal sources.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

Regulation and Enforcement 0159

Initiative: Transfers one Director of Labor Outreach & Education position and reallocates the cost from 100% Employment Services Activity program, Federal Expenditures Fund to 60% Regulation and Enforcement program, Federal Expenditures Fund and 40% Safety Education and Training Programs program, Other Special Revenue Funds.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$65,044	\$65,386
All Other	\$3,748	\$3,757
FEDERAL EXPENDITURES FUND TOTAL	\$68,792	\$69,143

Regulation and Enforcement 0159

Initiative: Reallocates the cost of one Occupational Health Safety Program Supervisor position and one Occupational Safety Specialist position from 100% General Fund to 50% General Fund and 50% Federal Expenditures Fund within the same program and reallocates related All Other in order to maintain a budget within available resources.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$95,429)	(\$97,911)
All Other	(\$15,935)	(\$15,346)
GENERAL FUND TOTAL	(\$111,364)	(\$113,257)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$95,429	\$97,911
All Other	\$18,838	\$18,299
FEDERAL EXPENDITURES FUND TOTAL	\$114,267	\$116,210

Regulation and Enforcement 0159

Initiative: Establishes 2 Labor & Safety Inspector positions and one Fraud Investigator position and increases All Other for related staff expenses and for funding additional legal support from the Office of the Attorney General in order to ensure compliance with state labor laws and protections for Maine workers.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3,000	3,000

Personal Services	\$253,280	\$265,184
All Other	\$162,369	\$162,369
GENERAL FUND TOTAL	<u>\$415,649</u>	<u>\$427,553</u>

Rehabilitation Services 0799

Initiative: Provides funding for the proposed reorganization of 2 Office Associate II positions to 2 Rehabilitation Counselor I positions and reduces All Other to fund the reorganization.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$11,404	\$11,974
All Other	(\$11,404)	(\$11,974)
FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$0</u>

Rehabilitation Services 0799

Initiative: Provides funding for the proposed reclassification of one Office Assistant II position to an Office Associate II position, retroactive to August 12, 2019, and reduces All Other to fund the position.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$13,725	\$7,135
All Other	(\$13,725)	(\$7,135)
FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$0</u>

Safety Education and Training Programs 0161

Initiative: Transfers one Director of Labor Outreach & Education position and reallocates the cost from 100% Employment Services Activity program, Federal Expenditures Fund to 60% Regulation and Enforcement program, Federal Expenditures Fund and 40% Safety Education and Training Programs program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$43,364	\$43,591
All Other	\$1,130	\$1,136
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$44,494</u>	<u>\$44,727</u>

Safety Education and Training Programs 0161

Initiative: Reorganizes one Consumer Assistance Specialist position to a Labor & Safety Inspector position.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$15,351	\$15,348
All Other	\$400	\$400
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$15,751</u>	<u>\$15,748</u>

Workforce Research Z164

Initiative: Reallocates the cost of one Senior Economic Research Analyst position from 80% General Fund and 20% Federal Expenditures Fund to 90% General Fund and 10% Federal Expenditures Fund within the same program and provides funding for related STA-CAP costs in the first year of the biennium.

GENERAL FUND	2021-22	2022-23
Personal Services	\$9,023	\$0
GENERAL FUND TOTAL	<u>\$9,023</u>	<u>\$0</u>
FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$9,023)	\$0
All Other	(\$165)	\$0
FEDERAL EXPENDITURES FUND TOTAL	<u>(\$9,188)</u>	<u>\$0</u>

Workforce Research Z164

Initiative: Reallocates funding for one Senior Economic Research Analyst position from 100% Federal Expenditures Fund to 100% General Fund in order to provide enhanced information on Maine's workforce.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$98,833	\$103,442
All Other	\$8,330	\$8,330
GENERAL FUND TOTAL	<u>\$107,163</u>	<u>\$111,772</u>
FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$98,833)	(\$103,442)
FEDERAL EXPENDITURES FUND TOTAL	<u>(\$98,833)</u>	<u>(\$103,442)</u>

LABOR, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$1,310,781	\$1,335,763
FEDERAL EXPENDITURES FUND	\$3,238,585	\$1,838,187
OTHER SPECIAL REVENUE FUNDS	\$6,929,829	\$6,922,164
COMPETITIVE SKILLS SCHOLARSHIP FUND	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	<u>\$11,479,195</u>	<u>\$10,096,114</u>
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Sec. A-26. Appropriations and allocations. The following appropriations and allocations are made.

**LIBRARY, MAINE STATE
Maine State Library 0217**

Initiative: Provides funding for approved reorganization for one Librarian III position to a Librarian Specialized Services position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$6,016	\$6,015
GENERAL FUND TOTAL	<u>\$6,016</u>	<u>\$6,015</u>

Sec. A-27. Appropriations and allocations. The following appropriations and allocations are made.

MARINE RESOURCES, DEPARTMENT OF

Bureau of Marine Science 0027

Initiative: Transfers and reallocates the cost of one Marine Resource Scientist IV position from 100% General Fund to 42% General Fund and 58% Other Special Revenue Funds within the same program and reallocates the cost of one Marine Resource Scientist II position from 100% Other Special Revenue Funds to 72% General Fund and 28% Other Special Revenue Funds within the same program and adjusts related All Other costs.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$3,468)	(\$799)
GENERAL FUND TOTAL	<u>(\$3,468)</u>	<u>(\$799)</u>

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$3,468	\$799
All Other	\$163	\$38

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$3,631</u>	<u>\$837</u>
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Bureau of Marine Science 0027

Initiative: Reallocates one Marine Resource Scientist III position from 70% Other Special Revenue Funds and 30% Federal Expenditures Fund to 56% Other Special Revenue Funds and 44% Federal Expenditures Fund and adjusts related All Other costs within the same program.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$17,792	\$17,951
All Other	\$835	\$843

FEDERAL EXPENDITURES FUND TOTAL	<u>\$18,627</u>	<u>\$18,794</u>
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	(\$17,792)	(\$17,951)
All Other	(\$835)	(\$843)

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$18,627)</u>	<u>(\$18,794)</u>
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Bureau of Marine Science 0027

Initiative: Transfers and reallocates one Marine Resource Specialist II position from 100% Other Special Revenue Funds to 65% Federal Expenditures Fund and 35% Other Special Revenue Funds and adjusts related All Other costs within the same program.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$42,057	\$43,973
All Other	\$1,974	\$2,064

FEDERAL EXPENDITURES FUND TOTAL	<u>\$44,031</u>	<u>\$46,037</u>
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$42,057)	(\$43,973)
All Other	(\$1,974)	(\$2,064)

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$44,031)</u>	<u>(\$46,037)</u>
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Bureau of Marine Science 0027

Initiative: Reallocates one Marine Resource Specialist II position from 75% Other Special Revenue Funds and 25% General Fund to 50% Other Special Revenue Funds, 25% Federal Expenditures Fund and 25% General Fund and adjusts related All Other costs within the same program.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$19,391	\$20,374
All Other	\$910	\$956

FEDERAL EXPENDITURES FUND TOTAL	<u>\$20,301</u>	<u>\$21,330</u>
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	(\$19,391)	(\$20,374)
All Other	(\$911)	(\$957)

OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$20,302)</u>	<u>(\$21,331)</u>
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Bureau of Marine Science 0027

Initiative: Reallocates one Marine Resource Technician position from 50% Federal Expenditures Fund and 50% Other Special Revenue Funds to 100% Federal Expenditures Fund and adjusts related All Other costs within the same program.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$35,852	\$37,463
All Other	\$1,683	\$1,759

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FEDERAL EXPENDITURES	\$37,535	\$39,222
FUND TOTAL		
OTHER SPECIAL REVENUE FUNDS		
Personal Services	(\$35,852)	(\$37,463)
All Other	(\$1,683)	(\$1,759)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$37,535)	(\$39,222)

Bureau of Marine Science 0027

Initiative: Transfers 16 positions and related All Other from the Bureau of Marine Science program to the Sea Run Fisheries and Habitat program. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$349,774)	(\$359,570)
GENERAL FUND TOTAL	(\$349,774)	(\$359,570)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(10.000)	(10.000)
POSITIONS - FTE COUNT	(1.000)	(1.000)
Personal Services	(\$923,696)	(\$951,406)
All Other	(\$836,022)	(\$837,397)
FEDERAL EXPENDITURES FUND TOTAL	(\$1,759,718)	(\$1,788,803)

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$136,984)	(\$137,950)
All Other	(\$98,592)	(\$98,423)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$235,576)	(\$236,373)

Bureau of Marine Science 0027

Initiative: Provides funding for approved reclassifications for 4 Marine Resource Scientist II positions to Marine Resource Scientist III positions, 2 Marine Resource Specialist II positions to Marine Resource Scientist I positions, one Marine Resource Scientist III position to a Marine Resource Scientist IV position, one Marine Resource Scientist I position to a Marine Resource Scientist II position and 2 Conservation Aide positions to Marine Resource Specialist II positions.

GENERAL FUND	2021-22	2022-23
Personal Services	\$27,572	\$20,731
GENERAL FUND TOTAL	\$27,572	\$20,731

FEDERAL EXPENDITURES FUND	2021-22	2022-23
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Personal Services	\$22,214	\$9,473
All Other	\$1,249	\$1,970

FEDERAL EXPENDITURES FUND TOTAL	\$23,463	\$11,443
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$5,232	\$3,870
All Other	\$115	\$182

OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,347	\$4,052
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Bureau of Marine Science 0027

Initiative: Provides funding for approved reclassifications for one Marine Resource Specialist I position to a Marine Resource Specialist II position, one Marine Resource Specialist II position to a Marine Resource Scientist I position, one Inventory and Property Specialist position to a Management Analyst II position, one Office Associate II position to an Accounting Associate II position and one Accounting Associate II position to a Management Analyst I position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$1,228	\$1,933
GENERAL FUND TOTAL	\$1,228	\$1,933

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$9,130	\$5,804
All Other	\$173	\$272

FEDERAL EXPENDITURES FUND TOTAL	\$9,303	\$6,076
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Bureau of Marine Science 0027

Initiative: Transfers and reallocates the cost of one Marine Resource Scientist II position from 75% Federal Expenditures Fund and 25% General Fund in the Bureau of Marine Science program to 100% General Fund in the Bureau of Policy and Management program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$24,666)	(\$25,674)
GENERAL FUND TOTAL	(\$24,666)	(\$25,674)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$74,000)	(\$77,020)
All Other	(\$3,474)	(\$3,615)

FEDERAL EXPENDITURES FUND TOTAL	(\$77,474)	(\$80,635)
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Bureau of Marine Science 0027

Initiative: Establishes one Public Service Coordinator II position funded 50% Bureau of Marine Science program and 50% Bureau of Policy and Management program within the same fund.

GENERAL FUND	2021-22	2022-23
Personal Services	\$58,431	\$61,273
GENERAL FUND TOTAL	\$58,431	\$61,273

Bureau of Marine Science 0027

Initiative: Establishes one Marine Resource Scientist II position.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$95,161	\$99,660
GENERAL FUND TOTAL	\$95,161	\$99,660

Bureau of Marine Science 0027

Initiative: Provides funding for the approved reclassification of one Marine Resource Technician position to a Marine Resource Specialist II position.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$637	\$742
All Other	\$30	\$38
FEDERAL EXPENDITURES FUND TOTAL	\$667	\$780

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$638	\$742
All Other	\$30	\$38
OTHER SPECIAL REVENUE FUNDS TOTAL	\$668	\$780

Bureau of Marine Science 0027

Initiative: Provides funding for the approved reorganization of one Marine Resource Specialist II position to a Marine Resource Scientist I position.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$19,728	\$7,008
All Other	\$926	\$329
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,654	\$7,337

Bureau of Marine Science 0027

Initiative: Reorganizes 2 seasonal half-time Conservation Aide positions to one full-time position and reclassifies the Conservation Aide position to a Marine Resource Specialist II position and includes retroactive pay. Also transfers this Marine Resource Specialist II position from the Bureau of Marine Science program to the Sea Run Fisheries and Habitat program within the same fund.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$15,573)	(\$16,242)
GENERAL FUND TOTAL	(\$15,573)	(\$16,242)

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - FTE COUNT	(1.000)	(1.000)
Personal Services	(\$15,557)	(\$16,244)
All Other	(\$731)	(\$762)

FEDERAL EXPENDITURES FUND TOTAL	(\$16,288)	(\$17,006)
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Bureau of Marine Science 0027

Initiative: Provides funding for approved reclassifications for one Marine Resource Scientist III position to a Marine Resource Scientist IV position, 3 Marine Resource Scientist I positions to Marine Resource Scientist II positions and one Conservation Aide position to a Marine Resource Specialist I position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$3,753	\$1,042
GENERAL FUND TOTAL	\$3,753	\$1,042

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$31,335	\$23,459
All Other	\$928	\$1,101

FEDERAL EXPENDITURES FUND TOTAL	\$32,263	\$24,560
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Bureau of Policy and Management 0258

Initiative: Provides funding for central services increases.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$166,951	\$149,337

OTHER SPECIAL REVENUE FUNDS TOTAL	\$166,951	\$149,337
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Bureau of Policy and Management 0258

Initiative: Provides funding for approved reclassifications for one Marine Resource Specialist I position to a Marine Resource Specialist II position, one Marine Resource Specialist II position to a Marine Resource Scientist I position, one Inventory and Property Specialist position to a Management Analyst II position, one Office Associate II position to an Accounting Associate II position and one Accounting Associate II position to a Management Analyst I position.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$30,182	\$23,644
All Other	\$981	\$1,110

OTHER SPECIAL REVENUE FUNDS TOTAL	\$31,163	\$24,754
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Bureau of Policy and Management 0258

Initiative: Transfers one Resource Management Coordinator position from 100% Federal Expenditures Fund to 100% General Fund within the same program.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$88,053	\$92,105
GENERAL FUND TOTAL	\$88,053	\$92,105

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$88,053)	(\$92,105)
All Other	(\$4,133)	(\$4,323)
FEDERAL EXPENDITURES FUND TOTAL	(\$92,186)	(\$96,428)

Bureau of Policy and Management 0258

Initiative: Transfers and reallocates the cost of one Marine Resource Scientist II position from 75% Federal Expenditures Fund and 25% General Fund in the Bureau of Marine Science program to 100% General Fund in the Bureau of Policy and Management program.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$98,666	\$102,694
GENERAL FUND TOTAL	\$98,666	\$102,694

Bureau of Policy and Management 0258

Initiative: Provides funding for the approved reorganization of one Marine Resource Scientist II position to a Marine Resource Scientist III position effective September 27, 2019.

GENERAL FUND	2021-22	2022-23
Personal Services	\$12,270	\$16,281
GENERAL FUND TOTAL	\$12,270	\$16,281

Bureau of Policy and Management 0258

Initiative: Transfers one Marine Resource Scientist I position, one Marine Resource Scientist III position and one Resource Management Coordinator position from 100% Other Special Revenue Funds to 100% General Fund within the same program.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$300,630	\$306,309
GENERAL FUND TOTAL	\$300,630	\$306,309

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$300,630)	(\$306,309)
All Other	(\$14,112)	(\$14,378)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$314,742)	(\$320,687)
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Bureau of Policy and Management 0258

Initiative: Establishes one Resource Management Coordinator position and one part-time Paralegal position to support aquaculture programs and provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.500	1.500
Personal Services	\$137,692	\$143,950
GENERAL FUND TOTAL	\$137,692	\$143,950

Bureau of Policy and Management 0258

Initiative: Establishes one Public Service Manager I position to serve as the aquaculture administrator.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$107,168	\$112,312
GENERAL FUND TOTAL	\$107,168	\$112,312

Bureau of Policy and Management 0258

Initiative: Establishes one Marine Resource Scientist II position and one Marine Resource Scientist IV position.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$213,420	\$224,008
GENERAL FUND TOTAL	\$213,420	\$224,008

Bureau of Policy and Management 0258

Initiative: Establishes one Public Service Coordinator II position funded 50% Bureau of Marine Science program and 50% Bureau of Policy and Management program.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$58,435	\$61,279
GENERAL FUND TOTAL	\$58,435	\$61,279

Bureau of Policy and Management 0258

Initiative: Establishes one Marine Resource Scientist III position.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$107,862	\$113,256

GENERAL FUND TOTAL	\$107,862	\$113,256
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Bureau of Policy and Management 0258

Initiative: Provides funding for the approved reorganization of one Public Service Coordinator II position to a Public Service Manager II position.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$14,972	\$14,969
All Other	\$703	\$703

OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,675	\$15,672
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Bureau of Policy and Management 0258

Initiative: Provides ongoing funding for support and technical assistance to the department.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$2,000,000

GENERAL FUND TOTAL	\$0	\$2,000,000
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Bureau of Public Health Z154

Initiative: Provides funding for approved reclassifications for 4 Marine Resource Scientist II positions to Marine Resource Scientist III positions, 2 Marine Resource Specialist II positions to Marine Resource Scientist I positions, one Marine Resource Scientist III position to a Marine Resource Scientist IV position, one Marine Resource Scientist I position to a Marine Resource Scientist II position and 2 Conservation Aide positions to Marine Resource Specialist II positions.

GENERAL FUND	2021-22	2022-23
Personal Services	\$12,322	\$5,865

GENERAL FUND TOTAL	\$12,322	\$5,865
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$7,416	\$4,101
All Other	(\$304)	(\$285)

FEDERAL EXPENDITURES FUND TOTAL	\$7,112	\$3,816
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Bureau of Public Health Z154

Initiative: Provides funding for approved reclassifications for one Marine Resource Specialist I position to a Marine Resource Specialist II position, one Marine Resource Specialist II position to a Marine Resource Scientist I position, one Inventory and Property Specialist position to a Management Analyst II position, one Office Associate II position to an Accounting Associate II position and one Accounting Associate II position to a Management Analyst I position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$3,280	\$3,640

GENERAL FUND TOTAL	\$3,280	\$3,640
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
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Personal Services	\$720	\$799
All Other	\$34	\$38

OTHER SPECIAL REVENUE FUNDS TOTAL	\$754	\$837
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Bureau of Public Health Z154

Initiative: Provides funding for approved reclassifications for one Marine Resource Scientist III position to a Marine Resource Scientist IV position, 3 Marine Resource Scientist I positions to Marine Resource Scientist II positions and one Conservation Aide position to a Marine Resource Specialist I position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$16,166	\$13,023

GENERAL FUND TOTAL	\$16,166	\$13,023
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Marine Patrol - Bureau of 0029

Initiative: Adjusts the allocation in the Marine Patrol - Bureau of program, Other Special Revenue Funds by decreasing the Personal Services line category and increasing the allocation in the All Other line category to correct an error in the baseline budget enacted in Public Law 2021, chapter 29.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	(\$31,633)	(\$31,633)
All Other	\$31,633	\$31,633

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0
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Marine Patrol - Bureau of 0029

Initiative: Transfers and reallocates one Marine Patrol Officer position from 85% Federal Expenditures Fund and 15% General Fund to 100% General Fund and transfers and reallocates one Marine Patrol Officer position from 85% Other Special Revenue Funds and 15% General Fund to 100% General Fund within the same program.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$167,402	\$175,172

GENERAL FUND TOTAL	\$167,402	\$175,172
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FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$83,701)	(\$87,586)
All Other	(\$3,929)	(\$4,111)

FEDERAL EXPENDITURES FUND TOTAL	(\$87,630)	(\$91,697)
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OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$83,701)	(\$87,586)
All Other	(\$3,929)	(\$4,111)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$87,630)	(\$91,697)

Sea Run Fisheries and Habitat Z295

Initiative: Transfers 16 positions and related All Other from the Bureau of Marine Science program to the Sea Run Fisheries and Habitat program. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$349,775	\$359,572
All Other	\$37,000	\$37,000
GENERAL FUND TOTAL	\$386,775	\$396,572

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	9,000	9,000
POSITIONS - FTE COUNT	1,000	1,000
Personal Services	\$927,336	\$951,407
All Other	\$836,002	\$837,396
FEDERAL EXPENDITURES FUND TOTAL	\$1,763,338	\$1,788,803

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$136,984	\$137,949
All Other	\$143,214	\$143,259
OTHER SPECIAL REVENUE FUNDS TOTAL	\$280,198	\$281,208

Sea Run Fisheries and Habitat Z295

Initiative: Provides funding for reclassification and retroactive pay for a Marine Resource Scientist I position to a Marine Resource Scientist II position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$9,839	\$8,296
GENERAL FUND TOTAL	\$9,839	\$8,296

Sea Run Fisheries and Habitat Z295

Initiative: Reorganizes 2 seasonal half-time Conservation Aide positions to one full-time position and reclassifies the Conservation Aide position to a Marine Resource Specialist II position and includes retroactive pay. Also transfers this Marine Resource Specialist II position from the Bureau of Marine Science program to the Sea Run Fisheries and Habitat program within the same fund.

GENERAL FUND	2021-22	2022-23
Personal Services	\$34,892	\$32,485
GENERAL FUND TOTAL	\$34,892	\$32,485

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$34,893	\$32,487
All Other	\$1,638	\$1,525
FEDERAL EXPENDITURES FUND TOTAL	\$36,531	\$34,012

MARINE RESOURCES, DEPARTMENT OF DEPARTMENT TOTALS

GENERAL FUND	2021-22	2022-23
FEDERAL EXPENDITURES FUND	\$1,547,536	\$3,589,601
OTHER SPECIAL REVENUE FUNDS	(\$40,125)	(\$79,696)
OTHER SPECIAL REVENUE FUNDS	(\$233,402)	(\$289,327)
DEPARTMENT TOTAL - ALL FUNDS	\$1,274,009	\$3,220,578

Sec. A-28. Appropriations and allocations. The following appropriations and allocations are made.

MARITIME ACADEMY, MAINE

Maine Maritime Academy - Debt Service N407

Initiative: Provides ongoing funding for debt service to support a 10-year revenue bond for repairs to Curtis Hall.

GENERAL FUND	2021-22	2022-23
All Other	\$350,000	\$1,943,600
GENERAL FUND TOTAL	\$350,000	\$1,943,600

Maine Maritime Academy Scholarship Fund - Casino Z167

Initiative: Reduces funding for scholarships due to a decrease in dedicated revenues from slot machine proceeds projected by the Revenue Forecasting Committee.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$59,192)	(\$6,415)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$59,192)	(\$6,415)

Maine Maritime Academy Scholarship Fund - Casino Z167

Initiative: Provides funding for scholarships due to a projected increase in dedicated revenues from slot machine proceeds from the May 1, 2021 Revenue Forecasting Committee report.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$7,755	\$11,013
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$7,755</u>	<u>\$11,013</u>

Maritime Academy - Operations 0035

Initiative: Provides additional funding above current appropriation levels to cover salary adjustments and other annual inflationary increases at the Maine Maritime Academy.

GENERAL FUND	2021-22	2022-23
All Other	\$274,924	\$558,096
GENERAL FUND TOTAL	<u>\$274,924</u>	<u>\$558,096</u>

MARITIME ACADEMY, MAINE DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$624,924	\$2,501,696
OTHER SPECIAL REVENUE FUNDS	(\$51,437)	\$4,598
DEPARTMENT TOTAL - ALL FUNDS	<u>\$573,487</u>	<u>\$2,506,294</u>

Sec. A-29. Appropriations and allocations. The following appropriations and allocations are made.

MUSEUM, MAINE STATE

Maine State Museum 0180

Initiative: Provides funding for the approved reorganization of one Museum Specialist III position to a Museum Specialist II position.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$13,440)	(\$14,018)
GENERAL FUND TOTAL	<u>(\$13,440)</u>	<u>(\$14,018)</u>

Maine State Museum 0180

Initiative: Provides one-time funding for new museum exhibits.

GENERAL FUND	2021-22	2022-23
All Other	\$145,000	\$0
Capital Expenditures	\$55,000	\$675,000
GENERAL FUND TOTAL	<u>\$200,000</u>	<u>\$675,000</u>

MUSEUM, MAINE STATE DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$186,560	\$660,982
DEPARTMENT TOTAL - ALL FUNDS	<u>\$186,560</u>	<u>\$660,982</u>

Sec. A-30. Appropriations and allocations. The following appropriations and allocations are made.

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Administrative Services - Professional and Financial Regulation 0094

Initiative: Establishes one Public Service Manager III position to serve as deputy superintendent in the Bureau of Consumer Credit Protection beginning in fiscal year 2022-23.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$2,474
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$2,474</u>

Administrative Services - Professional and Financial Regulation 0094

Initiative: Reduces funding as services provided by the Department of Administrative and Financial Services, Office of Information Technology are anticipated to be lower than currently budgeted for the Division of Administrative Services.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$95,500)	(\$97,890)
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$95,500)</u>	<u>(\$97,890)</u>

Administrative Services - Professional and Financial Regulation 0094

Initiative: Establishes one Consumer Credit Examiner position beginning in fiscal year 2021-22 and one additional Consumer Credit Examiner position beginning in fiscal year 2022-23 in the examination division.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$2,473	\$4,946
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,473</u>	<u>\$4,946</u>

Administrative Services - Professional and Financial Regulation 0094

Initiative: Establishes 2 Consumer Credit Examiner positions in the licensing division.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$4,946	\$4,946
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$4,946</u>	<u>\$4,946</u>

Bureau of Consumer Credit Protection 0091

Initiative: Establishes one Public Service Manager III position to serve as deputy superintendent in the Bureau of Consumer Credit Protection beginning in fiscal year 2022-23.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$138,471
All Other	\$0	\$5,680
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$144,151

Bureau of Consumer Credit Protection 0091

Initiative: Establishes one Consumer Credit Examiner position beginning in fiscal year 2021-22 and one additional Consumer Credit Examiner position beginning in fiscal year 2022-23 in the examination division.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	2.000
Personal Services	\$76,370	\$159,272
All Other	\$12,333	\$23,293
OTHER SPECIAL REVENUE FUNDS TOTAL	\$88,703	\$182,565

Bureau of Consumer Credit Protection 0091

Initiative: Establishes 2 Consumer Credit Examiner positions in the licensing division.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$152,740	\$159,272
All Other	\$11,857	\$8,945
OTHER SPECIAL REVENUE FUNDS TOTAL	\$164,597	\$168,217

Dental Practice - Board of 0384

Initiative: Reduces funding as services provided by the Department of the Attorney General are anticipated to be lower than currently budgeted for the Board of Dental Practice.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$9,798)	(\$7,220)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$9,798)	(\$7,220)

Engineers - State Board of Licensure for Professional 0369

Initiative: Provides funding for credit card fees and portal fees related to online licensing services and related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$19,690	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$19,690	\$0

Engineers - State Board of Licensure for Professional 0369

Initiative: Provides funding for increased costs as a result of higher STA-CAP rates.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$3,023	\$3,151
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,023	\$3,151

Engineers - State Board of Licensure for Professional 0369

Initiative: Provides funding for cost increases for services provided by the Department of the Attorney General.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$3,368	\$4,145
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,368	\$4,145

Insurance - Bureau of 0092

Initiative: Provides funding for increased professional services contracts and related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$509,330	\$509,330
OTHER SPECIAL REVENUE FUNDS TOTAL	\$509,330	\$509,330

Licensing and Enforcement 0352

Initiative: Provides funding for the Board of Real Estate Appraisers, appraisal management company filing fees to the national registry and related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$308,643	\$308,643
OTHER SPECIAL REVENUE FUNDS TOTAL	\$308,643	\$308,643

Licensing and Enforcement 0352

Initiative: Provides funding for increased costs as a result of higher STA-CAP rates.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$7,857	\$43,140
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,857	\$43,140

Licensing and Enforcement 0352

Initiative: Continues and makes permanent one Professional Licensing Supervisor position previously established by Financial Order 001471 F1 and provides allocation for related All Other.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$88,166	\$92,414
All Other	\$2,540	\$2,662
OTHER SPECIAL REVENUE FUNDS TOTAL	\$90,706	\$95,076

Licensing and Enforcement 0352

Initiative: Continues and makes permanent one Office Specialist II Supervisor position previously established by Financial Order 001472 F1 and provides allocation for related All Other.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$81,649	\$85,764
All Other	\$2,352	\$2,471
OTHER SPECIAL REVENUE FUNDS TOTAL	\$84,001	\$88,235

Licensure in Medicine - Board of 0376

Initiative: Provides funding for cost increases for services provided by the Department of the Attorney General.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$41,136	\$52,449
OTHER SPECIAL REVENUE FUNDS TOTAL	\$41,136	\$52,449

Licensure in Medicine - Board of 0376

Initiative: Restores one board member position to permanent status as authorized in Public Law 2019, chapter 627. The position was made limited-period in error in Public Law 2021, chapter 29.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - FTE COUNT	0.077	0.077
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Nursing - Board of 0372

Initiative: Provides funding for the approved reclassification of one Public Service Executive I position to a Public Service Executive II position and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$121,174	\$43,940
All Other	\$3,372	\$1,223
OTHER SPECIAL REVENUE FUNDS TOTAL	\$124,546	\$45,163

Nursing - Board of 0372

Initiative: Provides funding for increased costs as a result of higher STA-CAP rates.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$9,627	\$9,915
OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,627	\$9,915

Office of Securities 0943

Initiative: Provides funding for cost increases for services provided by the Department of the Attorney General.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$23,959	\$36,230
OTHER SPECIAL REVENUE FUNDS TOTAL	\$23,959	\$36,230

Office of Securities 0943

Initiative: Provides funding for witness fees, expenses for judicial proceedings and related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$13,294	\$35,794
OTHER SPECIAL REVENUE FUNDS TOTAL	\$13,294	\$35,794

Office of Securities 0943

Initiative: Provides funding for additional professional services contracts in the Securities Investor Education and Training Fund account.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$51,133	\$51,133
OTHER SPECIAL REVENUE FUNDS TOTAL	\$51,133	\$51,133

Office of Securities 0943

Initiative: Provides funding for additional cellular phone service costs, portal fees related to online licensing services and related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$2,250	\$2,250
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,250	\$2,250

Office of Securities 0943

Initiative: Provides funding for increased rent costs and for related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$15,340	\$15,340

OTHER SPECIAL REVENUE	\$15,340	\$15,340
FUNDS TOTAL		

Office of Securities 0943

Initiative: Provides funding for increased general operations costs to align with current expenses and for related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$13,049	\$13,049

OTHER SPECIAL REVENUE	\$13,049	\$13,049
FUNDS TOTAL		

Office of Securities 0943

Initiative: Provides funding for increased travel costs for examinations and for related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$5,113	\$5,113

OTHER SPECIAL REVENUE	\$5,113	\$5,113
FUNDS TOTAL		

Optometry - Board of 0385

Initiative: Provides funding for increased rent costs and related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$592	\$592

OTHER SPECIAL REVENUE	\$592	\$592
FUNDS TOTAL		

Optometry - Board of 0385

Initiative: Provides funding for increased costs as a result of higher STA-CAP rates.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,743	\$1,780

OTHER SPECIAL REVENUE	\$1,743	\$1,780
FUNDS TOTAL		

Optometry - Board of 0385

Initiative: Provides funding for cost increases for services provided by the Department of the Attorney General.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$4,736	\$5,166

OTHER SPECIAL REVENUE	\$4,736	\$5,166
FUNDS TOTAL		

Osteopathic Licensure - Board of 0383

Initiative: Provides funding for cost increases for services provided by the Department of the Attorney General.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$2,601	\$7,283

OTHER SPECIAL REVENUE	\$2,601	\$7,283
FUNDS TOTAL		

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF DEPARTMENT TOTALS

OTHER SPECIAL REVENUE FUNDS	\$1,491,158	\$1,735,166
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DEPARTMENT TOTAL - ALL FUNDS	\$1,491,158	\$1,735,166
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Sec. A-31. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF Administration - Public Safety 0088

Initiative: Provides funding for professional services to align with available resources.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$15,843	\$18,199

OTHER SPECIAL REVENUE	\$15,843	\$18,199
FUNDS TOTAL		

Capitol Police - Bureau of 0101

Initiative: Provides funding to meet the current technology rates set and published by the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2021-22	2022-23
All Other	\$7,422	\$7,422

GENERAL FUND TOTAL	\$7,422	\$7,422
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Capitol Police - Bureau of 0101

Initiative: Provides funding for the purchase of equipment and technology in the Capitol Police - Bureau of program, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$5,000	\$5,000

FEDERAL EXPENDITURES	\$5,000	\$5,000
FUND TOTAL		

Computer Crimes 0048

Initiative: Establishes one State Police Detective position and one Computer Forensic Analyst position and provides funding for related All Other and Capital Expenditures costs.

GENERAL FUND	2021-22	2022-23
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POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$242,260	\$253,674
All Other	\$41,016	\$14,816
GENERAL FUND TOTAL	\$283,276	\$268,490

Consolidated Emergency Communications Z021

Initiative: Provides funding to include 2 Emergency Dispatch System Administrator positions in the special retirement plan pursuant to Public Law 2019, chapter 537.

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2021-22	2022-23
Personal Services	\$8,898	\$4,063
All Other	\$157	\$162
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	\$9,055	\$4,225

Consolidated Emergency Communications Z021

Initiative: Provides funding for an increase in the costs of legal services provided by the Department of the Attorney General.

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2021-22	2022-23
All Other	\$4,159	\$4,159
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	\$4,159	\$4,159

Consolidated Emergency Communications Z021

Initiative: Provides funding for in-state travel.

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2021-22	2022-23
All Other	\$9,358	\$9,358
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	\$9,358	\$9,358

Consolidated Emergency Communications Z021

Initiative: Provides funding to meet the current technology rates set and published by the Department of Administrative and Financial Services, Office of Information Technology.

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2021-22	2022-23
All Other	\$52,027	\$51,912
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	\$52,027	\$51,912

Consolidated Emergency Communications Z021

Initiative: Provides funding for an increase in STA-CAP charges.

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2021-22	2022-23
All Other	\$150,986	\$158,335
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	\$150,986	\$158,335

Consolidated Emergency Communications Z021

Initiative: Provides funding for clothing and employee training.

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2021-22	2022-23
All Other	\$6,589	\$6,606
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	\$6,589	\$6,606

Criminal Justice Academy 0290

Initiative: Provides funding for an increase in STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$2,451
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$2,451

Division of Building Codes and Standards Z073

Initiative: Provides funding to meet the current technology rates set and published by the Department of Administrative and Financial Services, Office of Information Technology.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$2,566	\$2,566
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,566	\$2,566

Division of Building Codes and Standards Z073

Initiative: Provides funding for the maintenance and support costs for the agency licensing management system and contracted technology costs related to online certification and licensing processes.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$7,934	\$7,934
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,934	\$7,934

Drug Enforcement Agency 0388

Initiative: Provides funding for increased rent rates.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$47,192	\$47,192

FEDERAL EXPENDITURES	\$47,192	\$47,192
FUND TOTAL		

Drug Enforcement Agency 0388

Initiative: Provides one-time funding for travel, rent, repairs, employee training, technology and related STA-CAP costs to align costs with available resources.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND		
All Other	\$183,536	\$183,536

FEDERAL EXPENDITURES	\$183,536	\$183,536
FUND TOTAL		

Emergency Medical Services 0485

Initiative: Reallocates the cost of one Emergency Medical Services Licensing Agent position from 100% General Fund to 60% General Fund and 40% Other Special Revenue Funds within the same program.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$36,386)	(\$37,856)
GENERAL FUND TOTAL	(\$36,386)	(\$37,856)

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$36,386	\$37,856
All Other	\$1,446	\$1,505

OTHER SPECIAL REVENUE FUNDS TOTAL	\$37,832	\$39,361
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Fire Marshal - Office of 0327

Initiative: Provides funding for the approved reclassification of one Fire Investigator position to a Senior Fire Investigator position, effective December 13, 2019, and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$27,600	\$14,356
All Other	\$604	\$314

OTHER SPECIAL REVENUE FUNDS TOTAL	\$28,204	\$14,670
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Fire Marshal - Office of 0327

Initiative: Provides funding for the approved reclassification of one Public Safety Licensing and Inspections Supervisor position to a Public Service Manager II position, effective August 12, 2019, and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$75,520	\$29,493
All Other	\$1,652	\$645

OTHER SPECIAL REVENUE FUNDS TOTAL	\$77,172	\$30,138
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Fire Marshal - Office of 0327

Initiative: Provides funding to include one Assistant State Fire Marshal position in the special retirement plan established in Public Law 2019, chapter 482.

GENERAL FUND	2021-22	2022-23
Personal Services	\$17,090	\$17,178
GENERAL FUND TOTAL	\$17,090	\$17,178

Fire Marshal - Office of 0327

Initiative: Provides funding for increased rent.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$17,372	\$17,372

OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,372	\$17,372
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Fire Marshal - Office of 0327

Initiative: Provides funding to meet the current technology rates set and published by the Department of Administrative and Financial Services, Office of Information Technology.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$26,290	\$26,460

OTHER SPECIAL REVENUE FUNDS TOTAL	\$26,290	\$26,460
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Fire Marshal - Office of 0327

Initiative: Provides funding for an increase in STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$52,710	\$55,943

OTHER SPECIAL REVENUE FUNDS TOTAL	\$52,710	\$55,943
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Fire Marshal - Office of 0327

Initiative: Provides funding for the purchase of vehicles for the Office of the State Fire Marshal.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$97,782	\$97,782

OTHER SPECIAL REVENUE FUNDS TOTAL	\$97,782	\$97,782
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Gambling Control Board Z002

Initiative: Provides funding for the maintenance and support cost of the agency licensing management system.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$16,183	\$16,183

OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,183	\$16,183
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Gambling Control Board Z002

Initiative: Provides funding for increased rent.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$8,632	\$8,632
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$8,632</u>	<u>\$8,632</u>

Gambling Control Board Z002

Initiative: Provides funding for the net commission distribution of advance deposit wagering revenues as authorized by the Maine Revised Statutes, Title 8, section 1072, subsection 1, paragraph F.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$320,000	\$320,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$320,000</u>	<u>\$320,000</u>

Gambling Control Board Z002

Initiative: Increases allocation to align with revenue changes approved by the Revenue Forecasting Committee in May 2021 for fiscal years ending June 30, 2022 and June 20, 2023.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$152,617	\$260,863
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$152,617</u>	<u>\$260,863</u>

Highway Safety DPS 0457

Initiative: Establishes 2 Highway Safety Coordinator positions and provides funding for related All Other costs.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$172,400	\$180,462
All Other	\$4,549	\$4,646
FEDERAL EXPENDITURES FUND TOTAL	<u>\$176,949</u>	<u>\$185,108</u>

State Police 0291

Initiative: Provides funding for the approved reclassification of 2 Planning and Research Associate II positions to 2 Criminal Intelligence Analyst positions, effective July 26, 2019 and August 7, 2019, respectively, and provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
Personal Services	\$14,511	\$5,105
GENERAL FUND TOTAL	<u>\$14,511</u>	<u>\$5,105</u>

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$21,575	\$7,857
All Other	\$540	\$197
FEDERAL EXPENDITURES FUND TOTAL	<u>\$22,115</u>	<u>\$8,054</u>

State Police 0291

Initiative: Provides funding to align the current level of reimbursement for overtime pay and associated All Other costs provided by the State Police.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$675,000	\$675,000
All Other	\$16,895	\$16,895
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$691,895</u>	<u>\$691,895</u>

State Police 0291

Initiative: Reduces funding for cellular phone service costs.

GENERAL FUND	2021-22	2022-23
All Other	(\$16,250)	(\$16,250)
GENERAL FUND TOTAL	<u>(\$16,250)</u>	<u>(\$16,250)</u>

Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: Provides funding for the Federal Motor Carrier Safety Administration consolidated federal grant award.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$300,000	\$300,000
All Other	\$345,769	\$345,769
FEDERAL EXPENDITURES FUND TOTAL	<u>\$645,769</u>	<u>\$645,769</u>

PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS

GENERAL FUND	2021-22	2022-23
FEDERAL EXPENDITURES FUND	\$269,663	\$244,089
OTHER SPECIAL REVENUE FUNDS	\$1,080,561	\$1,074,659
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	\$1,553,032	\$1,610,449
DEPARTMENT TOTAL - ALL FUNDS	<u>\$232,174</u>	<u>\$234,595</u>
DEPARTMENT TOTAL - ALL FUNDS	<u>\$3,135,430</u>	<u>\$3,163,792</u>

Sec. A-32. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Emergency Services Communication Bureau 0994

Initiative: Provides funding to increase the salary of the director of the Emergency Services Communication Bureau to be consistent with that of the other commission directors in the Maine Revised Statutes, Title 2, section 6-A, subsection 3 and transfers All Other to Personal Services to fund the increase.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$15,930	\$23,585
All Other	(\$15,930)	(\$23,585)
	\$0	\$0

Public Utilities - Administrative Division 0184

Initiative: Reduces funding due to anticipated revenues in the prepaid wireless fee fund account based on current prepaid wireless fee rates.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$71,640)	(\$71,640)
	(\$71,640)	(\$71,640)

Public Utilities - Administrative Division 0184

Initiative: Restores legislative count for one position that was dropped from the baseline legislative count enacted in Public Law 2021, chapter 29 due to a technical error. Funding for this position already exists in the baseline allocation.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
	\$0	\$0

PUBLIC UTILITIES COMMISSION

DEPARTMENT TOTALS	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS	(\$71,640)	(\$71,640)
DEPARTMENT TOTAL - ALL FUNDS	(\$71,640)	(\$71,640)

Sec. A-33. Appropriations and allocations. The following appropriations and allocations are made.

RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES

Retirement System - Retirement Allowance Fund 0085

Initiative: Provides funding for benefits for retired Governors and surviving spouses.

GENERAL FUND	2021-22	2022-23
All Other	\$2,242	\$6,637
GENERAL FUND TOTAL	\$2,242	\$6,637

Retirement System - Retirement Allowance Fund 0085

Initiative: Provides funding for benefits for pre-1984 judges and surviving spouses.

GENERAL FUND	2021-22	2022-23
All Other	\$140,713	\$149,349
GENERAL FUND TOTAL	\$140,713	\$149,349

RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES DEPARTMENT TOTALS

GENERAL FUND	2021-22	2022-23
	\$142,955	\$155,986
DEPARTMENT TOTAL - ALL FUNDS	\$142,955	\$155,986

Sec. A-34. Appropriations and allocations. The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF Administration - Archives 0050

Initiative: Provides funding for the approved reorganization of one Inventory and Property Associate I position to an Inventory and Property Associate II position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$4,729	\$4,728
GENERAL FUND TOTAL	\$4,729	\$4,728

Bureau of Administrative Services and Corporations 0692

Initiative: Provides funding for the approved reorganization of one Senior Programmer Analyst position to an Agency Application Architect position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$7,328	\$7,326
GENERAL FUND TOTAL	\$7,328	\$7,326

Bureau of Administrative Services and Corporations 0692

Initiative: Provides funding for the approved reclassification of one Public Service Manager II position from range 30 to range 31 and for related All Other costs. The approved range change has an effective date of May 30, 2019.

GENERAL FUND	2021-22	2022-23
Personal Services	\$867	\$286
GENERAL FUND TOTAL	\$867	\$286

Bureau of Administrative Services and Corporations 0692

Initiative: Provides funding for one contract worker.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$120,456	\$120,456
OTHER SPECIAL REVENUE FUNDS TOTAL	\$120,456	\$120,456

Bureau of Administrative Services and Corporations 0692

Initiative: Provides funding for the approved reorganization of one Public Service Manager I position to a Public Service Manager II position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$8,729	\$13,328
GENERAL FUND TOTAL	\$8,729	\$13,328

Bureau of Administrative Services and Corporations 0692

Initiative: Provides funding for the approved reorganization of one Corporations and Elections Program Specialist position to a Public Service Manager I position.

GENERAL FUND	2021-22	2022-23
Personal Services	\$7,210	\$11,555
GENERAL FUND TOTAL	\$7,210	\$11,555

Bureau of Administrative Services and Corporations 0692

Initiative: Establishes one Elections Coordinator position and provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$82,553	\$86,395
All Other	\$16,411	\$2,389
GENERAL FUND TOTAL	\$98,964	\$88,784

Bureau of Administrative Services and Corporations 0692

Initiative: Provides funding to implement ongoing absentee voting for individuals who will be at least 65 years of age by the next election or have a disability.

GENERAL FUND	2021-22	2022-23
All Other	\$49,000	\$24,000
GENERAL FUND TOTAL	\$49,000	\$24,000

SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$176,827	\$150,007
OTHER SPECIAL REVENUE FUNDS	\$120,456	\$120,456

DEPARTMENT TOTAL - ALL FUNDS	\$297,283	\$270,463
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Sec. A-35. Appropriations and allocations. The following appropriations and allocations are made.

ST. CROIX INTERNATIONAL WATERWAY COMMISSION

St. Croix International Waterway Commission 0576

Initiative: Increases funding to meet the operational needs of the memorandum of understanding between the State and the Province of New Brunswick, Canada to jointly fund the St. Croix International Waterway Commission.

GENERAL FUND	2021-22	2022-23
All Other	\$25,000	\$25,000
GENERAL FUND TOTAL	\$25,000	\$25,000

Sec. A-36. Appropriations and allocations. The following appropriations and allocations are made.

TREASURER OF STATE, OFFICE OF Administration - Treasury 0022

Initiative: Provides one-time funding for the Loan Guarantee Program Fund in order to guarantee repayment of loans made by credit unions and financial institutions to eligible affected employees.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500,000	\$0

Disproportionate Tax Burden Fund 0472

Initiative: Adjusts funding for municipal revenue sharing to bring allocations in line with projected available resources for fiscal years 2021-22 and 2022-23.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$12,817,562	\$18,555,744
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,817,562	\$18,555,744

Kim Wallace Adaptive Equipment Loan Program Fund Z278

Initiative: Provides funding for the Kim Wallace Adaptive Equipment Loan Program to provide loans to qualified borrowers in order to acquire adaptive equipment.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$2,000,000	\$2,000,000

OTHER SPECIAL REVENUE	\$2,000,000	\$2,000,000
FUNDS TOTAL		

State - Municipal Revenue Sharing 0020

Initiative: Adjusts funding for municipal revenue sharing to bring allocations in line with projected available resources for fiscal years 2021-22 and 2022-23.

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
All Other	\$23,238,070	\$46,190,803

OTHER SPECIAL REVENUE	\$23,238,070	\$46,190,803
FUNDS TOTAL		

TREASURER OF STATE, OFFICE OF DEPARTMENT TOTALS	2021-22	2022-23
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OTHER SPECIAL REVENUE	\$38,555,632	\$66,746,547
FUNDS		

DEPARTMENT TOTAL - ALL	\$38,555,632	\$66,746,547
FUNDS		

Sec. A-37. Appropriations and allocations. The following appropriations and allocations are made.

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Educational and General Activities - UMS 0031

Initiative: Provides additional funding for annual inflationary cost increases associated with continuation of current University of Maine System operations as well as additional operational costs at the University of Maine School of Law.

GENERAL FUND	2021-22	2022-23
All Other	\$7,443,342	\$13,564,984

GENERAL FUND TOTAL	\$7,443,342	\$13,564,984
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University of Maine Scholarship Fund Z011

Initiative: Reduces funding for scholarships due to a decrease in dedicated revenues from slot machine proceeds projected by the Revenue Forecasting Committee.

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
All Other	(\$1,339,390)	(\$142,940)

OTHER SPECIAL REVENUE	(\$1,339,390)	(\$142,940)
FUNDS TOTAL		

University of Maine Scholarship Fund Z011

Initiative: Provides funding for scholarships due to a projected increase in dedicated revenues from slot machine proceeds from the May 1, 2021 Revenue Forecasting Committee report.

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
All Other	\$180,014	\$254,486

OTHER SPECIAL REVENUE	\$180,014	\$254,486
FUNDS TOTAL		

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE DEPARTMENT TOTALS	2021-22	2022-23
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GENERAL FUND	\$7,443,342	\$13,564,984
OTHER SPECIAL REVENUE	(\$1,159,376)	\$111,546
FUNDS		

DEPARTMENT TOTAL - ALL	\$6,283,966	\$13,676,530
FUNDS		

Sec. A-38. Appropriations and allocations. The following appropriations and allocations are made.

WORKERS' COMPENSATION BOARD

Administration - Workers' Compensation Board 0183

Initiative: Provides funding for increased rent costs and associated STA-CAP charges.

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
All Other	\$83,566	\$85,021

OTHER SPECIAL REVENUE	\$83,566	\$85,021
FUNDS TOTAL		

PART B

Sec. B-1. Appropriations and allocations. The following appropriations and allocations are made.

LIBRARY, MAINE STATE

Maine State Library 0217

Initiative: RECLASSIFICATION

FEDERAL EXPENDITURES	2021-22	2022-23
FUND		
Personal Services	\$16,781	\$17,381
All Other	(\$16,781)	(\$17,381)

FEDERAL EXPENDITURES	\$0	\$0
FUND TOTAL		

PART C

Sec. C-1. 20-A MRSA §15671, sub-§7, ¶B, as amended by PL 2021, c. 29, Pt. C, §1, is further amended by amending subparagraph (17) to read:

(17) For fiscal year 2021-22 and subsequent fiscal years, the target is ~~51.83%~~ 55%.

Sec. C-2. 20-A MRSA §15671-A, sub-§2, ¶B, as amended by PL 2021, c. 29, Pt. C, §§2 and 3, is

further amended by amending subparagraph (14) to read:

(14) For the 2021 property tax year and subsequent tax years, the full-value education mill rate is the amount necessary to result in a ~~48.17%~~ 45% statewide total local share in fiscal year 2021-22 and after.

Sec. C-3. 20-A MRSA §15671-A, sub-§2, ¶B, as amended by PL 2021, c. 29, Pt. C, §§2 and 3, is further amended by repealing subparagraph (15).

Sec. C-4. 20-A MRSA §15689-A, sub-§25, as amended by PL 2019, c. 434, §2, is further amended to read:

25. Community schools. The commissioner may expend and disburse funds for the establishment of community schools in accordance with the provisions of chapter 333 and ~~shall~~ may apply for available federal funds in support of community school implementation and expansion.

Sec. C-5. PL 2021, c. 29, Pt. C, §5 is amended to read:

Sec. C-5. Mill expectation. The mill expectation pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A for fiscal year 2021-22 is ~~7.90~~ 7.26.

Sec. C-6. PL 2021, c. 29, Pt. C, §6 is amended to read:

Sec. C-6. Total cost of funding public education from kindergarten to grade 12. The total cost of funding public education from kindergarten to grade 12 for fiscal year 2021-22 is as follows:

	2021-22 TOTAL
Total Operating Allocation	
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683	\$1,506,633,588 <u>\$1,476,095,409</u>
Total operating allocation for public charter schools pursuant to the Maine Revised Statutes, Title 20-A, section 15683-B	<u>\$30,538,179</u>
Total adjustments to state subsidy pursuant to Title 20-A, section 15689 included in subsidizable costs and total other subsidizable costs pursuant to Title 20-A, section 15681-A	\$75,975,183
Total Operating Allocation and Subsidizable Costs	
Total operating allocation pursuant to Title 20-A, section 15683 and total other subsidizable costs pursuant to Title 20-A, section 15681-A	\$2,082,608,771
Total Debt Service Allocation	

Total debt service allocation pursuant to Title 20-A, section 15683-A	\$103,528,810
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Total Adjustments and Targeted Education Funds

Adjustments pursuant to Title 20-A, section 15689	
Audit adjustments pursuant to Title 20-A, section 15689, subsection 4	\$225,000
Educating students in long-term drug treatment center adjustments pursuant to Title 20-A, section 15689, subsection 5	\$500,000
Minimum teacher salary adjustment pursuant to Title 20-A, section 15689, subsection 7-A	\$1,576,272
Regionalization, consolidation and efficiency assistance adjustments pursuant to Title 20-A, section 15689, subsection 9	\$6,056,993
MaineCare seed payments adjustments pursuant to Title 20-A, section 15689, subsection 14	\$1,334,776
Total adjustments to the state share of the total allocation pursuant to Title 20-A, section 15689	\$9,693,041
Targeted education funds pursuant to Title 20-A, section 15689-A	
Special education costs for state agency clients and state wards pursuant to Title 20-A, section 15689-A, subsection 1	\$33,737,998
Essential programs and services components contract pursuant to Title 20-A, section 15689-A, subsection 3	\$250,000
Data management and support services for essential programs and services pursuant to Title 20-A, section 15689-A, subsection 10	\$9,550,629
Postsecondary course payments pursuant to Title 20-A, section 15689-A, subsection 11	\$4,000,000 <u>\$5,500,000</u>
National board certification salary supplement pursuant to Title 20-A, section 15689-A, subsection 12	\$307,551
Learning through technology program pursuant to Title 20-A, section 15689-A, subsection 12-A	\$14,000,000
Jobs for Maine's Graduates including college pursuant to Title 20-A, section 15689-A, subsection 13	\$3,545,379
Maine School of Science and Mathematics pursuant to Title 20-A, section 15689-A, subsection 14	\$3,615,347 <u>\$3,840,347</u>
Maine Educational Center for the Deaf and Hard of Hearing pursuant to Title 20-A, section 15689-A, subsection 15	\$8,712,565
Transportation administration pursuant to Title 20-A, section 15689-A, subsection 16	\$416,764
Special education for juvenile offenders pursuant to Title 20-A, section 15689-A, subsection 17	\$401,650

Comprehensive early college programs funding (bridge year program) pursuant to Title 20-A, section 15689-A, subsection 23	\$1,000,000
Community schools pursuant to Title 20-A, section 15689-A, subsection 25	\$200,000
Maine School for Marine Science, Technology, Transportation and Engineering pursuant to Title 20-A, section 15689-A, subsection 26	\$195,610
Musical instruments and professional development in rural schools pursuant to Title 20-A, section 15689-A, subsection 28	\$50,000
Total targeted education funds pursuant to Title 20-A, section 15689-A	<u>\$79,983,493</u> <u>\$81,708,493</u>
Enhancing student performance and opportunity pursuant to Title 20-A, section 15688-A	
Career and technical education costs pursuant to Title 20-A, section 15688-A, subsection 1	\$58,543,648
College transitions programs through adult education college readiness programs pursuant to Title 20-A, section 15688-A, subsection 2	\$450,000
National industry standards for career and technical education pursuant to Title 20-A, section 15688-A, subsection 6	\$2,000,000
Total enhancing student performance and opportunity pursuant to Title 20-A, section 15688-A	\$60,993,648
Total Cost of Funding Public Education from Kindergarten to Grade 12	
Total cost of funding public education from kindergarten to grade 12 for fiscal year 2021-22 pursuant to Title 20-A, chapter 606-B, not including normal retirement costs	<u>\$2,336,807,763</u> <u>\$2,338,532,763</u>
Total normal cost of teacher retirement	\$48,878,211
Total cost of funding public education from kindergarten to grade 12 for fiscal year 2021-22 pursuant to Title 20-A, chapter 606-B, including normal retirement costs	<u>\$2,385,685,974</u> <u>\$2,387,410,974</u>
Total cost of state contribution to unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance for fiscal year 2021-22 pursuant to Title 5, chapters 421 and 423, excluding the normal cost of teacher retirement	\$244,247,289
Total cost of funding public education from kindergarten to grade 12, plus state contributions to the unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance for fiscal year 2021-22 pursuant to Title 5, chapters 421 and 423	<u>\$2,629,933,263</u> <u>\$2,631,658,263</u>

Sec. C-7. PL 2021, c. 29, Pt. C, §7 is amended to read:

Sec. C-7. Local and state contributions to total cost of funding public education from kindergarten to grade 12. The local contribution and the state contribution appropriation provided for general purpose aid for local schools for the fiscal year beginning July 1, 2021 and ending June 30, 2022 is calculated as follows:

	2021-22 LOCAL	2021-22 STATE
Local and State Contributions to the Total Cost of Funding Public Education from Kindergarten to Grade 12		
Local and state contributions to the total cost of funding public education from kindergarten to grade 12 pursuant to the Maine Revised Statutes, Title 20-A, section 15683, subject to statewide distributions required by law	\$1,149,270,617 <u>\$1,074,334,938</u>	\$1,236,415,357 <u>\$1,313,076,036</u>
State contribution to the total cost of unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance for fiscal year 2021-22 pursuant to Title 5, chapters 421 and 423 excluding the normal cost of teacher retirement		\$244,247,289
State contribution to the total cost of funding public education from kindergarten to grade 12 plus state contribution to the total cost of unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance pursuant to Title 5, chapters 421 and 423		<u>\$1,480,662,646</u> <u>\$1,557,323,325</u>

Sec. C-8. Additional state subsidy. Notwithstanding any provision of law to the contrary and for fiscal year 2021-22 only, a school board of a school administrative unit that receives more state education subsidy than the amount included in its budget is authorized to use all or part of the additional subsidy to:

1. Increase expenditures for school purposes in cost center categories described in the Maine Revised Statutes, Title 20-A, section 1485, subsection 1 approved by the school board;

2. Increase the allocation of finances in a reserve fund approved by the school board; or

3. Decrease the local cost share expectation, as defined in section 15671-A, subsection 1, paragraph B, for local property tax payers as approved by the school board.

This section does not apply if a warrant presented at a budget meeting for fiscal year 2021-22 included an article as described in Title 20-A, section 1485, subsection 5 and that article was not approved by the voters at the budget meeting.

PART D

Sec. D-1. 4 MRSA §1610-M is enacted to read:

§1610-M. Additional securities for state-owned facility repair, improvement and construction and hazardous waste cleanup on state-owned property

Notwithstanding any limitation on the amount of securities that may be issued pursuant to section 1606, subsection 2, the authority may issue additional securities in an amount not to exceed \$52,910,000 outstanding at any one time for capital repairs and improvements to and construction of state-owned facilities and hazardous waste cleanup on state-owned properties.

Sec. D-2. Maine Governmental Facilities Authority; issuance of securities. Pursuant to the Maine Revised Statutes, Title 4, section 1606, subsection 2 and section 1610-M and notwithstanding the limitation contained in Title 4, section 1606, subsection 2 regarding the amount of securities that may be issued, the Maine Governmental Facilities Authority is authorized to issue securities in its own name in an amount up to \$52,910,000. Proceeds must be used for the purpose of paying the costs associated with capital repairs and improvements to and construction of state-owned facilities and hazardous waste cleanup on state-owned properties as designated by the Commissioner of Administrative and Financial Services.

PART E

Sec. E-1. 5 MRSA §8, as amended by PL 2007, c. 240, Pt. SSS, §1 and affected by §16, is further amended to read:

§8. Mileage allowance

The State shall pay for the use of privately owned automobiles for travel by employees of the State in the business of the State such reimbursement as agreed to between the State and their certified or recognized bargaining agent. For employees and state officers and officials not subject to any such agreement, the State shall pay 36¢ per mile effective January 1, 2006, 38¢ per mile effective January 1, 2007, 40¢ per mile effective July 1, 2007, 42¢ per mile effective July 1, 2008 and, 44¢ per mile effective January 1, 2009; and effective July 1, 2021 the lower of the rate included in the

bargaining agreement representing the most employees or the federal rate of reimbursement, whichever is lower, for miles actually traveled on state business. The Governor may suspend the operation of this section and require state officials and employees to travel in automobiles owned or controlled by the State, if such automobiles are available.

PART F

This Part left blank intentionally.

PART G

Sec. G-1. 30-A MRSA §5681, sub-§5, as amended by PL 2021, c. 29, Pt. F, §1, is further amended to read:

5. Transfers to funds. No later than the 10th day of each month, the State Controller shall transfer to the Local Government Fund 5% of the receipts during the previous month from the taxes imposed under Title 36, Parts 3 and 8, and Title 36, section 2552, subsection 1, paragraphs A to F and L, and credited to the General Fund without any reduction, except that for fiscal years 2015-16, 2016-17, 2017-18 and 2018-19 the amount transferred is 2%, for fiscal year 2019-20 the amount transferred is 3% ~~and~~, for fiscal ~~years~~ year 2020-21; ~~2021-22, and 2022-23~~, the amount transferred is 3.75% and for fiscal year 2021-22 the amount transferred is 4.5% of the receipts during the previous month from the taxes imposed under Title 36, Parts 3 and 8, and Title 36, section 2552, subsection 1, paragraphs A to F and L, and credited to the General Fund without any reduction, and except that the postage, state cost allocation program and programming costs of administering state-municipal revenue sharing may be paid by the Local Government Fund. A percentage share of the amounts transferred to the Local Government Fund each month must be transferred to the Disproportionate Tax Burden Fund and distributed pursuant to subsection 4-B as follows:

- C. For months beginning on or after July 1, 2009 but before July 1, 2010, 15%;
- D. For months beginning on or after July 1, 2010 but before July 1, 2011, 16%;
- E. For months beginning on or after July 1, 2011 but before July 1, 2012, 17%;
- F. For months beginning on or after July 1, 2012 but before July 1, 2013, 18%;
- G. For months beginning on or after July 1, 2013 but before July 1, 2014, 19%; and
- H. For months beginning on or after July 1, 2014, 20%.

PART H

Sec. H-1. 36 MRSA §111, sub-§1-A, as amended by PL 2021, c. 1, Pt. B, §1, 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, 2020~~ April 30, 2021.

Sec. H-2. 36 MRSA §1760, sub-§107 is enacted to read:

107. Menstrual products. Beginning October 1, 2021, sales of menstrual products. For purposes of this subsection, "menstrual products" means tampons, panty liners, menstrual cups, sanitary napkins and other similar tangible personal property designed for feminine hygiene in connection with the human menstrual cycle.

Sec. H-3. 36 MRSA §5219-S, sub-§1, as amended by PL 2019, c. 527, Pt. B, §2, is further amended to read:

1. Resident taxpayer. A resident individual who is an eligible individual is allowed a credit against the tax otherwise due under this Part in the amount of 25% of the federal earned income credit for the same taxable year for a resident eligible individual who does not have a qualifying child and 12% of the federal earned income credit for the same taxable year for all other resident eligible individuals; except that, for taxable years beginning after December 31, 2020 and before January 1, 2022, a resident individual who is an eligible individual is allowed a credit against the tax otherwise due under this Part in the amount of 20% of the federal earned income credit for the same taxable year.

Sec. H-4. 36 MRSA §5219-S, sub-§2, as amended by PL 2019, c. 527, Pt. B, §2, is further amended to read:

2. Nonresident taxpayer. A nonresident individual who is an eligible individual is allowed a credit against the tax otherwise due under this Part in the amount of 25%, or for taxable years beginning after December 31, 2020 and before January 1, 2022, 20%, of the federal earned income credit for the same taxable year for a nonresident eligible individual who does not have a qualifying child and 12% of the federal earned income credit for the same taxable year for all other nonresident eligible individuals, multiplied by the ratio of the individual's Maine adjusted gross income, as defined in section 5102, subsection 1-C, paragraph B, to the individual's entire federal adjusted gross income, as modified by section 5122.

Sec. H-5. 36 MRSA §5219-S, sub-§3, as amended by PL 2019, c. 527, Pt. B, §2, is further amended to read:

3. Part-year resident taxpayer. An eligible individual who files a return as a part-year resident in accordance with section 5224-A is allowed a credit against the tax otherwise due under this Part in the amount of 25%, or for taxable years beginning after December 31, 2020 and before January 1, 2022, 20%, of the federal earned income credit for the same taxable year for an eligible part-year individual who does not

have a qualifying child and 12% of the federal earned income credit for the same taxable year for all other eligible part-year individuals, multiplied by a ratio, the numerator of which is the individual's Maine adjusted gross income as defined in section 5102, subsection 1-C, paragraph A for that portion of the taxable year during which the individual was a resident plus the individual's Maine adjusted gross income as defined in section 5102, subsection 1-C, paragraph B for that portion of the taxable year during which the individual was a nonresident and the denominator of which is the individual's entire federal adjusted gross income, as modified by section 5122.

Sec. H-6. 36 MRSA §5219-KK, sub-§2-B, as enacted by PL 2019, c. 343, Pt. H, §6, is amended to read:

2-B. Credit in 2020 and after. For tax years beginning on or after January 1, 2020 and before January 1, 2021, a resident individual is allowed a credit against the taxes imposed under this Part equal to the amount by which the benefit base for the resident individual exceeds 5% of the resident individual's income. The credit may not exceed \$750 for resident individuals under 65 years of age as of the last day of the taxable year or \$1,200 for resident individuals 65 years of age and older as of the last day of the taxable year. In the case of married individuals filing a joint return, only one spouse is required to be 65 years of age or older to qualify for the \$1,200 credit limitation. Married taxpayers filing separate returns do not qualify for the credit under this section.

Sec. H-7. 36 MRSA §5219-KK, sub-§2-C is enacted to read:

2-C. Credit in 2021. For tax years beginning on or after January 1, 2021 and before January 1, 2022, a resident individual is allowed a credit against the taxes imposed under this Part equal to the amount by which the benefit base for the resident individual exceeds 5% of the resident individual's income. The credit may not exceed \$1,000 for resident individuals under 65 years of age as of the last day of the taxable year or \$1,500 for resident individuals 65 years of age and older as of the last day of the taxable year. In the case of married individuals filing a joint return, only one spouse is required to be 65 years of age or older to qualify for the \$1,500 credit limitation. Married taxpayers filing separate returns do not qualify for the credit under this section.

Sec. H-8. 36 MRSA §5219-KK, sub-§2-D is enacted to read:

2-D. Credit in 2022 and after. For tax years beginning on or after January 1, 2022, a resident individual is allowed a credit against the taxes imposed under this Part equal to the amount by which the benefit base for the resident individual exceeds 4% of the resident individual's income. The credit may not exceed

\$750 for resident individuals under 65 years of age as of the last day of the taxable year or \$1,200 for resident individuals 65 years of age and older as of the last day of the taxable year. In the case of married individuals filing a joint return, only one spouse is required to be 65 years of age or older to qualify for the \$1,200 credit limitation. Married taxpayers filing separate returns do not qualify for the credit under this section.

Sec. H-9. Application. That section of this Part that amends the Maine Revised Statutes, Title 36, section 111, subsection 1-A applies to tax years beginning on or after January 1, 2021 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 April 30, 2021, except that amendments to that Code made by Section 9042 of the federal American Rescue Plan Act of 2021, Public Law 117-2 do not apply to any tax year beginning after December 31, 2019 and before January 1, 2021.

PART I

Sec. I-1. Carry balances; Department of Administrative and Financial Services, Debt Service - Government Facilities Authority. Notwithstanding any provision of law to the contrary, the State Controller shall carry any remaining balances in the Debt Service - Government Facilities Authority program in the Department of Administrative and Financial Services in each year of the 2022-2023 biennium into the following fiscal year.

PART J

Sec. J-1. 36 MRSa §578, sub-§1, as amended by PL 2017, c. 170, Pt. B, §4 and c. 288, Pt. A, §37, is further amended to read:

1. Organized areas. The municipal assessors or chief assessor of a primary assessing area shall adjust the State Tax Assessor's 100% valuation per acre for each forest type of their county by whatever ratio, or percentage of current just value, is applied to other property within the municipality to obtain the assessed values. Forest land in the organized areas, subject to taxation under this subchapter, must be taxed at the property tax rate applicable to other property in the municipality.

The State Tax Assessor shall determine annually the amount of acreage in each municipality that is classified and taxed in accordance with this subchapter. Each municipality is entitled to annual payments distributed in accordance with this section from money appropriated by the Legislature if it submits ~~an a completed~~ annual return in accordance with section 383 ~~and if it achieves the minimum assessment ratio established in section 327.~~ The State Tax Assessor shall pay any municipal claim found to be in satisfactory form by October 15th of the year following the submission of the annual return. The total municipal reimbursement appropriation is calculated on the basis of 90% of the ~~per-acre~~ tax

~~revenue lost as a result of this subchapter. For property tax years based on the status of property on April 1, 2008 and April 1, 2009, municipal reimbursement under this section is further limited to the amount appropriated by the Legislature and distributed on a pro rata basis by the State Tax Assessor for all timely filed claims.~~ For purposes of this section, "classified forest lands" means forest lands classified pursuant to this subchapter as well as all areas identified as forested land within farmland parcels that are transferred from tree growth classification pursuant to section 1112 on or after October 1, 2011. For the purposes of this section, ~~the tax lost is~~ "tax lost" means the tax that would have been assessed, but for this subchapter, on the classified forest lands if they were assessed according to the current regional per acre undeveloped acreage valuations used in the land value as determined for state valuation then in effect purposes, or according to the current local valuation on per acre undeveloped acreage land value as determined for state valuation purposes, whichever is less, minus the tax that was actually assessed on the same lands in accordance with this subchapter, and adjusted for the aggregate municipal savings in required educational costs attributable to ~~reduced the reduction~~ in state valuation as a result of this subchapter. A municipality that fails to achieve the minimum assessment ratio established in section 327 loses 10% of the reimbursement provided by this section for each one percentage point the minimum assessment ratio falls below the ratio established in section 327.

~~The State Tax Assessor shall adopt rules necessary to implement the provisions of this section. Rules adopted pursuant to this subsection are routine technical rules for the purposes of Title 5, chapter 375, subchapter 2-A.~~

C. The State Tax Assessor shall distribute reimbursement under this section to each municipality in proportion to the product of the reduced tree growth valuation of the municipality multiplied by the property tax burden of the municipality. For purposes of this paragraph, unless the context otherwise indicates, the following terms have the following meanings.

- (1) "Property tax burden" means the total real and personal property taxes assessed in the most recently completed municipal fiscal year, except the taxes assessed on captured value within a tax increment financing district, divided by the latest state valuation certified to the Secretary of State.
- (2) "Undeveloped land" means rear acreage and unimproved nonwaterfront acreage that is not:
 - (a) Classified under the laws governing current use valuation set forth in chapter 105, subchapter 2-A, 10 or 10-A;
 - (b) A base lot; or

(c) Wasteland.

(3) "Average value of undeveloped land" means the current regional per acre undeveloped land ~~valuations used in the value as determined for~~ state valuation ~~then in effect purposes, or according to the current local valuation on~~ per acre undeveloped land value as determined for state valuation purposes, whichever is less.

(4) "Reduced tree growth valuation" means the difference between the average value of undeveloped land and the average value of ~~tree growth land~~ classified forest lands times the total number of acres of classified as forest land ~~under this subchapter plus the total number of acres of forest land that is transferred from tree growth classification to farmland classification pursuant to section 1112 on or after October 1, 2011 lands.~~

PART K

Sec. K-1. Carry balances; Department of Administrative and Financial Services, Central Administrative Applications program, General Fund account. Notwithstanding any provision of law to the contrary, any balance remaining in the Department of Administrative and Financial Services, Central Administrative Applications program, General Fund account at the close of fiscal year 2021-22 and fiscal year 2022-23 may not lapse but must be carried forward in the same program.

PART L

Sec. L-1. Department of Administrative and Financial Services; financial agreement authorization; system requirements. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Office of Information Technology and the Bureau of Alcoholic Beverages and Lottery Operations, both within the Department of Administrative and Financial Services, may enter into financial agreements on or after July 1, 2021, with debt service commencing on or after July 1, 2021, for the acquisition, licensing, installation, implementation, maintenance and support of computer hardware, software and other systems development of a liquor licensing and document management system to support the operations of the Bureau of Alcoholic Beverages and Lottery Operations. The financial agreements may not collectively exceed 7 years in duration and \$3,000,000 in principal costs. The interest rate may not exceed 5%. Annual principal and interest costs must be paid from the Bureau of Alcoholic Beverages and Lottery Operations program accounts in the Department of Administrative and Financial Services.

PART M

Sec. M-1. Department of Administrative and Financial Services; lease-purchase authorization. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, in cooperation with the Treasurer of State, may enter into financing agreements in fiscal years 2021-22 and 2022-23 for the acquisition of motor vehicles for the Central Fleet Management Division. The financing agreements entered into in each fiscal year may not exceed \$7,500,000 in principal costs, and a financing agreement may not exceed 6 years in duration. The interest rate may not exceed 5%. The annual principal and interest costs must be paid from the appropriate line category allocations in the Central Fleet Management Division account.

PART N

Sec. N-1. Department of Administrative and Financial Services and Department of Public Safety; financing agreements for motor vehicles for State Police. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, in cooperation with the Treasurer of State and on behalf of the Department of Public Safety, may enter into financing agreements in fiscal years 2021-22 and 2022-23 for the acquisition of motor vehicles for the State Police. The financing agreements entered into each fiscal year may not exceed \$2,300,000 in principal costs, and a financing agreement may not exceed 42 months in duration. The interest rate may not exceed 5%. The annual principal and interest costs must be paid from the appropriate line category appropriations and allocations in the State Police accounts.

PART O

Sec. O-1. Department of Administrative and Financial Services; lease-purchase authorization. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, in cooperation with the Treasurer of State, may enter into financing arrangements on or after July 1, 2021 for the acquisition of hardware, software and systems to support the operations of the Statewide Radio and Network System Reserve Fund, established in Title 5, section 1520, specifically, for purchasing portables, ongoing upgrades of tower hardware, and the purchase of equipment in support of tower maintenance. The financing agreements entered into each fiscal year may not exceed \$5,000,000 in principal costs, and a financing agreement may not exceed 7 years in duration. The interest rate may not exceed 5%. The annual principal and interest costs must be paid from the appropriate line category appropriations in the Department of Administrative and Financial Services, Office of Information Technology accounts.

PART P

Sec. P-1. Creation of new classification and promotion adjustments in Department of Administrative and Financial Services, Bureau of Revenue Services. There is created within the Department of Administrative and Financial Services, Bureau of Revenue Services the new classification of Tax Examiner III.

1. A person employed by the bureau as a Tax Examiner may be promoted to a Tax Examiner II if that person demonstrates achievement of certain competency benchmarks as determined by the bureau.

2. A person employed by the bureau as a Tax Examiner II may be promoted to a Tax Examiner III if that person demonstrates achievement of certain competency benchmarks as determined by the bureau.

When a Tax Examiner II or Tax Examiner III position is vacated, that position reverts to the Tax Examiner position.

Sec. P-2. Costs to General Fund for promotion adjustments. Costs to the General Fund due to section 1 of this Part must be provided from the Salary Plan program, General Fund account in the Department of Administrative and Financial Services in an amount up to \$520,000 for the fiscal year ending June 30, 2022 and in an amount up to \$520,000 for the fiscal year ending June 30, 2023 to implement the initiative in section 1.

PART Q

Sec. Q-1. Transfer to the Department of Agriculture, Conservation and Forestry, PFAS Reserve-Bureau of Agriculture. Notwithstanding any provision of law to the contrary, on or before June 30, 2021, the State Controller shall transfer \$10,000,000 from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, PFAS Reserve-Bureau of Agriculture, Other Special Revenue Funds account for the purposes of abating, cleaning up or mitigating the threats or hazards posed or potentially posed by perfluoroalkyl and polyfluoroalkyl substances, or PFAS, contamination affecting agricultural producers in the State and the food supply; providing support to affected farms; providing support for critical PFAS research necessary for farm viability; and otherwise allowing for the department to strategically and effectively respond to PFAS concerns and issues as they arise.

PART R

Sec. R-1. Transfer to the Department of Environmental Protection, Uncontrolled Sites Fund. Notwithstanding any provision of law to the contrary, on or before June 30, 2021, the State Controller shall transfer \$20,000,000 from the unappropriated surplus of the General Fund to the Department of Environmental Protection, Uncontrolled Sites Fund, Other

Special Revenue Funds account for the purpose of abating, cleaning up or mitigating the threats or hazards posed or potentially posed by perfluoroalkyl and polyfluoroalkyl substances contamination in the State.

Sec. R-2. Segregation of funds transferred to the Department of Environmental Protection, Uncontrolled Sites Fund. The Department of Environmental Protection shall establish within the Uncontrolled Sites Fund a segregated subsidiary account. The department shall deposit into the subsidiary account the amount transferred pursuant to section 1 of this Part and, in accordance with its authority under the Maine Revised Statutes, Title 38, chapter 13-B, may expend funds from that subsidiary account only for the purpose of abating, cleaning up or mitigating the threats or hazards posed or potentially posed by perfluoroalkyl and polyfluoroalkyl substances contamination in the State.

PART S

This Part left blank intentionally.

PART T

This Part left blank intentionally.

PART U

Sec. U-1. 2 MRSA §6, sub-§3, as amended by PL 2019, c. 343, Pt. D, §1, is further amended to read:

3. Range 89. The salaries of the following state officials and employees are within salary range 89:

- Director, Bureau of General Services;
- Director, Bureau of Alcoholic Beverages and Lottery Operations;
- State Budget Officer;
- State Controller;
- Director, Bureau of Forestry;
- Director, Governor's Office of Policy Innovation and the Future;
- Director, Energy Resources Office;
- Director of Human Resources;
- Director, Bureau of Parks and Lands;
- Director of the Governor's Office of Communications;
- Director, Bureau of Agriculture, Food and Rural Resources; ~~and~~
- Director, Bureau of Resource Information and Land Use Planning; ~~and~~
- Director, Office of Marijuana Policy.

Sec. U-2. 5 MRSA §947-B, sub-§1, ¶L, as amended by PL 2013, c. 1, Pt. D, §3, is further amended to read:

L. Associate Commissioner for Tax Policy within the Bureau of Revenue Services; ~~and~~

Sec. U-3. 5 MRSA §947-B, sub-§1, ¶M, as enacted by PL 2013, c. 1, Pt. D, §4, is amended to read:

M. Director, Legislative Affairs and Communications; ~~and~~

Sec. U-4. 5 MRSA §947-B, sub-§1, ¶N is enacted to read:

N. Director, Office of Marijuana Policy.

PART V

This Part left blank intentionally.

PART W

Sec. W-1. 12 MRSA §1849, sub-§2, as amended by PL 2017, c. 289, §3, is further amended to read:

2. Fund established. All income received by the director from the public reserved lands, except income provided for in section 1855, must be deposited with the Treasurer of State to be credited to the Public Reserved Lands Management Fund, which is established as a nonlapsing fund and is subject to allocation by the Legislature. Any interest earned on this money must also be credited to the fund. No expenditure may be made from the fund other than for the bureau's general operating purposes with respect to management of the public reserved lands unless the fund has a cash operating balance of at least \$2,500,000 at the start of the fiscal year during which the expenditure is made.

Sec. W-2. 12 MRSA §1849, sub-§4, as enacted by PL 2017, c. 289, §4, is amended to read:

4. Expenditures from fund. ~~Expenditures from the Public Reserved Lands Management Fund, including but not limited to money expended for road building and road maintenance, are subject to legislative approval in the same manner as appropriations from the General Fund. Money in the Public Reserved Lands Management Fund may not be expended in excess of or in any manner inconsistent with the legislative allocation of the fund by the Legislature.~~ The joint standing committee of the Legislature having jurisdiction over public lands matters, referred to in this subsection as "the jurisdictional committee," shall review all allocations or subdivisions of allocations from the fund.

A. Before ~~January~~ February 15th of each odd-numbered year, the commissioner shall submit to the jurisdictional committee a detailed proposed budget for expenditures from the fund for the budgetary biennium. Before January 15th of each even-numbered year, the commissioner shall submit to the jurisdictional committee a detailed budget for any proposed modifications to the legislative allocations of the fund during the remainder of the budgetary biennium.

B. After receiving a budget submission pursuant to paragraph A, the jurisdictional committee shall review the proposed budget or budget modification and shall determine the appropriate allocations or modifications of existing allocations of the fund. The jurisdictional committee shall submit its recommended allocations or modifications to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs, which shall include those recommended allocations or modifications of allocations in an appropriate biennial budget or supplemental budget bill.

PART X

Sec. X-1. Transfer of funds from unencumbered balance forward, Department of Agriculture, Conservation and Forestry, Division of Forest Protection. Notwithstanding any provision of law to the contrary, the State Controller shall leave \$200,000 of unencumbered balance forward remaining in the Personal Services line category and \$300,000 of unencumbered balance forward remaining in the All Other line category in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection, General Fund account at the close of fiscal year 2020-21 and shall transfer all remaining money from the unencumbered balance forward in the Personal Services line category above \$200,000 and in the All Other line category above \$300,000 on or before August 1, 2021 to the Capital Expenditures line category in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection, General Fund account to fund the overhaul of existing aircraft.

Sec. X-2. Transfer of funds from unencumbered balance forward, Department of Agriculture, Conservation and Forestry, Division of Forest Protection. Notwithstanding any provision of law to the contrary, the State Controller shall leave \$200,000 of unencumbered balance forward remaining in the Personal Services line category and \$300,000 of unencumbered balance forward remaining in the All Other line category in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection, General Fund account at the close of fiscal year 2021-22 and shall transfer all remaining money from the unencumbered balance forward in the Personal Services line category above \$200,000 and in the All Other line category above \$300,000 on or before August 1, 2022 to the Capital Expenditures line category in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection, General Fund account to fund the overhaul of existing aircraft.

PART Y

Sec. Y-1. Rename Office of the Commissioner program. Notwithstanding any provision of law to the contrary, the Office of the Commissioner

program within the Department of Agriculture, Conservation and Forestry is renamed the DACF Administration program.

PART Z

Sec. Z-1. Transfer balances; Department of Agriculture, Conservation and Forestry, Bureau of Agriculture. Notwithstanding any provision of law to the contrary, at the close of fiscal year 2020-21, the Department of Agriculture, Conservation and Forestry shall transfer, after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute, any remaining balance in the Federal-State Inspection Fund account in the Bureau of Agriculture program, Federal Expenditures Fund to the Division of Quality Assurance and Regulation account in the Bureau of Agriculture program, Other Special Revenue Funds.

PART AA

Sec. AA-1. 35-A MRSA §9211, sub-§2-A, as enacted by PL 2019, c. 343, Pt. SSSS, §3, is repealed and the following enacted in its place:

2-A. Surcharge; collection. In addition to the assessment imposed pursuant to subsection 2, a ConnectMaine surcharge of 10¢ per line or number, referred to in this subsection as "the surcharge," is imposed as provided in this subsection.

A. The assessment imposed pursuant to subsection 2 and the surcharge must be collected from the customer on a monthly basis by each communications service provider.

B. Beginning January 1, 2022, the surcharge is levied on:

- (1) Each residential and business telephone exchange line, including private branch exchange lines and Centrex lines;
- (2) Semipublic coin and public access lines;
- (3) Customers of interconnected voice over Internet protocol service; and
- (4) Customers of cellular or wireless telecommunications service that is not prepaid wireless telecommunications service.

C. The surcharge may not be imposed on more than 25 lines per customer billing account.

D. Revenue from the surcharge must be deposited in the fund.

Sec. AA-2. 35-A MRSA §9211, sub-§3, as amended by PL 2019, c. 343, Pt. SSSS, §4, is further amended to read:

3. Explicit identification of assessment and surcharge on customer bills. A communications service provider assessed pursuant to subsection 2 may recover

the amount of the assessment from the provider's customers. If a provider recovers the amount from its customers, it must explicitly identify the amount owed by a customer on the customer's bill and indicate that the funds are collected for use in the ~~ConnectME~~ ConnectMaine Fund. ~~Beginning January 1, 2020, the ConnectME surcharge imposed pursuant to subsection 2-A must be shown separately from the assessment imposed pursuant to subsection 2 as a statewide ConnectME surcharge on the customer's bill.~~ Beginning January 1, 2022, the ConnectMaine surcharge imposed pursuant to subsection 2-A must be shown separately from the assessment imposed pursuant to subsection 2 as a statewide broadband access fund surcharge on the customer's bill.

Sec. AA-3. Effective date. This Part takes effect January 1, 2022.

PART BB

Sec. BB-1. Department of Corrections; transfer of funds for overtime expenses. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any provision of law to the contrary, the Department of Corrections, by financial order upon the recommendation of the State Budget Officer and approval of the Governor, may transfer Personal Services, All Other or Capital Expenditures funding between accounts within the same fund for the purposes of paying overtime expenses in fiscal years 2021-22 and 2022-23. These transfers are not considered adjustments to appropriations.

PART CC

Sec. CC-1. Transfers and adjustments to position count and available balances. The Commissioner of Corrections shall review the current organizational structure of the Department of Corrections to improve organizational efficiency and cost-effectiveness and shall recommend transfers of positions and available balances. Notwithstanding any provision of law to the contrary, the State Budget Officer shall transfer the position counts and available balances by financial order, in order to achieve the purposes of this section, from July 1st to December 1st of each fiscal year of the 2022-2023 biennium. Position adjustments made after December 1st and before July 1st of each fiscal year may not be considered an adjustment to position count or appropriations. The transfer and adjustment authorized by this section must comply with the requirements of the Maine Revised Statutes, Title 5, section 1585. Any transfer or adjustment pursuant to this section that would result in a program or mission change or facility closure must be reported by the Department of Administrative and Financial Services, Bureau of the Budget to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters for review before the associated financial order is submitted to the Governor for approval; these transfers are considered

adjustments to authorized position count, appropriations and allocations.

PART DD

Sec. DD-1. Personal Services balances; Maine Health Data Organization; transfers authorized. Notwithstanding any provision of law to the contrary, in the 2022-2023 biennium, the Maine Health Data Organization is authorized to transfer up to \$325,000 in each fiscal year of available balances of Personal Services allocations, after all salary, benefit and other obligations are met, to the All Other line category in the Maine Health Data Organization, Other Special Revenue Funds account.

PART EE

Sec. EE-1. Transfer to the Department of Education, National Board Certification Salary Supplement Fund; fiscal year 2020-21. On or before June 30, 2021, the State Controller shall transfer \$582,051 from the unappropriated surplus of the General Fund to the Department of Education, National Board Certification Salary Supplement Fund program, Other Special Revenue Funds account for the purpose of funding salary supplement payments for teachers with national board certifications in accordance with the Maine Revised Statutes, Title 20-A, section 13013-A.

Sec. EE-2. Transfer to the Department of Education, National Board Certification Salary Supplement Fund; fiscal year 2021-22. On or before June 30, 2022, the State Controller shall transfer \$411,529 from the unappropriated surplus of the General Fund to the Department of Education, National Board Certification Salary Supplement Fund program, Other Special Revenue Funds account for the purpose of funding salary supplement payments for teachers with national board certifications in accordance with the Maine Revised Statutes, Title 20-A, section 13013-A.

PART FF

Sec. FF-1. 5 MRSA §937, sub-§1, ¶F, as amended by PL 2019, c. 343, Pt. SS, §1, is further amended to read:

F. Director, Legislative Affairs; ~~and~~

Sec. FF-2. 5 MRSA §937, sub-§1, ¶M, as amended by PL 2011, c. 655, Pt. D, §4, is amended to read:

M. Director, of Marketing and Communications; ~~and~~

Sec. FF-3. 5 MRSA §937, sub-§1, ¶N is enacted to read:

N. Chief Innovation Officer.

Sec. FF-4. 20-A MRSA §203, sub-§1, ¶M, as amended by PL 2019, c. 343, Pt. TT, §1, is further amended to read:

M. Director, of Marketing and Communications;

Sec. FF-5. 20-A MRSA §203, sub-§1, ¶O, as amended by PL 2019, c. 343, Pt. TT, §2, is further amended to read:

O. ~~Director of Special Projects~~ Chief Innovation Officer; and

PART GG

Sec. GG-1. Transfer to School Revolving Renovation Fund; Maine Municipal Bond Bank. On or before June 30, 2021, the State Controller shall transfer \$45,000,000 from the unappropriated surplus of the General Fund to the Maine Municipal Bond Bank for the School Revolving Renovation Fund established in the Maine Revised Statutes, Title 30-A, section 6006-F.

PART HH

Sec. HH-1. 20-A MRSA §6556 is enacted to read:

§6556. Maine School Safety Center

The Maine School Safety Center is established within the department to ensure the overall safety of schools in this State. The primary role of the center is to provide training, guidance and technical support to schools in this State regarding safety and security.

PART II

Sec. II-1. 20-A MRSA §7209, sub-§4, as amended by PL 2017, c. 284, Pt. SSS, §1, is further amended to read:

4. Director of early childhood special education.

The commissioner or the commissioner's designee shall ~~appoint and~~ supervise a director of early childhood special education. The director has the following powers and duties:

A. To administer the state intermediate educational unit established under subsection 3 and programs established pursuant to subsection 3-A. The director shall develop operating policies and establish organizational and operational procedures that include supervision, monitoring, data and accountability structures;

A-1. To oversee the operation of the regional sites;

B. To develop statewide policies and procedures for carrying out federal and state laws and rules relating to child find, early intervention services and the provision of a free, appropriate public education to children from birth to under 6 years of age;

C. To provide training in federal and state laws, regulations, rules and policies relating to child find as provided in 20 United States Code, Section 1412 (a) (3), early intervention services and the provision of a free, appropriate public education to chil-

dren from birth to under 6 years of age and to conduct regular file reviews to determine compliance with federal and state laws, regulations, rules and policies and conduct training and provide technical assistance where deficiencies are found;

E. To report annually by February 15th to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs, the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs on the performance of the Child Development Services System. This report must be posted on the publicly accessible website of the department. The report must include:

(1) The following financial information for the Child Development Services System in total and separately for the services provided to eligible children from birth to under 3 years of age and at least 3 years of age and under 6 years of age when the information can be separated for these age categories:

(a) Actual expenditures compared to the budget for each of the last 3 fiscal years for each regional site, the central office and the total Child Development Services System by function, including case management, direct services and administration;

(b) Actual expenditures compared to the budget for each of the last 3 fiscal years for each regional site, the central office and the total Child Development Services System by expense type, including salaries, benefits, contracted services and transportation;

(c) Actual revenues received compared to the budget for each of the last 3 fiscal years by revenue source; and

(d) The total dollar value of MaineCare claims paid through the Department of Health and Human Services for each of the last 3 fiscal years for services provided pursuant to children's individualized education programs or individualized family service plans that were billed directly to the MaineCare program by contracted service providers;

(2) The following data for the Child Development Services System in total and separately for the services provided to eligible children from birth to under 3 years of age and at least 3 years of age and under 6 years of age, including descriptions of any notable variations in

these data among regional sites and any notable year-to-year trends over the past 5 years:

(a) The number of children referred to the Child Development Services System in the prior year by referral source, including the screening programs in Title 22, sections 1532, 8824 and 8943, and the percentage of children referred found eligible for services;

(b) The number of children who entered the Child Development Services System in the prior year, categorized by primary disability;

(c) The number of children who exited the Child Development Services System in the prior year, categorized by primary disability and the reason for exit;

(d) The number of children who transitioned in the prior year from early intervention services for children from birth to under 3 years of age to special education and related services for children at least 3 years of age and under 6 years of age;

(e) The unduplicated count of children who received direct services as of December 1st in the prior year;

(f) The number of children who received direct services in the prior year by regional site and in total for the Child Development Services System, categorized by primary disability;

(g) For each primary disability category, the number of children who received, in the prior year, each primary type of therapy or service;

(h) The percentage of children who received direct services in the prior year who had MaineCare coverage for all or some of the services specified in their individualized education programs or individualized family service plans and the percentage of children who received direct services in the prior year who had private insurance coverage for all or some of the services specified in their individualized education programs or individualized family service plans;

(i) Beginning January 1, 2015, the number of children who received direct services in the prior year who were born in the State and the number of children who received direct services in the prior year who were born in the State and who were delivered at home;

- (j) Beginning January 1, 2015, the total number of children who were referred in the prior year for support outside of the Child Development Services System under subsection 3-A, paragraph G and the number of children who received direct services in the prior year who were referred for support outside of the Child Development Services System under subsection 3-A, paragraph G; and
- (k) Beginning January 1, 2015, the number of children who received direct services in the prior year who received all of the services in their individualized family service plan or individualized education program and the number of children who received direct services in the prior year who received less than 90% of the services in their individualized family service plan or individualized education program;
- (3) A listing of the regional sites and their locations and the following data for the Child Development Services System in total and by regional site, including descriptions of any notable variations in these statistics among regional sites and any notable year-to-year trends over the past 5 fiscal years:
- (a) The total number of employees by function and the number of new employees hired in the prior fiscal year by function;
- (b) The number of private providers that contracted with the Child Development Services System to provide direct services, including transportation services, and the number of contracted providers delivering each type of service in the prior fiscal year;
- (c) The number of children who received direct services provided by Child Development Services System employees in the prior fiscal year and the number of children who received direct services provided by contracted private providers in the prior fiscal year;
- (d) The number of preschool or day care programs operated by each regional site, the average enrollment in each program, the percentage of enrollees that are children receiving services under individualized education programs or individualized family service plans and expenses and revenues for the prior fiscal year associated with the programs in each site; and
- (e) The number of children who received direct services in the prior fiscal year while placed in preschool programs operated by public school systems;
- (4) Statistics and analysis of the following Child Development Services System performance measures for the prior fiscal year, including descriptions of any notable variations in these measures among regional sites and any notable year-to-year trends over the past 5 fiscal years:
- (a) Measures of compliance with key federal requirements related to timeliness, quality and effectiveness of service as set out in required annual federal reporting under the federal Individuals with Disabilities Education Act;
- (b) Measures of compliance with key state requirements related to timeliness, quality and effectiveness of service as set out in statute and rules;
- (c) Measures of productivity for Child Development Services System employees providing case management and direct services to children;
- (d) Measures of per unit costs, including the average cost of delivered services per child by primary disability type, the average cost per unit of each type of therapy or service delivered by Child Development Services System staff and the average cost per unit of each type of therapy or service delivered by contracted providers;
- (e) Beginning January 1, 2015, the average age, both in aggregate and by primary disability type, at which children who were born in the State began receiving services from the Child Development Services System and the average age, both in aggregate and by primary disability type, at which children who were born in the State and who were delivered at home began receiving services from the Child Development Services System; and
- (f) Any other performance goals and measures established by the Child Development Services System to monitor effectiveness, efficiency and the cost of the Child Development Services System, which may include results of surveys of parents and guardians on the quality and effectiveness of services;
- (5) Beginning January 1, 2015, a report by each regional site in the Child Development

Services System demonstrating trends of Child Development Services System employee costs and the results of coordination, utilization and development of services with a broad base of community resources, including private providers and public schools, midwives, resources from other agencies and other resources serving families and children from birth to under 6 years of age, consistent with the provisions of Title 22, section 3571, subsection 3; and

(6) A description of current and emerging trends and challenges that are having an effect on or are expected to have an effect on costs, services or service delivery methods of the Child Development Services System; and

F. To provide the following data by the 20th day of each month to the Office of Fiscal and Program Review, either in a monthly report or by providing the office electronic access to the computer systems and applications by which the raw data are stored, for each regional site and the central office:

- (1) Monthly actual and budgeted revenue by funding source for the prior month; and
- (2) Monthly actual and budgeted expenditures by funding source and by expenditure category for the prior month.

For the purposes of this subsection, "direct services" includes evaluations; therapies; special instruction; the use of specially designed materials for instruction, screening and testing; the use of assistive technology devices; and transportation and use of physical space associated with providing other direct services.

PART JJ

Sec. JJ-1. 20-A MRSA §13013-A, sub-§3, as amended by PL 2011, c. 702, §2, is further amended to read:

3. Payment. ~~The~~ If there are available resources, the department shall provide the salary supplement to school administrative units and publicly supported secondary schools for eligible teachers no later than February 15th of each year. The salary supplement paid may be prorated.

PART KK

Sec. KK-1. 18-C MRSA §5-415, sub-§1, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

1. Bond or collateral. Requiring the conservator to furnish bond or collateral or additional bond or collateral or allowing a reduction in a bond or collateral previously furnished. This subsection does not apply to a public conservator;

Sec. KK-2. 18-C MRSA §5-416, sub-§5 is enacted to read:

5. Public conservator. The court may not require a bond for a public conservator.

Sec. KK-3. 18-C MRSA §5-710, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

§5-710. Bond not required

~~The public guardian or conservator is not required to file bonds in individual guardianships or conservatorships, but shall give a surety bond for the joint benefit of the individuals subject to guardianship or protected persons placed under the responsibility of the public guardian or conservator and the State, with a surety company or companies authorized to do business within the State, in an amount not less than the total value of all assets held by the public guardian or conservator, which amount must be computed at the end of each state fiscal year and approved by the Probate Court for Kennebec County. At no time may the bond of each of the public guardians or conservators be less than \$500 respectively.~~

Sec. KK-4. 18-C MRSA §5-711, sub-§1, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

1. Reasonable expenses; account for costs. The public guardian or conservator may receive such reasonable amounts for its expenses as guardian or conservator as the Probate Court may allow. The amounts so allowed must be allocated to an account from which may be drawn expenses for filing fees, ~~bond premiums,~~ court costs and other expenses required in the administration of the functions of the public guardian or conservator. No amounts thus received may inure to the benefit of any employee of the public guardian or conservator. Any balance in the account at the end of a fiscal year does not lapse but is carried forward from year to year and used for the purposes provided for in this subsection.

PART LL

Sec. LL-1. 36 MRSA §2559, as amended by PL 2015, c. 300, Pt. A, §35, is further amended to read:

§2559. Application of revenues

Revenues derived by the tax imposed by this chapter must be credited to a General Fund suspense account. On or before the last day of each month, the State Controller shall transfer a percentage of the revenues received by the State Tax Assessor during the preceding month pursuant to the tax imposed by section 2552, subsection 1, paragraphs A to F and L to the Local Government Fund as provided by Title 30-A, section 5681, subsection 5. The balance remaining in the General Fund suspense account must be transferred to service provider tax General Fund revenue. ~~On~~ Until July 1, 2022, on or before the 15th day of each month, the State Controller shall transfer all revenues received by the assessor during the preceding month pursuant to the

tax imposed by section 2552, subsection 1, paragraphs G to J and M to the Medical Care Services Other Special Revenue Funds account, the Other Special Revenue Funds Mental Health Services - Community Medicaid program, the Medicaid Services - Adult Developmental Services program and the Office of Substance Abuse - Medicaid Seed program within the Department of Health and Human Services. Beginning July 1, 2022, on or before the 15th day of each month, the State Controller shall transfer all revenues received by the assessor during the preceding month pursuant to the tax imposed by section 2552, subsection 1, paragraphs G to J and M to the Medical Care - Payments to Providers program, Other Special Revenue Funds account.

Sec. LL-2. 36 MRSA §2873, sub-§4, ¶B, as amended by PL 2011, c. 411, §7, is further amended to read:

B. ~~All~~ Until July 1, 2022, all revenues received by the assessor during the month pursuant to this chapter from residential treatment facilities net of refunds must be credited to the Residential Treatment Facilities Assessment Other Special Revenue Funds account in the Department of Health and Human Services. Beginning July 1, 2022, all revenues received by the assessor during the month pursuant to this chapter from residential treatment facilities net of refunds must be credited to the Nursing Facilities Other Special Revenue Funds account in the Department of Health and Human Services. Beginning October 1, 2011, a percentage equal to the State's annual Federal Medical Assistance percentage of the revenues generated by the increase in the tax rate from 5.5% to 6% received by the assessor during the month must be credited to an Other Special Revenue Funds account in the Department of Health and Human Services, Developmental Services Waiver - Supports program and all revenues credited to that account must be applied to providing services to individuals on the waiting list for the community support benefit provided under a federal 1915(c) waiver under the MaineCare Benefits Manual, Chapter II, Section 29. The balance must be credited to an Other Special Revenue Funds account in the Department of Health and Human Services, Medicaid Services - Developmental Services program.

PART MM

Sec. MM-1. 22 MRSA §1816, as amended by PL 2019, c. 343, Pt. YY, §5, is further amended to read:

§1816. Inspections

Every building, institution or establishment for which a license has been issued must be periodically inspected by duly appointed representatives of the ~~Office of MaineCare Services~~ division of licensing and certification under the rules and regulations to be estab-

lished by the department. An institution licensed pursuant to this chapter may not be required to be licensed or inspected under the laws of this State relating to hotels, restaurants, lodging houses, boardinghouses and places of refreshments. A full license may not be issued until the applicant has furnished the department with a written statement signed by the Commissioner of Public Safety or the proper municipal official designated in Title 25, chapters 313 to 321 to make fire safety inspections that the home and premises comply with chapters 313 to 321 relating to fire safety. The department shall establish and pay reasonable fees to the municipal official or the Commissioner of Public Safety for each such inspection. This written statement must be furnished ~~annually~~ prior to the issuance of full licensure.

~~For nursing facilities providing both nursing home and assisted living services, the department shall ensure that a single coordinated licensing and life safety code inspection is performed. The commissioner shall adopt rules to implement this paragraph. Rules adopted pursuant to this paragraph are routine technical rules as defined by Title 5, chapter 375, subchapter II-A.~~

A hospital licensed under this chapter is exempt from department relicensure inspection requirements under this chapter if the hospital is certified by the Centers for Medicare and Medicaid Services for participation in the federal Medicare program and holds full accreditation status by a health care facility accrediting organization recognized by the Centers for Medicare and Medicaid Services. If a hospital is certified to participate in the federal Medicare program and not accredited by a health care facility accrediting organization recognized by the Centers for Medicare and Medicaid Services, the department shall inspect the hospital every 3 years for compliance with the Centers for Medicare and Medicaid Services' conditions of participation. The provisions of this paragraph do not exempt a hospital from an inspection by the department in response to a complaint or suspected violation of this chapter or of the Centers for Medicare and Medicaid Services' conditions of participation or an inspection by another state agency or municipality for building code, fire code, life safety code or other purposes unrelated to health care facility licensing or accreditation. For purposes of this paragraph, "Centers for Medicare and Medicaid Services" means the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services.

PART NN

Sec. NN-1. 22 MRSA §1964, 3rd ¶, as enacted by PL 2017, c. 312, Pt. A, §2, is repealed.

PART OO

Sec. OO-1. 7 MRSA §218-A, sub-§2, as enacted by PL 2019, c. 677, §11, is amended to read:

2. Access to Maine foods and food products for recipients of benefits. The commissioner shall

improve access to Maine foods and food products for recipients of benefits under ~~any food supplement program~~ the Supplemental Nutrition Assistance Program administered by the Department of Health and Human Services under Title 22 by:

A. Expanding opportunities for farmers to sell Maine foods and food products to recipients of ~~food supplement program~~ Supplemental Nutrition Assistance Program benefits by promoting the use of electronic benefits transfer cards at farmers' markets and, in partnership with a statewide federation of farmers' markets, encouraging participation in community-supported agriculture by recipients of ~~food supplement program~~ Supplemental Nutrition Assistance Program benefits;

B. Assisting farmers' markets in accepting payments through the electronic benefits transfer system by helping them secure equipment, including equipment that does not require the use of electricity, for processing payments through the electronic benefits transfer system; and

C. In partnership with the Commissioner of Health and Human Services, educating recipients of ~~food supplement program~~ Supplemental Nutrition Assistance Program benefits of the opportunity to use the benefits at farmers' markets and the advantages of such use.

Sec. OO-2. 17-A MRSA §905-C, sub-§2, ¶C, as enacted by PL 2011, c. 687, §1, is amended to read:

C. The statewide ~~food supplement program~~ Supplemental Nutrition Assistance Program under Title 22, section 3104;

Sec. OO-3. 21-A MRSA §181, sub-§1, ¶B, as repealed and replaced by PL 2015, c. 447, §6, is amended by amending subparagraph (1) to read:

(1) All state agencies that provide public assistance, including the Department of Health and Human Services and the offices within the department that provide assistance under the Temporary Assistance for Needy Families program under Title 22, chapter 1053-B, the Women, Infants and Children Special Supplemental Food Program of the United States Child Nutrition Act of 1966, the federal Medicaid program and the statewide ~~food supplement program~~ Supplemental Nutrition Assistance Program under Title 22, section 3104;

Sec. OO-4. 22 MRSA §22, first ¶, as amended by PL 2017, c. 284, Pt. NNNNNNN, §5, is further amended to read:

The department is authorized to establish an electronic benefits transfer system for the issuance of benefits under the statewide ~~food supplement program~~ Supplemental Nutrition Assistance Program under section

3104, the Temporary Assistance for Needy Families program under chapter 1053-B, the Women, Infants and Children Special Supplemental Food Program of the federal Child Nutrition Act of 1966 and the Parents as Scholars and Medicaid programs and for child care subsidies under chapter 1052-A; all recipients of benefits under these programs or another program approved for addition under subsection 2 must participate in the EBT system.

Sec. OO-5. 22 MRSA §3104, as amended by PL 2019, c. 343, Pt. HHHH, §1 and c. 492, §1, is further amended by amending the section headnote to read:

§3104. Statewide ~~food supplement program~~ Supplemental Nutrition Assistance Program

Sec. OO-6. 22 MRSA §3104, sub-§1, ¶A, as amended by PL 2009, c. 291, §2, is further amended to read:

A. Administer a statewide program, referred to in this chapter as "the Supplemental Nutrition Assistance Program," or "SNAP," in accordance with the related requirements and regulations of the United States Department of Agriculture, the United States Department of Health and Human Services and the United States Department of Education; and

Sec. OO-7. 22 MRSA §3104, sub-§3-A, as enacted by PL 2009, c. 291, §2, is amended to read:

3-A. Authorization of emergency ~~food supplement~~ SNAP benefits prior to full verification. Whenever an applicant for benefits under the ~~food supplement program~~ Supplemental Nutrition Assistance Program states to the department that the applicant is in need of immediate food assistance, the department shall, pending verification, issue and mail an electronic benefits transfer card authorizing the applicant to purchase food at the time of the department's initial interview with the applicant or within one working day of the interview, as long as all of the following conditions are met.

A. As a result of the initial interview with the applicant, the department must have determined that the household of the applicant will probably be eligible for ~~food supplement program~~ SNAP benefits after full verification is completed.

B. When possible, the applicant shall submit to the department, at the time of the initial interview, adequate documentation to verify that the applicant is in need of immediate food assistance.

C. When adequate documentation is not available at the time of the initial interview, the department shall contact at least one other person for the purpose of obtaining information to confirm the applicant's statements about the applicant's need for immediate food assistance.

The authorization to receive ~~food supplement program~~ SNAP benefits under this section may not exceed 30 days from the date that the applicant receives the authorizing card. Additional ~~food supplement program~~ SNAP benefits may not be issued to the applicant's household until full verification has been obtained that confirms the eligibility of the household.

Sec. OO-8. 22 MRSA §3104, sub-§10, as amended by PL 2009, c. 291, §2, is further amended to read:

10. Supplemental monthly issuance. Whenever a household receiving benefits through the ~~food supplement program~~ Supplemental Nutrition Assistance Program informs the department of a change in circumstances that will result in an increase in its ~~food supplement~~ SNAP benefit, the department shall issue a supplemental allotment to that household for the month in which the change is reported. The supplemental allotment must represent the difference between the amount for which the household was originally certified in that month and the amount for which it is actually eligible as a result of its reported change in circumstances.

The department shall issue that supplemental allotment within 5 working days of the date that the change in circumstances was reported.

Sec. OO-9. 22 MRSA §3104, sub-§11, as amended by PL 2019, c. 343, Pt. HHHH, §1, is further amended to read:

11. ~~Food supplement program~~ Supplemental Nutrition Assistance Program overpayment recovery. The Food Supplement Administration account is established as a nonlapsing Other Special Revenue Funds account in the Department of Health and Human Services, Food Supplement Administration program. Any allowable portion of money, as determined pursuant to federal law, recovered by the department as a result of the overpayment of ~~food supplement~~ SNAP benefits must be deposited into the Other Special Revenue Funds, Food Supplement Administration account.

Sec. OO-10. 22 MRSA §3104, sub-§13, as corrected by RR 2015, c. 1, §20, is amended to read:

13. Categorical eligibility. The department shall adopt rules that maximize access to the ~~food supplement program~~ Supplemental Nutrition Assistance Program for households in which there is a child who would be a dependent child under the Temporary Assistance for Needy Families program but that do not receive a monthly cash assistance grant from the Temporary Assistance for Needy Families program. Under rules adopted pursuant to this subsection, certain of these families must be authorized to receive referral services provided through the Temporary Assistance for Needy Families block grant and be categorically eligible for the ~~food supplement program~~ Supplemental Nutrition Assistance Program in accordance with federal law. Rules adopted pursuant to this subsection are

routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. OO-11. 22 MRSA §3104, sub-§15, as enacted by PL 2017, c. 284, Pt. NNNNNNN, §8, is amended to read:

15. Certain felons convicted of violent crimes and sexual assault ineligible. An individual who is convicted in any jurisdiction on or after January 1, 2018 under federal or state law of aggravated sexual abuse under 18 United States Code, Section 2241; murder under 18 United States Code, Section 1111; an offense under 18 United States Code, Chapter 110; a federal or state offense involving sexual assault, as defined in Section 40002(a) of the federal Violence Against Women Act of 1994, 42 United States Code, Section 13925(a); or an offense under a law of this State that is substantially similar to a federal offense described in this subsection and who is not in compliance with the terms of the individual's sentence, parole or probation or is a fleeing felon is ineligible to receive food assistance through the ~~food supplement program~~ Supplemental Nutrition Assistance Program.

Sec. OO-12. 22 MRSA §3104, sub-§16, as enacted by PL 2017, c. 284, Pt. NNNNNNN, §8, is amended to read:

16. Certain lottery and gambling winners ineligible. A recipient of food assistance through the ~~food supplement program~~ Supplemental Nutrition Assistance Program may be denied food assistance as described in this subsection.

A. Lottery and gambling winnings of \$5,000 or more, actually received after any offsets to the winnings required by law by an individual in the recipient's household within one calendar month, disqualifies the household from receiving food assistance through the ~~food supplement program~~ Supplemental Nutrition Assistance Program until financial eligibility guidelines set forth in department rule are met.

B. The department shall enter into an agreement with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations, pursuant to which the bureau shall provide the department with reports no less than monthly to assist the department in determining whether an individual in the recipient's household has received lottery and gambling winnings of \$5,000 or more within one calendar month.

Sec. OO-13. 22 MRSA §3104, sub-§17, as enacted by PL 2019, c. 492, §1, is amended to read:

17. Preenrollment for persons released from a correctional facility. The department shall apply for and implement a waiver pursuant to 7 Code of Federal Regulations, Part 273 to promote streamlined and

timely access to ~~food supplement program~~ SNAP benefits for a person who is being released from incarceration. The waiver must:

- A. Serve a person who is incarcerated in any state or county correctional facility and who, upon the person's release, is not entering a household that is receiving ~~food supplement program~~ SNAP benefits;
- B. Permit a person described in paragraph A to submit an application for ~~food supplement program~~ SNAP benefits sufficiently in advance of the person's release date to ensure the availability of benefits on that date; and
- C. Establish that the release date of a person described in paragraph A is the first day the person is eligible for ~~food supplement program~~ SNAP benefits.

Sec. OO-14. 22 MRSA §3104-A, as amended by PL 2013, c. 368, Pt. OO, §§1 and 2, is further amended by amending the section headnote to read:

§3104-A. ~~Food supplement program~~ Supplemental Nutrition Assistance Program for legal aliens

Sec. OO-15. 22 MRSA §3108, as enacted by PL 1995, c. 629, §1, is amended to read:

§3108. Standard utility allowance

When the department becomes aware of any decisions made by a public entity or an entity operating a publicly subsidized assistance program that adversely impacts eligibility for, or the amount of assistance to, households receiving assistance under the ~~food stamp program~~ Supplemental Nutrition Assistance Program pursuant to section 3104, the department shall work in cooperation with that entity to achieve a resolution that minimizes the adverse impact on households receiving ~~food stamp assistance~~ SNAP benefits.

1. Examination of options. When federal law governing either the ~~food stamp program~~ Supplemental Nutrition Assistance Program or the Low-Income Home Energy Assistance Program is amended to eliminate the eligibility link whereby the ~~food stamp~~ SNAP standard utility allowance is automatically available to households receiving low-income home energy assistance benefits, the department shall immediately:

- A. Examine and, if feasible, seek a waiver or grant of demonstration authority from the federal Department of Agriculture to continue to use the ~~food stamp~~ SNAP standard utility allowance in determining the amount of ~~food stamp~~ SNAP benefits available to households that previously qualified for that allowance solely by reason of receipt of low-income home energy assistance benefits;

B. Determine, in cooperation with all appropriate entities operating publicly subsidized housing programs, a method of providing individualized bills or appropriate documentation for tenants in subsidized housing that would identify the tenants' shares of incurred heating costs, if doing so would qualify these tenants for the ~~food stamp~~ SNAP standard utility allowance;

C. Determine if federal law would permit the use of the standard utility allowance by households that previously qualified for that allowance solely on the basis of receipt of low-income home energy assistance benefits and implement that section of law if doing so would not result in any increase in the households' rent and energy costs or any reduction in ~~food stamp~~ SNAP allotments to either those households or any other households receiving ~~food stamp assistance~~ SNAP benefits; and

D. If none of the alternatives listed in paragraphs A to C result in making the ~~food stamp~~ SNAP standard utility allowance available to households that had received it before the change in federal law, immediately estimate the General Fund cost of providing allotments to affected households in an amount equal to the amount they would have received had the federal law not been amended, and promptly provide that information to the joint standing committee of the Legislature having jurisdiction over human resources matters.

2. Notice. The department shall provide prompt written notice to households affected by any change in federal law related to the eligibility link between the ~~food stamp program~~ Supplemental Nutrition Assistance Program and the Low-Income Energy Assistance Program, or by any waiver received pursuant to this section, of the steps that households may take to gain eligibility for the ~~food stamp~~ SNAP standard utility allowance.

3. Waiver. The department shall immediately seek a waiver or demonstration authority to operate a demonstration project from the federal Department of Agriculture that would make the ~~food stamp~~ SNAP standard utility allowance available to households that incur a heating or cooling cost separate from their rent or mortgage, even if those bills are not based on actual usage as determined by individualized metering.

4. Revised waiver application. When federal approval for the waiver or demonstration authority described in this section is not granted, the department may submit a revised waiver request to accomplish the objectives of this section as fully as possible.

5. Limitation. This section must be implemented within the limits of the department's existing General Fund resources.

Sec. OO-16. 22 MRSA §3109, sub-§1, ¶B, as enacted by PL 2019, c. 485, §1, is amended to read:

B. ~~"Food supplement"~~ "SNAP" means the federal supplemental nutrition assistance program administered by the State as the Supplemental Nutrition Assistance Program pursuant to section 3104.

Sec. OO-17. 22 MRSA §3109, sub-§2, ¶C, as enacted by PL 2019, c. 485, §1, is amended to read:

C. The percentage of children under 5 years of age receiving ~~food supplement assistance~~ SNAP benefits that also receive assistance from WIC in the current year and in the previous 4 years;

Sec. OO-18. 22 MRSA §3109, sub-§2, ¶F, as enacted by PL 2019, c. 485, §1, is amended to read:

F. The ratio of persons receiving ~~food supplement assistance~~ SNAP benefits to the total number of potentially eligible persons; the ratio of persons 60 years of age or older receiving ~~food supplement assistance~~ SNAP benefits to the total number of potentially eligible persons 60 years of age or older; the ratio of nonelderly persons with a disability receiving ~~food supplement assistance~~ SNAP benefits to the total number of potentially eligible nonelderly persons with a disability; and the ratio of children under 18 years of age receiving ~~food supplement assistance~~ SNAP benefits to the total number of potentially eligible children under 18 years of age;

Sec. OO-19. 22 MRSA §3109, sub-§2, ¶G, as enacted by PL 2019, c. 485, §1, is amended to read:

G. The number and percentage of adult parents or caretaker relatives who have children in the household and who are receiving ~~food supplement assistance~~ SNAP benefits, grouped by highest level of educational attainment of the adult parent or caretaker relative;

Sec. OO-20. 22 MRSA §3762, sub-§1, ¶F is enacted to read:

F. "Supplemental Nutrition Assistance Program" or "SNAP" means the statewide food supplement program administered by the State pursuant to section 3104.

Sec. OO-21. 22 MRSA §3762, sub-§3, ¶B, as amended by RR 2019, c. 2, Pt. A, §27, is further amended by amending subparagraph (7-E) to read:

(7-E) For any period during which a household's ~~food supplement assistance~~ SNAP benefit is reduced as a result of earnings and receipt of the earned income disregard applied under subparagraph (7-D), division (a) or (b), the household must receive additional ~~food supplement assistance~~ SNAP benefits in an amount that will, in addition to the ~~food supplement assistance~~ SNAP benefits for which the household remains eligible, provide the

household with a minimum of \$50 in ~~food supplement assistance~~ SNAP benefits. Additional ~~food supplement assistance~~ SNAP benefits under this subparagraph ~~is~~ are a noncash benefit and may be used to purchase only those food items permitted under the ~~food supplement program~~ Supplemental Nutrition Assistance Program;

Sec. OO-22. 22 MRSA §3762, sub-§8, ¶F, as amended by PL 2019, c. 484, §2, is further amended to read:

F. The department may provide limited transitional food benefits to meet the needs of ~~food supplement~~ SNAP benefit recipients living with one or more dependent children under 18 years of age who are working at least 30 hours per week or who are working at least 20 hours per week if one or more dependent child is under 6 years of age. The benefit may not exceed \$100 per month per family.

PART PP

This Part left blank intentionally.

PART QQ

Sec. QQ-1. 22 MRSA §8605, as amended by PL 1997, c. 728, §15, is further amended to read:

§8605. Fire safety

1. Inspection required. A license may not be issued by the department for an adult day care program until the department has received from the Commissioner of Public Safety a written statement signed by one of the officials designated under Title 25, section 2360, 2391 or 2392 to make fire safety inspections. This statement must indicate that a facility has complied with the applicable fire safety provisions referred to in subsection 2 and Title 25, section 2452 and must be furnished ~~annually~~ prior to the issuance of full licensure.

2. Life Safety Code. The written statement must be furnished ~~annually~~ prior to the issuance of full licensure and must indicate that the adult day care program has complied with at least the requirements of the Life Safety Code of the National Fire Protection Association that are specified in:

- A. The family day care homes section, if the adult day care program has no more than 6 adults per session;
- B. The group day care homes section, if the adult day care program has at least 7 but no more than 12 adults per session; or
- C. The child day care section, if the adult day care program has more than 13 adults per session.

3. Fees. The department shall establish and pay reasonable fees to the Department of Public Safety or

municipal official for each such inspection. Fees collected by the Department of Public Safety must be deposited into a special revenue account to defray expenses in carrying out this section. Any balance of fees may not lapse but must be carried forward as a continuing account to be expended for the same purposes in the following fiscal years.

PART RR

This Part left blank intentionally.

PART SS

Sec. SS-1. Transfer provision; Department of Health and Human Services. Notwithstanding any provision of law to the contrary, at the close of fiscal year 2021-22, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balances in the Low-cost Drugs To Maine's Elderly program, the Mental Health Services - Community Medicaid program and the Office of Substance Abuse & Mental Health Sr-Medicaid Seed program, General Fund to the Medical Care - Payments to Providers program, General Fund within the Department of Health and Human Services.

Sec. SS-2. Transfer provision; Department of Health and Human Services. Notwithstanding any provision of law to the contrary, at the close of fiscal year 2021-22, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balances in the PNMI Room and Board program, General Fund to the Nursing Facilities program, General Fund within the Department of Health and Human Services.

Sec. SS-3. Transfer provision; Department of Health and Human Services. Notwithstanding any provision of law to the contrary, at the close of fiscal year 2021-22, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balances in the Developmental Services Waiver - MaineCare program, the Developmental Services Waiver - Supports program, the Medicaid Waiver for Other Related Conditions program, the Traumatic Brain Injury Seed program and the Medicaid Waiver for Brain Injury Residential /Community Serv program, General Fund to the Medicaid Services - Developmental Services program, General Fund within the Department of Health and Human Services.

Sec. SS-4. Continuance of contracts, agreements and compacts; Department of Health and Human Services. The transfers required pursuant to sections 1, 2 and 3 do not affect any contracts, agreements and compacts regarding the programs referred to in sections 1, 2 and 3 in the Department of Health and Human Services in effect on the effective date of this Part.

Sec. SS-5. Transfer of funds; Department of Health and Human Services. Notwithstanding any provision of law to the contrary, the Department of Health and Human Services may transfer available balances in any of the department's accounts by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are considered adjustments to appropriations.

Sec. SS-6. Continued reporting; transparency. After the transfers required pursuant to sections 1, 2 and 3, in order to maintain the current level of transparency, the Department of Health and Human Services shall continue to report on the programs referred to in sections 1, 2 and 3 at a similar level of detail as before the transfers. This reporting detail must be based on the report required by the Maine Revised Statutes, Title 22, section 3174-B, subsection 3. The department shall work with the Office of Fiscal and Program Review to review the report and update it to ensure adequate transparency and organization of the relevant program data.

PART TT

Sec. TT-1. Carrying balances; Department of Health and Human Services web portal upgrade. Notwithstanding any provision of law to the contrary, at the end of each fiscal year, the State Controller shall carry forward, to be used for the same purposes, any unexpended balance of the \$1,400,000 remaining from funds appropriated in Public Law 2019, chapter 343 in the All Other line category in the Office for Family Independence - District program, General Fund account for the purpose of upgrades to the public assistance web portal.

PART UU

Sec. UU-1. Transfer of Personal Services balances to All Other; state psychiatric centers. Notwithstanding any provision of law to the contrary, for fiscal years 2021-22 and 2022-23 only, the Department of Health and Human Services is authorized to transfer available balances of Personal Services appropriations and allocations in the Disproportionate Share - Dorothea Dix Psychiatric Center program, the Disproportionate Share - Riverview Psychiatric Center program, the Riverview Psychiatric Center program and the Dorothea Dix Psychiatric Center program after all salary, benefit and other obligations are met to the All Other line category of those programs. 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 VV

Sec. VV-1. 5 MRSA §1591, sub-§2, ¶J, as enacted by PL 2017, c. 284, Pt. GGGGGG, §2, is amended to read:

J. Any balance remaining in the Office of ~~Substance Abuse and Mental Health Services~~ Behavioral Health program, General Fund account at the end of any fiscal year to be carried forward for use by this program in the next fiscal year.

Sec. VV-2. 5 MRSA §20011 is enacted to read:

§20011. Office of Behavioral Health established

The Office of Behavioral Health is established as a distinct unit within the Department of Health and Human Services. The Office of Behavioral Health is the successor in every way to the office of substance abuse within the department and the office of substance abuse and mental health services within the department.

Sec. VV-3. 8 MRSA §1003, sub-§3, ¶1, as amended by PL 2013, c. 212, §10, is further amended by amending subparagraph (2) to read:

(2) Provide that, before making a payout of winnings in an amount equal to or greater than the amount for which the licensee is required to file a Form W-2G or substantially equivalent form with the United States Internal Revenue Service, the licensee, after any interception of winnings required by law to pay child support debt or other obligations, shall intercept money or anything of value that an excluded person is seeking to redeem as a result of wagers made by the person after that person has been excluded. The rules must offer the excluded person the right to an administrative hearing with reasonable notice to contest the interception of winnings. Winnings intercepted must be remitted by the licensee to the board or its designee for deposit in an Other Special Revenue Funds account within the ~~office of substance abuse~~ Office of Behavioral Health within the Department of Health and Human Services to address gambling addiction;

Sec. VV-4. 36 MRSA §2559, as amended by PL 2015, c. 300, Pt. A, §35, is further amended to read:

§2559. Application of revenues

Revenues derived by the tax imposed by this chapter must be credited to a General Fund suspense account. On or before the last day of each month, the State Controller shall transfer a percentage of the revenues received by the State Tax Assessor during the preceding month pursuant to the tax imposed by section 2552, subsection 1, paragraphs A to F and L to the Local Government Fund as provided by Title 30-A, section 5681, subsection 5. The balance remaining in the General Fund suspense account must be transferred to service provider tax General Fund revenue. On or before the 15th day of each month, the State Controller shall transfer all revenues received by the assessor during the preceding month pursuant to the tax imposed by section

2552, subsection 1, paragraphs G to J and M to the Medical Care Services Other Special Revenue Funds account, the Other Special Revenue Funds Mental Health Services - Community Medicaid program, the Medicaid Services - Adult Developmental Services program and the Office of ~~Substance Abuse~~ Behavioral Health - Medicaid Seed program within the Department of Health and Human Services.

Sec. VV-5. Rename offices of substance abuse and mental health services. Notwithstanding any provision of law to the contrary, the office of substance abuse and the office of substance abuse and mental health services within the Department of Health and Human Services are renamed the Office of Behavioral Health.

PART WW

Sec. WW-1. Transfer to MaineCare Stabilization Fund. Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$40,000,000 from the unappropriated surplus of the General Fund to the MaineCare Stabilization Fund established in the Maine Revised Statutes, Title 22, section 3174-KK on or before June 30, 2021.

Sec. WW-2. Transfer for MaineCare payments. Notwithstanding any provision of law to the contrary, the State Controller may transfer from the balance available in the MaineCare Stabilization Fund established in the Maine Revised Statutes, Title 22, section 3174-KK for MaineCare payments in the Department of Health and Human Services. Amounts transferred may be expended based on allotment established by financial order approved by the Governor. The amounts transferred are considered adjustments to appropriations. The Governor shall inform the Legislative Council and the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and health and human services matters immediately upon such a transfer from the MaineCare Stabilization Fund.

PART XX

Sec. XX-1. Department of Health and Human Services; transfer of funds from All Other. Notwithstanding any provision of law to the contrary, for fiscal years 2021-22 and 2022-23 only, the Department of Health and Human Services may transfer from available balances of appropriations in the All Other line category after the deduction of all appropriations, financial commitments, other designated funds or any other transfer authorized by statute from any account within the Department of Health and Human Services, excluding balances in the IV-E Foster Care/Adoption Assistance and State-funded Foster Care/Adoption Assistance programs, for the purpose of the information system modernization project in the department's office of aging and disability services, including the modernization of and merging of information systems within the

office of aging and disability services, by financial order upon the recommendation of the State Budget Officer and approval of the Governor. This transfer is not considered an adjustment to appropriations.

PART YY

Sec. YY-1. Transfer of available balances between the State-funded Foster Care/Adoption Assistance program and the IV-E Foster Care/Adoption Assistance program. Notwithstanding any provision of law to the contrary, for fiscal years 2021-22 and 2022-23, the Department of Health and Human Services may transfer available balances between the State-funded Foster Care/Adoption Assistance program and the IV-E Foster Care/Adoption Assistance program in the All Other line category. 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 ZZ

Sec. ZZ-1. Transfer of funds between MaineCare General Fund accounts. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any provision of law to the contrary, until June 30, 2023, available balances of appropriations in MaineCare General Fund accounts may be transferred between accounts by financial order upon the recommendation of the State Budget Officer and approval of the Governor.

PART AAA

Sec. AAA-1. Transfer of Personal Services balances to All Other; Department of Health and Human Services, Office for Family Independence. Notwithstanding any provision of law to the contrary, in fiscal years 2021-22 and 2022-23 only, the Department of Health and Human Services is authorized to transfer available balances of appropriations in the Personal Services line category in the Office for Family Independence program and the Office for Family Independence - District program after all financial commitments for salary, benefits, other obligations and budgetary adjustments have been made to the All Other line category in either the Office for Family Independence program or the Office for Family Independence - District program in order to provide for information technology and related services. These amounts may be transferred by financial order upon the recommendation of the State Budget Officer and the approval of the Governor. These transfers are not considered adjustments to appropriations.

PART BBB

Sec. BBB-1. 22 MRSA §3790-A, sub-§1, as enacted by PL 2017, c. 387, §1, is amended to read:

1. Program established. The department shall establish a student financial aid program based on need

to be known as the Higher Opportunity for Pathways to Employment Program, referred to in this chapter as "the program," for a parent or caretaker relative of a minor child who is qualified to receive federal Temporary Assistance for Needy Families funds but does not receive Temporary Assistance for Needy Families cash assistance pursuant to chapter 1053-B and is matriculating in an education or training program, or is enrolled in a program providing remedial services necessary for the parent or caretaker relative to matriculate, that results in a high-value, industry-recognized certificate or similar credential, a postsecondary undergraduate 2-year degree or a postsecondary undergraduate 4-year degree in a health care, technology or engineering field. The department shall specify the health care, technology and engineering fields for the postsecondary undergraduate 4-year degree in department rules.

Enrollment in the program may not exceed ~~500~~ 800 participants. To administer the program, the department may not divert funding from assistance and support services to families under the Temporary Assistance for Needy Families program pursuant to chapter 1053-B or from the operation of the Additional Support for People in Retraining and Employment - Temporary Assistance for Needy Families program pursuant to chapter 1054-A. If the commissioner reasonably anticipates that available funds will not support continued operation of the program, the commissioner shall limit or suspend enrollment or program services to the extent necessary to avoid negative effects to services provided under chapters 1053-B and 1054-A.

The program must be supported with funds provided under the Temporary Assistance for Needy Families block grant that are available under Title IV-A of the United States Social Security Act or funds transferred from that block grant to the social services block grant authorized under Title XX of the United States Social Security Act or the child care and development block grant authorized under the federal Child Care and Development Block Grant Act of 1990 and Section 418 of the United States Social Security Act. The department may not expend federal Temporary Assistance for Needy Families funds for services that meet the definition of "assistance" under regulations promulgated pursuant to the United States Social Security Act. To the extent allowable under federal law and subject to federal approval procedures associated with such funds, the program may also be supported with other federal funds, including, but not limited to, employment and training funds from the Supplemental Nutrition Assistance Program.

PART CCC

Sec. CCC-1. 22 MRSA §3174-F, sub-§1, as amended by PL 1997, c. 159, §§1 and 2 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

1. Coverage provided. The Department of Health and Human Services shall provide the following dental

services, reimbursed under the United States Social Security Act, Title XIX, or successors to it, to individuals 21 years of age and over, ~~limited to:~~

- A. Acute surgical care directly related to an accident where traumatic injury has occurred. This coverage will only be provided for the first 3 months after the accident;
- B. Oral surgical and related medical procedures not involving the dentition and gingiva;
- C. Extraction of teeth that are severely decayed and pose a serious threat of infection during a major surgical procedure of the cardiovascular system, the skeletal system or during radiation therapy for a malignant tumor;
- D. Treatment necessary to relieve pain, eliminate infection or prevent imminent tooth loss; ~~and~~
- F. ~~Other dental services, including full Full and partial dentures, medically necessary to correct or ameliorate an underlying medical condition, if the department determines that provision of those services will be cost effective in comparison to the provision of other covered medical services for the treatment of that condition; and~~
- G. Other comprehensive preventive, diagnostic and restorative dental services to maintain good oral and overall health in accordance with rules adopted by the department.

Sec. CCC-2. Rulemaking. By July 1, 2022, the Department of Health and Human Services shall adopt emergency rules to implement provisions of the Maine Revised Statutes, Title 22, section 3174-F, subsection 1. When adopting rules under this section, the department shall consider recommendations provided by the dental subcommittee of the MaineCare Advisory Committee.

Sec. CCC-3. Benefit development process. In developing the adult dental coverage required pursuant to the Maine Revised Statutes, Title 22, section 3174-F, subsection 1, the Department of Health and Human Services shall consider and consult with the dental subcommittee of the MaineCare Advisory Committee to ensure inclusion of the following:

- 1. Dental procedures and services that are aligned with evidence-based care, are medically necessary to maintain good oral and overall health and are appropriate to be included in an adult dental benefit under the MaineCare program;
- 2. Strategies to improve oral health education within the MaineCare program; and
- 3. Metrics to measure outcomes of the expansion of dental services to adults 21 years of age and over, including measures of provider participation, the use of those services by adults over 21 years of age and over and oral health outcomes for adults 21 years of age and

over, in the aggregate and, in order to identify and address potential disparities in access to and outcomes of such services, by race, ethnicity and geography.

Sec. CCC-4. Department of Health and Human Services to work with providers to encourage participation. The Department of Health and Human Services shall work with providers of oral health care and dental services to encourage participation in the MaineCare program to ensure access to the services required by the Maine Revised Statutes, Title 22, section 3174-F, subsection 1.

PART DDD

Sec. DDD-1. 22 MRSA §3174-FFF is enacted to read:

§3174-FFF. State-funded medical program for noncitizens

1. Coverage provided. Effective July 1, 2022, a person is eligible for the same scope of medical assistance provided under section 3174-G if the person is a child under 21 years of age who would be eligible for assistance under the federal Medicaid program under Title XIX of the federal Social Security Act but for the person's immigration status. In accordance with 8 United States Code, Section 1621, the State shall appropriate funds in the state budget to provide state-funded medical assistance through the MaineCare program and the children's health insurance program as defined in section 3174-X, subsection 1, paragraph A for noncitizen individuals who reside in the State and are ineligible for coverage due to federal restrictions relating to immigration status in the federal Medicaid program and the children's health insurance program.

2. Rulemaking. The department shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

PART EEE

Sec. EEE-1. 5 MRSA §1591, sub-§6 is enacted to read:

6. Maine Commission on Indigent Legal Services. Any All Other balance remaining in the Maine Commission on Indigent Legal Services program, General Fund account at the end of any fiscal year must be carried forward for use by the commission in the next fiscal year.

PART FFF

Sec. FFF-1. 4 MRSA §1804, sub-§4, ¶D, as amended by PL 2013, c. 368, Pt. RRR, §1 and affected by §4, is further amended to read:

D. Adopt rules to carry out the purposes of this chapter. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, except that rules

adopted to establish ~~standards under subsection 2, paragraph B~~ and rates of compensation for assigned counsel and contract counsel under subsection 2, paragraph F are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A; and

PART GGG

Sec. GGG-1. 2 MRSA §6, sub-§12, as enacted by PL 2009, c. 419, §1, is repealed.

Sec. GGG-2. 2 MRSA §6, sub-§13 is enacted to read:

13. Range 37. The salary of the executive director of the Maine Commission on Indigent Legal Services is within salary range 37.

PART HHH

Sec. HHH-1. Transfer of funds; Department of Inland Fisheries and Wildlife carrying account. On or before August 1, 2021, the State Controller shall transfer \$45,000 from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account for the purchase of one replacement aircraft engine. On or before August 1, 2022, the State Controller shall transfer \$46,000 from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account for the purchase of one replacement aircraft engine.

PART III

Sec. III-1. Transfer to the Department of Inland Fisheries and Wildlife, Office of the Commissioner - Inland Fisheries and Wildlife. Notwithstanding any provision of law to the contrary, on or before June 30, 2021, the State Controller shall transfer \$2,084,500 from the unappropriated surplus of the General Fund to the Department of Inland Fisheries and Wildlife, Office of the Commissioner - Inland Fisheries and Wildlife, Other Special Revenue Funds account for the purpose of funding unmet capital construction and repair needs for state dams.

PART JJJ

Sec. JJJ-1. 12 MRSA §6022, sub-§3, as amended by PL 1989, c. 348, §3, is further amended to read:

3. Organization and personnel. The commissioner shall organize the department into the administrative units which, including but not limited to the Bureau of Marine Patrol and the Bureau of Sea Run Fisheries and Habitat, that the commissioner decides are necessary to carry out its duties. The commissioner shall hire all necessary employees of the department subject to the Civil Service Law, except that persons in the following positions ~~shall be~~ are appointed by and

serve at the pleasure of the commissioner: Deputy Commissioner; Chief, Bureau of Marine Patrol; and Assistant to the Commissioner for Public Information. The Chief of the Bureau of Marine Patrol ~~shall~~ must be appointed from among the patrol personnel of the bureau with the rank of sergeant or higher. In the event that the Chief of the Bureau of Marine Patrol is not reappointed, that person ~~shall have~~ has the right to be restored to the classified position from which that person ~~shall have been~~ was promoted or to a position equivalent thereto in salary grade without impairment of that person's personnel status or the loss of seniority, retirement or other rights to which uninterrupted service in the classified position would have entitled that person. If that person's service in the position of Chief of the Bureau of Marine Patrol ~~shall be~~ is terminated for cause, that person's right to be ~~so~~ restored ~~shall~~ must be determined by the State Civil Service Appeals Board.

Sec. JJJ-2. Transfer balances. Notwithstanding any other provision of law, at the end of fiscal year 2020-21, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Division of Sea Run Fisheries and Habitat, Other Special Revenue Funds account to the Bureau of Sea Run Fisheries and Habitat, Other Special Revenue Funds account within the Department of Marine Resources to be used to manage and regulate the sea run fisheries and habitat resources of the State in terms of restoration, monitoring and resource use.

PART KKK

Sec. KKK-1. 5 MRSA §17851-A, sub-§1, ¶N, as enacted by PL 2019, c. 537, §3, is amended to read:

N. Emergency communications specialists, emergency communications specialist - leads, emergency communications specialist - supervisors and emergency dispatch system administrators in the employment of the Department of Public Safety on July 1, 2020 who elect to participate in the 1998 Special Plan or hired thereafter.

PART LLL

Sec. LLL-1. 5 MRSA §17851-A, sub-§1, ¶K, as amended by PL 2019, c. 482, §1, is further amended to read:

K. The State Fire Marshal, the assistant state fire marshal-inspections or a state fire marshal inspector in the employment of the Department of Public Safety on January 1, 2000 or hired thereafter or, until June 30, 2020, a state fire marshal investigator, a state fire marshal senior investigator, a state fire marshal sergeant or an assistant state fire marshal-investigations in the employment of the Department of Public Safety on January 1, 2000 or hired thereafter; and

for review by the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs at least 30 days before closing on such borrowing for the project or projects is to be initiated. Borrowing for the purposes of this chapter may not include capital lease obligations, financing for energy services projects or interim financing for capital projects;

PART QQQ

Sec. QQQ-1. Transfer to the Department of Agriculture, Conservation and Forestry, Division of Forest Protection, Aerial Fire Suppression Fund. Notwithstanding any provision of law to the contrary, on or before June 30, 2021, the State Controller shall transfer \$6,700,000 from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Division of Forest Protection, Aerial Fire Suppression Fund Other Special Revenue Funds account for the purpose of upgrading and repairing aircraft of the forest protection unit of the Maine Forest Service.

PART RRR

Sec. RRR-1. Transfer to the Department of Defense, Veterans and Emergency Management, Maintenance and Repairs to Armories. Notwithstanding any provision of law to the contrary, on or before June 30, 2021, the State Controller shall transfer \$5,515,000 from the unappropriated surplus of the General Fund to the Department of Defense, Veterans and Emergency Management, Maintenance and Repairs to Armories Other Special Revenue Funds account for the purpose of funding the State's share of maintenance, repair, capital improvement, modernization and energy efficiency projects for Maine Army and Air National Guard readiness centers and support facilities.

Sec. RRR-2. Transfer to the Department of Defense, Veterans and Emergency Management, Air Guard SRM Maintenance and Repairs. Notwithstanding any provision of law to the contrary, on or before June 30, 2021, the State Controller shall transfer \$1,285,000 from the unappropriated surplus of the General Fund to the Department of Defense, Veterans and Emergency Management, Air Guard SRM Maintenance and Repairs Other Special Revenue Funds account for the purpose of funding the State's share of maintenance, repair, capital improvement, modernization and energy efficiency projects for Maine Army and Air National Guard readiness centers and support facilities.

PART SSS

Sec. SSS-1. Transfer to the Department of Administrative and Financial Services, Bureau of General Services - Capital Construction and Improvement Reserve Fund. Notwithstanding any provision of law to the contrary, on or before June 30,

2021, the State Controller shall transfer \$50,000,000 from the unappropriated surplus of the General Fund to the Department of Administrative and Financial Services, Bureau of General Services - Capital Construction and Improvement Reserve Fund program, Other Special Revenue Funds account for the purpose of funding unmet capital construction and repair needs for state-owned buildings.

PART TTT

This Part left blank intentionally.

PART UUU

Sec. UUU-1. 2 MRSA §6-A, sub-§3, as amended by PL 2015, c. 8, §1, is further amended to read:

3. Other employees. The salaries of the following employees are within salary range 53:

- A. General counsel;
- B. Director of telephone and water utility industries;
- C. Administrative Director;
- D. Director of electric and gas utility industries; ~~and~~
- E. Director of consumer assistance and safety; and
- F. Director of emergency services communication.

Sec. UUU-2. 5 MRSA §949, sub-§1, as amended by PL 2015, c. 8, §2, is further amended to read:

1. Major policy-influencing positions. The following positions are major policy-influencing positions within the Public Utilities Commission. Notwithstanding any ~~other~~ provision of law to the contrary, these positions and their successor positions ~~shall be~~ are subject to this chapter:

- A. General Counsel - Public Utilities Commission;
- B. Director of telephone and water utility industries;
- C. Administrative Director;
- D. Director of electric and gas utility industries; ~~and~~
- E. Director of consumer assistance and safety; and
- F. Director of emergency services communication.

Sec. UUU-3. 35-A MRSA §107, sub-§1, ¶A, as amended by PL 2015, c. 8, §3, is further amended to read:

- A. An administrative director, a director of telephone and water utility industries, a director of electric and gas utility industries ~~and~~, a director of consumer assistance and safety and a director of emergency services communication;

Sec. UUU-4. 35-A MRSA §107, sub-§2, ¶A, as amended by PL 2015, c. 8, §4, is further amended to read:

A. The general counsel, the administrative director, the assistant administrative director, the director of telephone and water utility industries, the director of electric and gas utility industries ~~and~~, the director of consumer assistance and safety and the director of emergency services communication serve at the pleasure of the commission and their salaries must be set by the commission within the ranges established by Title 2, section 6-A.

Sec. UUU-5. 35-A MRSA §107, sub-§2, ¶C, as amended by PL 2015, c. 8, §5, is further amended to read:

C. The salaries of the other subordinate officials and employees of the commission, other than those of the general counsel, the administrative director, the assistant administrative director, the director of telephone and water utility industries, the director of electric and gas utility industries, the director of consumer assistance and safety, the director of emergency services communication and the staff attorney and utility analyst positions, are subject to the Civil Service Law.

PART VVV

Sec. VVV-1. Transfer; Reserve for General Fund Operating Capital to a COVID-19 response fund. Notwithstanding any provision of law to the contrary, the State Controller may transfer up to \$2,900,000 from the balance available in the Reserve for General Fund Operating Capital to a COVID-19 response fund established by the State Controller to address funding needs related to the novel coronavirus disease known as COVID-19 through June 30, 2022. Amounts transferred may be expended based on allotment established by financial order recommended by the State Budget Officer and approved by the Governor. The amounts transferred are considered adjustments to appropriations. The Governor shall inform the Legislative Council and the Joint Standing Committee on Appropriations and Financial Affairs immediately upon such a transfer from the Reserve for General Fund Operating Capital. Any remaining balance in the COVID-19 response fund on July 1, 2022 must be transferred by the State Controller to the Reserve for General Fund Operating Capital. All amounts received as reimbursement for expenses originally paid by the COVID-19 response fund, up to \$2,900,000, from any funding source, must be returned to the Reserve for General Fund Operating Capital in accordance with this section.

PART WWW

This Part left blank intentionally.

PART XXX

Sec. XXX-1. 20-A MRSA §11614, sub-§2, as amended by PL 2011, c. 642, §3, is further amended to read:

2. Minimum amount. It is the intent of the Legislature that grants awarded under this chapter, except as provided in subsections 4, 5 and 6, may not be less than \$1,000 or, if sufficient funds are appropriated for this purpose, less than \$2,500. The authority may establish by rule increased grant amounts for students attending their 2nd, 3rd and 4th years, or the equivalents thereof, at institutions of higher education. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. XXX-2. Transfer to the Finance Authority of Maine, Student Financial Assistance Program. Notwithstanding any provision of law to the contrary, on or before June 30, 2022, the State Controller shall transfer \$10,000,000 from the unappropriated surplus of the General Fund to the Finance Authority of Maine, Student Financial Assistance Program, Other Special Revenue Funds account.

PART YYY

Sec. YYY-1. 12 MRSA §541-A, as amended by PL 2017, c. 475, Pt. A, §18, is further amended to read:

§541-A. Division of Geology, Natural Areas and Coastal Resources

The Division of Geology, Natural Areas and Coastal Resources is established within the Department of Agriculture, Conservation and Forestry and is administered by the commissioner. The division consists of the Maine Geological Survey, referred to in this chapter as the "survey," and the Natural Areas Program. ~~The Director of the Bureau of Resource Information and Land Use Planning is the director of the survey.~~

PART ZZZ

Sec. ZZZ-1. 5 MRSA §1518-A, as amended by PL 2019, c. 448, §1, is repealed.

Sec. ZZZ-2. 5 MRSA §1536, sub-§1, ¶F, as amended by PL 2019, c. 448, §2, is repealed.

Sec. ZZZ-3. 5 MRSA §1536, sub-§1, ¶G is enacted to read:

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

Sec. ZZZ-4. 5 MRSA §1536, sub-§3, as amended by PL 2019, c. 448, §3, is further amended to read:

3. Exceptions; stabilization fund at limit. If the stabilization fund is at its limit of 18% of General Fund revenue of the immediately preceding year, then amounts that would otherwise have been transferred to the stabilization fund pursuant to subsections 1 and 2

must be transferred to the ~~Property Tax Relief Fund for Maine Residents established in section 1518 A Highway and Bridge Capital program, Other Special Revenue Funds account.~~

Sec. ZZZ-5. Highway and Bridge Reserve Other Special Revenue Account. The State Controller shall establish the Highway and Bridge Reserve Other Special Revenue Account as a nonlapsing account funded pursuant to section 6.

Sec. ZZZ-6. Fiscal year 2020-21 year-end unappropriated surplus; 5th priority transfer. The State Controller, at the close of the fiscal year ending June 30, 2021, as the next priority after the transfers authorized pursuant to the Maine Revised Statutes, Title 5, sections 1507 and 1511, the transfer of \$2,500,000 for the Reserve for General Fund Operating Capital pursuant to section 1536 and the transfers to the Retiree Health Insurance Internal Service Fund pursuant to section 1519 and after all required deductions of appropriations, budgeted financial commitments and adjustments considered necessary by the State Controller have been made, shall transfer from the available balance of the unappropriated surplus of the General Fund up to \$50,000,000 to the Highway and Bridge Reserve Other Special Revenue Account established in section 5.

Sec. ZZZ-7. Transfers from Highway and Bridge Reserve Other Special Revenue Account. Notwithstanding any provision of law to the contrary, the State Controller shall transfer up to \$50,000,000 from the Highway and Bridge Reserve Other Special Revenue Account established in section 5 to the Department of Transportation, Highway and Bridge Capital program, Other Special Revenue Funds account to replace allocations to the Department of Transportation, Highway and Bridge Capital program, Federal Expenditures Fund – ARP State Fiscal Recovery fund authorized by the Legislature but not funded by the Federal Government. Funds transferred pursuant to this section may be used only to support the capital highway and bridge program at the department, consisting of projects to construct, reconstruct, rehabilitate and preserve state Priority 1, Priority 2 and Priority 3 highways statewide, to replace and rehabilitate bridges statewide and to fund the municipal partnership initiative and associated activities, including projects for calendar year 2021. Funds transferred from the Highway and Bridge Reserve Other Special Revenue Account to the Department of Transportation, Highway and Bridge Capital program, Other Special Revenue Funds may be allotted by financial order upon recommendation of the State Budget Officer and approval of the Governor.

Sec. ZZZ-8. Transfer to General Fund unappropriated surplus; Property Tax Relief Fund for Maine Residents. Notwithstanding any other provisions of law to the contrary, the State Controller shall transfer \$300,000 from the Property Tax

Relief Fund for Maine Residents account in the Office of the Treasurer of State to General Fund unappropriated surplus no later than June 30, 2022.

PART AAAA

Sec. AAAA-1. 22 MRSA c. 1627 is enacted to read:

CHAPTER 1627

ESSENTIAL SUPPORT WORKER REIMBURSEMENT

§7401. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Activities of daily living. "Activities of daily living" means tasks routinely performed by a person to maintain bodily functions, including bed mobility, transfers, locomotion, dressing, eating, toileting, bathing and personal hygiene.

2. Direct access. "Direct access" means, with respect to an individual who is receiving services from an essential support worker in an institutional setting or in a home or community setting, access to the individual's property, personally identifiable information, financial information or resources or physical access to the individual.

3. Essential support worker. "Essential support worker" means an individual who by virtue of employment generally provides to individuals direct contact assistance with activities of daily living or instrumental activities of daily living or has direct access to provide care and services to clients, patients or residents regardless of the setting.

4. Home or community setting. "Home or community setting" means a place of residence or group home where adults with long-term care needs receive in-home and community support services.

5. In-home and community support services. "In-home and community support services" means health and social services, including behavioral health, and other assistance required to enable persons with long-term care needs to remain in their places of residence or group homes. These services include, but are not limited to, self-directed care services; home health aide services; personal care assistance services; companion and attendant services; homemaker services; respite care; daily living support services; behavioral health professional services; and other appropriate and necessary social services.

6. Institutional setting. "Institutional setting" means residential care facilities, licensed pursuant to chapter 1664; intermediate care and skilled nursing facilities and units and hospitals, licensed pursuant to chapter 405; and state institutions for individuals who

have intellectual disabilities or autism or other related conditions.

7. Instrumental activities of daily living. "Instrumental activities of daily living" includes, but is not limited to, preparing or receiving of a main meal, taking medication, using the telephone, handling finances, banking, shopping, routine housework, laundry and getting to appointments.

8. Self-directed care services. "Self-directed care services" means services procured and directed by the person receiving services or the person's surrogate that allow the person to reenter or remain in the community and to maximize independent living opportunities. "Self-directed care services" includes the hiring, firing, training and supervision of essential support workers to assist with activities of daily living and instrumental activities of daily living.

§7402. Essential support worker reimbursement

Services provided by essential support workers that are reimbursed by the department under the MaineCare program or another state-funded program must include in the reimbursement rate the following:

1. At least 125% of the minimum wage. An amount equal to at least 125% of the minimum wage established in Title 26, section 664, subsection 1 for the labor portion of the reimbursement rate. An increase to the minimum wage must be applied to the reimbursement rate at the time the increase takes place; and

2. Taxes and benefits. An amount necessary to reimburse the provider for taxes and benefits paid or costs incurred by the provider that are directly related to the reimbursed wage increase in subsection 1. This amount must be adjusted whenever an increase to the minimum wage is applied to the reimbursement rate under subsection 1.

3. Effective date. This section takes effect January 1, 2022.

§7403. Rebasing

Except as otherwise provided, the department shall rebase reimbursement rates for the MaineCare program and other state-funded program reimbursement rates described in section 7402 at least every 5 years. Rebasing must be based on the most recent cost report filings available or provider cost surveys or other market data when cost reports are not available. The department may provide a mechanism for subsequent adjustments to base year costs to reflect any differences it determines are material between as-filed cost reports used in rebasing and subsequent determinations of audited, allowable costs for the same fiscal period.

§7404. Rulemaking

The department shall adopt rules to implement the requirements of this chapter. Rules adopted pursuant to

this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. AAAA-2. Reimbursement rates for home and community-based services. The Department of Health and Human Services shall amend its rules no later than January 1, 2022 to increase MaineCare reimbursement rates for home and community-based services by increasing the labor portion of the reimbursement rates for essential support workers as defined in the Maine Revised Statutes, Title 22, section 7401, subsection 3 to equal at least 125% of the minimum wage and by increasing related taxes and benefits accordingly for the following sections of rule Chapter 101: MaineCare Benefits Manual, Chapter III:

1. Section 12, Allowances for Consumer Directed Attendant Services;

2. Section 18, Allowances for Home and Community-Based Services for Adults with Brain Injury;

3. Section 19, Home and Community Benefits for the Elderly and Adults with Disabilities;

4. Section 20, Allowances for Home and Community Based Services for Adults with Other Related Conditions;

5. Section 21, Allowances for Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder;

6. Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder; and

7. Section 96, Private Duty Nursing and Personal Care Services.

Sec. AAAA-3. Reimbursement rates for home and community-based services; January 2023. Notwithstanding the Maine Revised Statutes, Title 22, section 7402, the Department of Health and Human Services shall amend its rules no later than January 1, 2023 to increase MaineCare reimbursement rates for home and community-based services, including daily living supports, by increasing the labor portion of the reimbursement rates for essential support workers as defined in Title 22, section 7401, subsection 3 to equal at least 125% of the minimum wage and by increasing related taxes and benefits accordingly for the following sections of rule Chapter 101: MaineCare Benefits Manual, Chapter III:

1. Section 17, Allowances for Community Support Services;

2. Section 26, Day Health Services;

3. Section 28, Rehabilitative and Community Support Services for Children with Cognitive Impairments and Functional Limitations; and

4. Section 65, Behavioral Health Services.

Sec. AAAA-4. Reimbursement rates for state-funded home and community-based services. The Department of Health and Human Services shall amend its rules, no later than January 1, 2022, to increase reimbursement rates for state-funded home and community-based services by increasing the labor portion of the reimbursement rates for essential support workers as defined in the Maine Revised Statutes, Title 22, section 7401, subsection 3 to equal at least 125% of the minimum wage and by increasing related taxes and benefits accordingly for the following department rules:

1. 14-197 C.M.R. Chapter 11, Consumer Directed Personal Assistance Services;
2. 10-149 C.M.R. Chapter 5, Office of Aging and Disability Services Policy Manual, Section 61, Adult Day Services;
3. 10-149 C.M.R. Chapter 5, Office of Aging and Disability Services Policy Manual, Section 63, In-home and Community Support Services for Elderly and Other Adults;
4. 10-149 C.M.R. Chapter 5, Office of Aging and Disability Services Policy Manual, Section 68, Respite Care Services for People with Alzheimer's or Related Disorders; and
5. 10-149 C.M.R. Chapter 5, Office of Aging and Disability Services Policy Manual, Section 69, Office of Elder Services Homemaker Program.

Sec. AAAA-5. Reimbursement rates for residential services. The Department of Health and Human Services shall amend its rules, no later than January 1, 2022, to increase cost reimbursement caps as necessary to enable providers to cover labor costs for essential support workers as defined in the Maine Revised Statutes, Title 22, section 7401, subsection 3 to equal at least 125% of the minimum wage and by increasing related taxes and benefits accordingly for the following residential services provided under Chapter 101: MaineCare Benefits Manual, Chapter III:

1. Section 67, Principles of Reimbursement for Nursing Facilities; and
2. Section 97, Private Non-Medical Institution Services, Appendix C.

Sec. AAAA-6. Reimbursement rates for adult family care services; January 2023. Notwithstanding the Maine Revised Statutes, Title 22, section 7402, the Department of Health and Human Services shall amend its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 2, Adult Family Care Services no later than January 1, 2023 to increase the labor portion of the reimbursement rates for essential support workers as defined in Title 22, section 7401, subsection 3 to equal at least 125% of the minimum wage and by increasing related taxes and benefits accordingly.

Sec. AAAA-7. Annual reports for 5 years. No later than February 1st of each year from 2022 to 2026, the Department of Health and Human Services shall provide annual reports to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the department's efforts and progress in implementing the recommendations of the Commission To Study Long-term Care Workforce Issues established by Public Law 2019, chapter 343, Part BBBB, section 1. Annual reports must include available data related to unstaffed hours due to staffing shortages, vacancies for essential support workers and unfilled beds in residential care facilities and nursing facilities due to staffing shortages. The department must include in its reports the efforts of the department to include stakeholders in relevant policy discussions related to commission recommendations. The joint standing committee of the Legislature having jurisdiction over health and human services matters is authorized to report out legislation related to each annual report received to the legislative session in which the report was received.

Sec. AAAA-8. Federal funding. If Federal Medical Assistance Percentage matching funding is not allowable for the purposes of this Part, federal funding allocated to the State in any federal law enacted after December 15, 2020 that provides stimulus funds due to the ongoing pandemic related to COVID-19 must be used for the purposes of this Part for the federal portion of the funding.

PART BBBB

Sec. BBBB-1. Department of Health and Human Services to increase MaineCare reimbursement for individuals with serious mental illness. No later than July 1, 2021, the Department of Health and Human Services shall amend its rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 65, Behavioral Health Services, to increase reimbursement rates for medication management services in place on January 1, 2019 by 25%. The department shall amend the rules to provide for adjustment of the reimbursement rates every 5 years by an inflation adjustment cost-of-living percentage change for the previous 5 years in accordance with the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

PART CCCC

Sec. CCCC-1. Alternative response program report. No later than February 1, 2022, the Department of Health and Human Services shall submit a report to the Joint Standing Committee on Health and Human Services regarding the progress the department has made in hiring the required staff to replace the department's current alternative response program. The

joint standing committee is authorized to report out legislation related to the report to the Second Regular Session of the 130th Legislature.

PART DDDD

Sec. DDDD-1. P&SL 1941, c. 37, §2, 2nd ¶, as amended by PL 2003, c. 673, Pt. R, §1, is further amended to read:

The Maine Maritime Academy by action of its board may borrow money, not in excess of \$10,000,000 in the aggregate at any one time outstanding, make and issue negotiable notes, bonds and other evidences of indebtedness or obligations of the academy for the construction of dormitories, dining facilities, student union, and any other buildings and improvements, including land acquisition in connection therewith, and equipment and furnishings therefor, or in anticipation of appropriated state or federal funds, and secure the payment of such obligations or any part thereof by mortgaging its properties or pledging any part of its revenues, and do all other lawful things necessary and incidental to the foregoing powers, except that the portion of any borrowing for which the related debt service is funded by an appropriation by the State or contractually committed to the Maine Maritime Academy from 3rd-party sources, including foundations, public-private partnership arrangements or donors, is not included in calculating the amount limitation in this paragraph. The Maine Maritime Academy may borrow money or accept grants from federal and state governments and agencies thereof and from any other sources, or both. Such construction ~~shall~~ **must** be under the supervision of the Bureau of General Services.

PART EEEE

Sec. EEEE-1. 5 MRSA §1591, sub-§6 is enacted to read:

6. Department of Defense, Veterans and Emergency Management. The Department of Defense, Veterans and Emergency Management shall carry forward any General Fund balances remaining in the Veterans' Homelessness Prevention Partnership Fund program at the end of any fiscal year for use in the next fiscal year.

PART FFFF

Sec. FFFF-1. 5 MRSA §6201, sub-§1-B is enacted to read:

1-B. Community conservation project. "Community conservation project" means a conservation project of local or regional significance that promotes one or more of the following: public outdoor recreational access to land and waters, including for underserved populations; public health; connection between conserved lands and population centers; local or regional agriculture; conservation of cultural and historical resources on undeveloped lands; protection of lakes, rivers or streams; conservation of fish or wildlife habi-

tat; protection of public drinking water supplies; conservation of community forests; local economic development; opportunities for environmental learning; nonmotorized transportation options; or other priorities as determined by the board.

Sec. FFFF-2. 5 MRSA §6201, sub-§2, as enacted by PL 1987, c. 506, §§1 and 4, is amended to read:

2. Cooperating entities. "Cooperating entities" means those private nonprofit organizations, municipal conservation commissions, local governments, federal agencies or other bodies designated by the Land for Maine's Future Board pursuant to section 6203, as able to assist the State in the acquisition or management of conservation lands of statewide significance or for community conservation projects.

Sec. FFFF-3. 5 MRSA §6203, sub-§3, ¶A, as amended by PL 1999, c. 769, §1, is further amended to read:

A. Acquire property or an interest in property that is determined by the board to be of state statewide significance under the guidelines of this chapter or for a community conservation project;

Sec. FFFF-4. 5 MRSA §6207, sub-§2, as amended by PL 2007, c. 64, §1 and c. 353, §§1 to 3, is further amended to read:

2. Determination of state statewide significance. In determining whether a proposed acquisition must be funded, in full or in part, by the Land for Maine's Future Fund or the Public Access to Maine Waters Fund, the board shall consider whether the site is of state statewide significance and:

A. Contains recreation lands, prime physical features of the Maine landscape, areas of special scenic beauty, farmland or open space, undeveloped shorelines, significant undeveloped archeological sites, wetlands, fragile mountain areas or lands with other conservation, wilderness or recreation values;

B. Is habitat for plant or animal species or natural communities considered rare, threatened or endangered in the State;

C. Provides nonmotorized or motorized public access to recreation opportunities or those natural resources identified in this section; or

D. Provides public water supply protection when that purpose is consistent and does not conflict with the natural resource conservation and recreation purposes of this chapter.

Sec. FFFF-5. 5 MRSA §6207, sub-§3, as amended by PL 2011, c. 381, §1, is further amended to read:

3. Priorities. Whenever possible, the Land for Maine's Future Fund and the Public Access to Maine

Waters Fund must be used for land acquisition projects when matching funds are available from cooperating entities, as long as the proposed acquisition meets all other criteria set forth in this chapter. For acquisitions funded by the Land for Maine's Future Fund, the board shall give priority to projects that conserve lands with multiple outstanding resource or recreation values or a single exceptional value, that help the State's natural ecosystems, wildlife and natural resource-based economies adapt to a changing climate, that conserve and protect deer wintering areas, that provide geographic representation and that build upon or connect existing holdings.

When acquiring land or interest in land, the board shall examine public vehicular access rights to the land and, whenever possible and appropriate, acquire guaranteed public vehicular access as part of the acquisition.

Sec. FFFF-6. 5 MRSA §6207, sub-§6 is enacted to read:

6. Public uses. Hunting, fishing, trapping and public access may not be prohibited on land acquired with proceeds from the Land for Maine's Future Fund, except to the extent prohibited by applicable state, local or federal laws, rules and regulations and except for working waterfront projects and working farmland preservation projects.

Sec. FFFF-7. Transfers to the Department of Agriculture, Conservation and Forestry, Land for Maine's Future Fund. Notwithstanding any provision of law to the contrary, on or before June 30, 2021, the State Controller shall transfer \$20,000,000 from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Land for Maine's Future – Community Conservation Projects Other Special Revenue Funds account for the purpose of acquisition of land and interest in land for conservation, water access, outdoor recreation, wildlife and fish habitat and working farmland preservation in accordance with the Maine Revised Statutes, Title 5, chapter 353 and Title 12, section 6042, including all costs associated with such acquisitions.

The State Controller, at the close of the fiscal year ending June 30, 2021, as the next priority after the transfers authorized pursuant to Title 5, sections 1507 and 1511, the transfer of \$2,500,000 for the Reserve for General Fund Operating Capital and the transfer to the Retiree Health Insurance Internal Service Fund pursuant to section 1519 and after all required deductions of appropriations, budgeted financial commitments and adjustments considered necessary by the State Controller have been made and any transfers to the Highway and Budget Reserve Other Special Revenue account authorized by Part ZZZ, shall transfer up to \$20,000,000 from the available balance of the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Land for Maine's Future – Community Conservation Projects

Other Special Revenue Funds account for the purpose of acquisition of land and interest in land for conservation, water access, outdoor recreation, wildlife and fish habitat and working farmland preservation in accordance with Title 5, chapter 353 and Title 12, section 6042, including all costs associated with such acquisitions.

Sec. FFFF-8. Disbursement of funds. The funds transferred to the Department of Agriculture, Conservation and Forestry, Land for Maine's Future – Community Conservation Projects Other Special Revenue Funds account under this Part must be expended under the direction and supervision of the Department of Agriculture, Conservation and Forestry for the acquisition of land or interest in land, including all costs associated with such acquisitions, in accordance with the Maine Revised Statutes, Title 5, chapter 353 and Title 12, section 6042. The expenditure of funds transferred under this Part is subject to the following conditions and requirements.

1. Funds for the acquisition of land or interest in land for community conservation projects, as defined in Title 5, section 6201, subsection 1-B, may be distributed directly to cooperating entities, as defined in Title 5, section 6201, subsection 2, subject to terms and conditions enforceable by the State to ensure use of those funds for the purposes of this section. In addition to the considerations required under Title 5, chapter 353, the department shall give a preference to community conservation projects that benefit multiple municipalities and address regional conservation needs, including public access to recreation, wildlife and habitat conservation and open space and farmland.

2. At least 5% of the funds must be made available for the acquisition of land or an interest in land to provide or improve public access to water in accordance with Title 5, section 6203-A, subsection 3.

3. At least 10% of the funds must be made available for the acquisition of land or an interest in land to protect farmland in accordance with Title 5, section 6207.

4. At least 10% of the funds must be made available for the acquisition of land or an interest in land to preserve and access working waterfront properties in accordance with Title 12, section 6042.

5. No more than \$10,000,000 of the funds may be spent in the first year by the department and no more than \$10,000,000 plus any unused balance from prior years may be spent by the department in each of the 3 subsequent years.

6. Each expenditure of funds under this Part must be matched with matching funds, as defined by Title 5, section 6201, subsection 3, at least equal to the amount of the expenditure. At least 70% of the matching funds provided for expenditures made in accordance with this Part must be in the form of cash or other tangible assets,

including the value of land and real property interest that is acquired by or contributed to cooperating entities and that the department determines have a direct relationship to the property proposed for protection. The remaining 30% of the matching funds provided may be in the form of contributions, including the value of project-related, in-kind contributions of goods and services made to and by cooperating entities.

7. To the extent the purposes are consistent with the disbursement provisions in this Part, 100% of the funds may be considered as state match for any federal funding to be made available to the State.

8. The Department of Inland Fisheries and Wildlife shall proactively pursue the use of funds under this Part for land acquisition projects that conserve deer wintering areas.

PART GGGG

Sec. GGGG-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, as described under Title 5, section 8054, subsection 1.

PART HHHH

Sec. HHHH-1. COVID Disaster Relief Payment Fund Other Special Revenue Funds account established. The State Controller shall establish a nonlapsing COVID Disaster Relief Payment Fund Other Special Revenue Funds account, which is funded through a transfer from the available balance of the unappropriated surplus of the General Fund pursuant to section 2.

Sec. HHHH-2. Transfer to the Department of Administrative and Financial Services, COVID Disaster Relief Payment Fund. Notwithstanding any provision of law to the contrary, at the close of fiscal year 2020-21, the State Controller shall transfer \$150,000,000 from the unappropriated surplus of the General Fund to the Department of Administrative and Financial Services, COVID Disaster Relief Payment Fund Other Special Revenue Funds account for the purpose of providing payments to help eligible Maine citizens recover from economic impacts from the epidemic related to coronavirus disease 2019, referred to in this Part as "the COVID-19 pandemic." At the close of fiscal year 2022-23, amounts remaining in the COVID Disaster Relief Payment Fund Other Special Revenue Funds account must be transferred to the unappropriated surplus of the General Fund.

Sec. HHHH-3. COVID Disaster Relief Payment Program established. The COVID Disaster Relief Payment Program is established to promote the general welfare by providing a relief payment to eligible Maine citizens in order to offset some of the expenses that have been incurred by Maine citizens as a result of the COVID-19 pandemic, including, without limitation, personal, family, living or funeral expenses.

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

- A. "Assessor" means the State Tax Assessor.
- B. "Eligible Maine citizen" means an individual who:
 - (1) Filed, by October 31, 2021, a Maine income tax return as a full-year resident of the State for the tax year;
 - (2) Has federal adjusted gross income for the tax year of less than:
 - (a) For individuals filing married joint returns or surviving spouses permitted to file a joint return, \$150,000;
 - (b) For an individual filing as a head of household, \$112,500; or
 - (c) For a single individual and married persons filing separate returns, \$75,000;
 - (3) Received wages, salaries, tips or other taxable employee pay during the tax year; and
 - (4) May not be claimed as a dependent on another taxpayer's return for that tax year.
- C. "Fund" means the COVID Disaster Relief Payment Fund Other Special Revenue Funds account established by the State Controller pursuant to section 1.
- D. "Relief payment" means the COVID disaster relief payment determined pursuant to subsection 2.
- E. "Tax year" means a tax year beginning on or after January 1, 2020 but not later than December 31, 2020.

Any other terms used in this section have the same meaning as when used in a comparable context in the Maine Revised Statutes, Title 36, Part 8 relating to Maine income taxes, unless different meanings are clearly required.

2. COVID disaster relief payment. The assessor shall make COVID disaster relief payments in accordance with this subsection.

- A. The assessor shall identify each eligible Maine citizen, determined using the best available data,

and an estimate of the number of eligible Maine citizens that could not be identified from available data. The assessor shall determine the amount of the relief payment each eligible Maine citizen is entitled to, up to a maximum of \$300, by dividing the amount of the funds available in the fund, reduced by allowable administrative costs that have not yet been withdrawn, by the total number of eligible Maine citizens, including the estimated number of unidentified eligible Maine citizens.

B. By December 31, 2021, the assessor shall make the relief payment determined under paragraph A to each eligible Maine citizen. Funds for the relief payments must come from the fund and are not subject to setoff against debts owed to the Department of Administrative and Financial Services, Bureau of Revenue Services or to other agencies of the State.

C. An individual who has not received a payment under paragraph B may provide documentation to the assessor by March 31, 2022 showing that the individual is an eligible Maine citizen. The assessor shall review the documentation, determine if the individual is an eligible Maine citizen and notify the individual of any adverse determination. This determination is final agency action not reviewable pursuant to the Maine Revised Statutes, Title 36, section 151.

D. The assessor shall determine the amount of relief payment each eligible Maine citizen determined eligible by the assessor pursuant to paragraph C is entitled to, up to a maximum of the lesser of \$300 and the amount determined in paragraph A, by dividing the amount of funds available in the fund after the payments are made pursuant to paragraph B, reduced by allowable administrative costs that have not yet been withdrawn, by the total number of eligible Maine citizens determined eligible pursuant to paragraph C.

E. By June 30, 2022, the assessor shall make the relief payment determined under paragraph D to each eligible Maine citizen determined eligible pursuant to paragraph D. Funds for the relief payments must come from the fund and are not subject to setoff against debts owed to the Department of Administrative and Financial Services, Bureau of Revenue Services or to other agencies of the State.

Sec. HHHH-4. State income tax subtraction modification. For tax years beginning on or after January 1, 2021 but not later than December 31, 2022, in determining the taxable income of a resident individual, within the meaning of the Maine Revised Statutes, Title 36, section 5122, federal adjusted gross income must be reduced by an amount equal to the COVID disaster relief payment received by the taxpayer pursuant to section 3, subsection 2, to the extent

the payment is included in federal adjusted gross income for the taxable year.

PART III

Sec. III-1. 30-A MRSA §5250-J, sub-§5, as amended by PL 2017, c. 440, §3, is further amended to read:

5. Termination. A qualified Pine Tree Development Zone business located in a tier 1 location may not be certified under this subchapter after December 31, ~~2024~~ 2023, and a qualified Pine Tree Development Zone business located in a tier 2 location may not be certified under this subchapter after December 31, 2013. All Pine Tree Development Zone benefits provided under this subchapter are terminated on December 31, ~~2034~~ 2033.

Sec. III-2. 35-A MRSA §3210-E, sub-§6, as amended by PL 2017, c. 440, §6, is further amended to read:

6. Repeal. This section is repealed December 31, ~~2034~~ 2033.

Sec. III-3. 36 MRSA §1760, sub-§87, as amended by PL 2017, c. 440, §7, is further amended to read:

87. Sales of tangible personal property and transmission and distribution of electricity to qualified development zone businesses. Beginning July 1, 2005, sales of tangible personal property, and of the transmission and distribution of electricity, to a qualified Pine Tree Development Zone business, as defined in Title 30-A, section 5250-I, subsection 17, for use directly and primarily in one or more qualified business activities, as defined in Title 30-A, section 5250-I, subsection 16. The exemption provided by this subsection is limited for each qualified Pine Tree Development Zone business to sales occurring within a period of 10 years in the case of a business located in a tier 1 location, as defined in Title 30-A, section 5250-I, subsection 21-A, and 5 years in the case of a business located in a tier 2 location, as defined in Title 30-A, section 5250-I, subsection 21-B, from the date the business is certified pursuant to Title 30-A, section 5250-O or until December 31, ~~2034~~ 2033, whichever occurs first. For a business that applies for certification as a qualified Pine Tree Development Zone business with the Commissioner of Economic and Community Development on or after January 1, 2019, the exemption provided by this subsection requires a qualified Pine Tree Development Zone business to obtain a certificate of qualification issued by the Commissioner of Economic and Community Development pursuant to Title 30-A, section 5250-O. As used in this subsection, "primarily" means more than 50% of the time during the period that begins on the date on which the property is first placed in service by the purchaser and ends 2 years from that date or at the time the property is sold, scrapped, destroyed or

otherwise permanently removed from service by the purchaser, whichever occurs first.

Sec. III-4. 36 MRSA §2016, sub-§4, ¶A, as amended by PL 2017, c. 440, §10, is further amended to read:

A. Reimbursements made by the assessor pursuant to subsection 2, paragraph A are limited to taxes paid in connection with sales of tangible personal property that occur within a period of 10 years in the case of a qualified Pine Tree Development Zone business located in a tier 1 location, as defined in Title 30-A, section 5250-I, subsection 21-A, and 5 years in the case of a qualified Pine Tree Development Zone business located in a tier 2 location, as defined in Title 30-A, section 5250-I, subsection 21-B, from the date the qualified Pine Tree Development Zone business receiving the property is certified pursuant to Title 30-A, section 5250-O or by December 31, ~~2031~~ 2033, whichever occurs first.

Sec. III-5. 36 MRSA §2529, sub-§3, as amended by PL 2017, c. 440, §11, is further amended to read:

3. Limitation. The credit provided by this section may not be claimed for calendar years beginning on or after January 1, ~~2032~~ 2034.

Sec. III-6. 36 MRSA §5219-W, sub-§4, as amended by PL 2017, c. 440, §12, is further amended to read:

4. Limitation. The credit provided by this section may not be claimed for tax years beginning on or after January 1, ~~2032~~ 2034.

Sec. III-7. 36 MRSA §6754, sub-§1, ¶D, as amended by PL 2017, c. 440, §13, is further amended to read:

D. For qualified Pine Tree Development Zone employees, as defined in Title 30-A, section 5250-I, subsection 18, employed directly in the qualified business activity of a qualified Pine Tree Development Zone business, as defined in Title 30-A, section 5250-I, subsection 17, for whom a certificate of qualification has been issued in accordance with Title 30-A, section 5250-O, the reimbursement under this subsection is equal to 80% of Maine income tax withheld each year for which reimbursement is requested and attributed to those qualified employees for a period of no more than 10 years for a tier 1 location as defined in Title 30-A, section 5250-I, subsection 21-A and no more than 5 years for a tier 2 location as defined in Title 30-A, section 5250-I, subsection 21-B. Reimbursement under this paragraph may not be paid for years beginning after December 31, ~~2031~~ 2033.

Sec. III-8. Transfer; unexpended funds; Maine Economic Development Fund. Notwithstanding any provision of law to the contrary, the State Controller shall by June 30, 2021 transfer \$443,682 in unexpended funds from the Maine Economic Development Fund, Other Special Revenue Funds account in the Department of Economic and Community Development to the General Fund unappropriated surplus to fund the extension of the end date of Pine Tree Development Zone benefits.

PART JJJJ

Sec. JJJJ-1. Transfer to the Maine Commission on Indigent Legal Services. Notwithstanding any provision of law to the contrary, on or before June 30, 2022, the State Controller shall transfer \$9,293,691 from the unappropriated surplus of the General Fund to the Maine Commission on Indigent Legal Services program, Other Special Revenue Funds account. Notwithstanding any provision of law to the contrary, on or before June 30, 2023, the State Controller shall transfer \$9,288,769 from the unappropriated surplus of the General Fund to the Maine Commission on Indigent Legal Services program, Other Special Revenue Funds account.

Sec. JJJJ-2. Transfer to the Judicial Department. Notwithstanding any provision of law to the contrary, on or before June 30, 2022, the State Controller shall transfer \$972,234 from the unappropriated surplus of the General Fund to the Judicial Department, Courts - Supreme, Superior and District program, Other Special Revenue Funds account. Notwithstanding any provision of law to the contrary, on or before June 30, 2023, the State Controller shall transfer \$972,234 from the unappropriated surplus of the General Fund to the Judicial Department, Courts - Supreme, Superior and District program, Other Special Revenue Funds account.

Sec. JJJJ-3. Report of the Maine Commission on Indigent Legal Services. By January 2022, the Maine Commission on Indigent Legal Services shall provide a report to the joint standing committee of the Legislature having jurisdiction over judiciary matters and to the joint standing committee of the Legislature having jurisdiction over government oversight matters. The report must provide information regarding progress made in indigent legal services as a result of the following changes made in this Act:

1. Increasing the salary range for the executive director of the commission;
2. Raising the reimbursement rate for indigent legal services from \$60 per hour to \$80 per hour;
3. Providing additional funding to reflect actual costs of the commission;
4. Establishing 6 positions and providing funding for the supervision subdivision;

5. Authorizing remaining balances in the Maine Commission on Indigent Legal Services program to be carried forward for use by the commission in the next fiscal year; and

6. Allowing the commission to establish standards and training through routine technical rulemaking rather than major substantive rulemaking.

PART KKKK

Sec. KKKK-1. 15 MRSA §3203-A, sub-§4, ¶C, as amended by PL 1999, c. 624, Pt. B, §5, is further amended by repealing subparagraph (2).

Sec. KKKK-2. Benchmarks for reducing the population of detained and committed youths. From a baseline of the average daily population of youths detained and of the average daily population of youths committed in the custody of the Department of Corrections, each year, through July 1, 2024, the department shall submit an estimate to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters on the reduction in the number of youths detained and committed for that year to create a figure to serve as a benchmark for reducing the population of detained and committed youths.

Sec. KKKK-3. Continuing role of the task force on juvenile justice system assessment and reinvestment convened in 2019. The Juvenile Justice Advisory Group shall reestablish the task force established by the Juvenile Justice Advisory Group in 2019 to study and make recommendations on juvenile justice system assessment and reinvestment, referred to in this Part as "the task force." The task force shall work with stakeholder groups as well as the Department of Corrections and the Department of Health and Human Services to implement the recommendations identified in the February 2020 Maine Juvenile Justice System Assessment and Reinvestment Task Force report. The task force shall work with members of the Juvenile Justice Advisory Group on the development of strategic interventions and investments in a community-based continuum of therapeutic services for justice-involved youths that divert youths from detention and commitment, reduce the rates of detention and commitment across the State and achieve the benchmarks for progress established in section 2 of this Part. The task force shall work with the Juvenile Justice Advisory Group to engage justice-involved youths to advise the Juvenile Justice Advisory Group in the performance of this work.

Sec. KKKK-4. Annual reporting by the Department of Corrections through 2025. By February 15th, beginning in 2022 and annually through 2025, the Department of Corrections shall provide a report, in person, to the joint standing committee of the Legislature having jurisdiction over criminal justice and

public safety matters. The report must provide detailed information regarding:

1. The efforts of the Department of Corrections and the Department of Health and Human Services to offer diversion options for justice-involved youths and to reduce the rates of detention and commitment of youths across the State;

2. The successes and challenges of the Department of Corrections in achieving the benchmarks for detained and committed youths set forth in section 2 of this Part;

3. The successes and challenges of the Department of Corrections and the Department of Health and Human Services in expanding access to community-based, therapeutic services or programs funded under Part A for the purpose of diverting justice-involved youths from detention and commitment and reducing the rates of youth detention and commitment;

4. The successes and challenges of the nonprofit community agencies that have been awarded contracts to provide community-based, nonresidential, therapeutic services and programs for the purpose of diverting justice-involved youths from detention and commitment and reducing the rate of youth detention and commitment as funded under Part A;

5. The number and outcomes of youths served in the prior year by the nonprofit community-based agencies awarded contracts under sections 6 and 7 of this Part;

6. The number of staff at the Long Creek Youth Development Center as of the preceding December 1st and staffing levels and challenges at the facility;

7. The strategic plan developed by the Department of Corrections and the Department of Health and Human Services in consultation with the task force and the related improvements to the juvenile justice system;

8. The specific community-based juvenile housing and programming items that received funding as a result of eliminating vacant positions in the Long Creek Youth Development Center;

9. The amount of funding each item specified in the report received and how the funds were expended as a result of eliminating vacant positions in the Long Creek Youth Development Center;

10. The successes and challenges of the Department of Corrections in expanding access to community-based juvenile housing and programming;

11. The successes and challenges of the organizations that received funding in expanding access to community-based juvenile housing and programming; and

12. Any other relevant information as determined by the Department of Corrections.

Sec. KKKK-5. Reporting on possible sites and locations for secure, therapeutic residences for detained and committed youths. By January 1, 2022, the Department of Corrections shall report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters on possible sites and locations for 2 to 4 small, secure, therapeutic residences for youths for the purposes of providing confinement and detention in a therapeutic setting for a maximum occupancy of a total of 20 youths across all sites and locations. The identified possible sites and locations must consist of one site or location in Cumberland County and one site or location in Penobscot County. Two other sites and locations may be identified depending on need. The identified possible sites and locations must include existing structures for renovation as small, secure, therapeutic residences. The report must include information regarding staffing options and options and cost estimates at each possible site and location for the provision of therapeutic services and programs, including educational services, for youths living in the residences.

Sec. KKKK-6. Funding by Department of Corrections for services or programs for diversion of youths from detention and commitment. The Department of Corrections shall provide ongoing funding to nonprofit community-based providers of therapeutic services or programs for the purpose of diverting justice-involved youths from detention and commitment and reducing the rate of youth detention and commitment, using funding appropriated for that purpose. These services or programs may include behavioral health services, family support, housing, community supervision, restorative justice and transportation. An emphasis must be placed on offering these services or programs in rural parts of the State and to underserved and minority populations, on expanding existing services and programs that have proven effective and on adopting new evidence-based, innovative services and programs. All of the funding provided for this purpose must be used for contracts, agreed to by the Department of Corrections and the Department of Health and Human Services and overseen by the Department of Corrections, with nonprofit community agencies that have demonstrated a history of serving youths at risk of entering the juvenile justice system, including youths in underserved or minority communities.

Sec. KKKK-7. Funding by Department of Health and Human Services for services or programs for diversion of youths from detention and commitment. The Department of Health and Human Services shall provide ongoing funding to nonprofit community-based providers of therapeutic services or programs for the purpose of diverting justice-involved youths from detention and commitment and reducing the rate of youth detention and commitment, using funding provided for that purpose. These services

or programs may include behavioral health services, family support, housing, community supervision, crisis stabilization and transportation. An emphasis must be placed on offering these services or programs in rural parts of the State and to underserved and minority populations, on expanding existing services and programs that have proven effective and on adopting new evidence-based, innovative services and programs. At least 70% of the funding provided for this purpose must be used for contracts, agreed to by the Department of Corrections and the Department of Health and Human Services and overseen by the Department of Health and Human Services, with nonprofit community agencies that have demonstrated a history of serving youths at risk of entering the juvenile justice system, including youths in underserved or minority communities.

PART LLLL

Sec. LLLL-1. Transfer of settlement funds; Department of Environmental Protection; fiscal year 2021-22. Notwithstanding any provision of law to the contrary, on or before June 30, 2022, the State Controller shall transfer \$400,000 of the funds received pursuant to the multistate settlement agreement in *State of Maine et al. v. FCA US LLC et al.* signed October 29, 2019 to the Department of Environmental Protection, Air Quality program, Other Special Revenue Funds account. Funds transferred pursuant to this section must be used solely for environmentally beneficial purposes and other activities identified in the court decree and approved by the Attorney General.

PART MMMM

Sec. MMMM-1. 5 MRSA §12004-J, sub-§19 is enacted to read:

19.

Aging and Disability	Aging and Disability Mortality Review Panel	Not Authorized	22 MRSA §264
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Sec. MMMM-2. 22 MRSA §264 is enacted to read:

§264. Aging and Disability Mortality Review Panel

1. Panel established. The Aging and Disability Mortality Review Panel, referred to in this section as "the panel," is established to review deaths of and serious injuries to all adults receiving services.

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

A. "Adults receiving services" means adults receiving home-based and community-based services under 42 Code of Federal Regulations, Part 441.

B. "Panel coordinator" means an employee of the Maine Center for Disease Control and Prevention who is appointed by the commissioner. The panel

coordinator must be a registered nurse, nurse practitioner, physician assistant or physician licensed or registered in this State and who has completed a nationally certified training program for conducting critical incident, including death, investigations or will complete the training within 6 months of appointment as panel coordinator.

C. "Preventable death" means a premature death that could have been avoided.

D. "Serious injury" means a bodily injury that involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a body part or organ or mental faculty.

E. "Suspicious death" means an unexpected death in which the circumstance or cause is medically or legally unexplained or inadequately explained or a death in which the circumstance or cause is suspected to be related to systemic issues of service access or quality.

3. Composition. The panel consists of up to 15 members and includes health care providers, social service providers, public health officials and other persons with professional expertise on the health and mortality of adults with disabilities and adults who are aging. The commissioner shall appoint the members of the panel unless otherwise specified. At a minimum, the panel consists of the following members:

A. The person who is lead staff attorney for investigations for the Office of the Attorney General or that person's designee;

B. The person who is lead staff attorney for health care crime investigations for the Office of the Attorney General or that person's designee;

C. A person within the department responsible for licensing and certification;

D. A person within the department responsible for aging and disability services;

E. The executive director of the statewide protection and advocacy agency for individuals with disabilities contracted by the department pursuant to Title 5, section 19502 or the executive director's designee;

F. The executive director of the long-term care ombudsman program as established in section 5106, subsection 11-C or the executive director's designee;

G. A member of the Maine Developmental Services Oversight and Advisory Board as established in Title 5, section 12004-J, subsection 15 as nominated by that board;

H. A health care provider who is licensed under Title 32, chapter 36 or 48 and who has expertise and experience in delivering services to individuals with intellectual disabilities or autism nominated by a statewide association representing physicians;

I. A representative of the developmental service provider community who has expertise regarding community services for individuals with intellectual disabilities or autism;

J. A representative of the provider community serving older adults and adults with physical disabilities who has expertise in home-based and community-based services;

K. A representative of the provider community who has expertise in delivering home-based and community-based services to individuals with brain injuries or other related conditions; and

L. A person who has expertise in forensic pathology.

4. Terms; meetings; chair. The term for each member of the panel is 3 years, except that members serve at the pleasure of the commissioner. A member may serve until a successor has been appointed. Members may be reappointed. A vacancy must be filled as soon as practicable by appointment for the unexpired term. The panel shall meet at least 4 times each year and sufficiently frequently to carry out its duties and to guarantee the timely and comprehensive reviews of all deaths and serious injuries as required in this section. The commissioner or the commissioner's designee shall call the first meeting. The panel shall elect a chair from among its members annually.

5. Panel coordinator; powers and duties. The panel coordinator has the following powers and duties.

A. The panel coordinator shall conduct preliminary reviews of all deaths of and serious injuries to all adults receiving services to determine whether to refer a case to the panel if the panel coordinator determines that any of the following circumstances exist:

(1) The death or serious injury was unexpected;

(2) The death was premature;

(3) The death or serious injury was preventable;

(4) Issues with the system of care are indicated;

(5) Facts and circumstances related to the death or serious injury indicate that the department or providers of home-based and community-based services to adults receiving services could implement actions that would

improve the health and safety of those adults receiving services; or

(6) Other issues or facts related to the death or serious injury indicate the case should be reviewed by the panel.

The panel coordinator shall also refer cases based on the need to review particular causes and circumstances of death or serious injury or the need to obtain a representative sample of all deaths.

The panel coordinator shall conduct preliminary reviews within 7 days of the date the death or serious injury was reported. Preliminary reviews of a death may not be officially closed until the death certificate has been received and reviewed by the panel coordinator.

B. The panel coordinator has access to the following records:

- (1) Death certificates;
- (2) Autopsy, medical examiner and coroner reports;
- (3) Emergency medical personnel reports and documentation;
- (4) Health care information of an adult receiving services who is deceased pursuant to section 1711-C, subsection 6, paragraph V. For the purposes of this subparagraph, "health care information" has the same meaning as in section 1711-C, subsection 1, paragraph E; and
- (5) Notwithstanding any provision of law to the contrary, information or records from the department determined by the panel coordinator to be necessary to carry out the panel coordinator's duties. The department shall provide the panel coordinator with direct access to the information or records or provide the information or records necessary and relevant as soon as is practicable upon oral or written request of the panel coordinator. Records that must be provided include, but are not limited to, the following:
 - (a) Personal plans and treatment plans of an adult receiving services when that adult is deceased or injured;
 - (b) Service plans and agreements developed on behalf of an adult receiving services;
 - (c) Documents from providers of home-based and community-based services and case managers;
 - (d) Documents related to an adult protective case or investigation; and

(e) Reports relating to incidents or reportable events of an adult receiving services that occurred in the 12 months prior to the adult's death or serious injury.

C. The panel coordinator may conduct voluntary interviews with parties that may have relevant information for a preliminary review pursuant to paragraph A, including a guardian of, the family of or the provider of services to the adult receiving services who has died or experienced serious injury, in accordance with this paragraph.

- (1) For interviews pertaining to serious injury of an adult receiving services, prior to conducting any interview, the panel coordinator shall obtain the permission of the adult or the adult's guardian, if the adult cannot consent.
- (2) For interviews pertaining to preventable death or suspicious death of an adult receiving services, prior to conducting any interview, the panel coordinator shall obtain the permission of the adult's personal representative if one was appointed or, if there is no personal representative, the adult's guardian if the adult had a guardian.
- (3) The purpose of an interview must be limited to gathering information or data for the panel, provided in summary or abstract form without family names or identification of the adult receiving services.
- (4) The panel coordinator may delegate the responsibility to conduct interviews pursuant to this paragraph to a registered nurse, physician assistant, nurse practitioner or physician licensed or registered in this State and who has completed a nationally certified training program for conducting critical incident investigations. If the interview pertains to a preventable death or suspicious death, the person conducting the interview must have professional training or experience in bereavement services.
- (5) A person conducting an interview under this paragraph may make a referral for bereavement counseling if indicated for and desired by the person being interviewed.

D. The panel coordinator shall endeavor to minimize the burden imposed on health care providers, hospitals and service providers.

E. A case of death of or serious injury to an adult receiving services may be referred to the panel coordinator by the commissioner, the statewide protection and advocacy agency for individuals with disabilities contracted by the department pursuant to Title 5, section 19502, a member of the panel or any other person who presents credible

evidence that a death or serious injury warrants referral to the panel as determined by preliminary review by the panel coordinator.

F. The panel coordinator shall prepare a summary and abstract of relevant trends in deaths of the population of adults receiving services for comparison to cases reviewed by the panel pursuant to subsection 6.

G. The panel coordinator shall prepare a review summary or abstract of information regarding each case, as determined to be useful to the panel and at a time determined to be timely, without the name or identifier of the adult receiving services who is deceased or who has experienced a serious injury, to be presented to the panel.

H. The panel coordinator shall, in conjunction with the department, establish and maintain a state mortality database that includes, but is not limited to, the following:

- (1) Name, age, sex, race or ethnicity and type of disability or condition of the adult receiving services who is deceased;
- (2) Community-based services received by the adult receiving services who is deceased and the name of the service provider;
- (3) Description of the events leading to the death of the adult receiving services and the immediate circumstances of the death;
- (4) Location of the death, such as the home of the adult receiving services, community setting, hospital or hospice;
- (5) Immediate and secondary causes of death of an adult receiving services, including if the death was:
 - (a) Expected due to a known terminal illness;
 - (b) Associated with a known chronic illness;
 - (c) A sudden unexpected death;
 - (d) Due to an unknown cause;
 - (e) Due to an accident, including the type of accident;
 - (f) Due to a self-inflicted injury or illness, including suicide or serious self-injurious behavior;
 - (g) Due to suspicious or unusual circumstances; and
 - (h) Due to suspected or alleged neglect, abuse or criminal activity;
- (6) Whether an autopsy was conducted and a narrative of any findings from the autopsy;

(7) Findings of the preliminary reviews of all deaths by the panel coordinator pursuant to paragraph A;

(8) Findings of the comprehensive reviews by the panel pursuant to subsection 6; and

(9) Recommendations pursuant to subsection 6, paragraph B issued by the panel and information related to the implementation of those recommended corrective actions.

I. The panel coordinator shall determine the records that are made available to the panel for the purposes of reviewing cases of death or serious injury. The panel coordinator shall maintain custody of all records.

6. Panel; powers and duties. The panel shall conduct comprehensive multidisciplinary reviews of data presented by the panel coordinator, with a particular focus on preventable deaths, suspicious deaths and serious injuries.

A. The panel shall review all cases of death or serious injury that are referred by the panel coordinator. A review of a case by the panel is a comprehensive evaluation of the circumstances surrounding the death of or serious injury to an adult receiving services, including the overall care of the adult, quality of life issues, the death or serious injury event and the medical care that preceded and followed the event.

B. The panel shall submit an annual report, no later than January 2nd of each year beginning in 2022, to the Governor, the commissioner, the joint standing committee of the Legislature having jurisdiction over health and human services matters and the Maine Developmental Services Oversight and Advisory Board established in Title 5, section 12004-J, subsection 15. The report must contain the following:

- (1) Factors contributing to the mortality of adults receiving services;
- (2) Strengths and weaknesses of the system of care;
- (3) Recommendations for the commissioner to decrease the rate of mortality of adults receiving services;
- (4) Recommendations about methods to improve the system for protecting adults receiving services, including modifications to law, rules, training, policies and procedures; and
- (5) Any other information the panel considers necessary for the annual report.

C. The panel shall offer a copy of the annual report under paragraph B to any party who granted permission for an interview conducted by the panel coordinator pursuant to subsection 5, paragraph C.

D. Following the submission of the annual report to the commissioner and the joint standing committee of the Legislature having jurisdiction over health and human services matters pursuant to paragraph B, the report must be released to the public.

7. Access to information and records. In any case subject to review by the panel under subsection 6, upon oral or written request of the panel, notwithstanding any provision of law to the contrary, a person that possesses information or records that are necessary and relevant to a panel review shall as soon as practicable provide the panel with the information or records. Persons disclosing or providing information or records upon request of the panel are not criminally or civilly liable for disclosing or providing information or records in compliance with this subsection.

8. Confidentiality. Records held by the panel coordinator or the panel are confidential to the same extent they are confidential while in the custody of the entity that provided the record to the panel coordinator or the panel. Records relating to interviews conducted pursuant to subsection 5, paragraph C by the panel coordinator and proceedings of the panel are confidential and are not subject to subpoena, discovery or introduction into evidence in a civil or criminal action. The commissioner shall disclose conclusions of the panel upon request but may not disclose information, records or data that are otherwise classified as confidential.

9. Rulemaking. The department shall adopt rules to implement this section, including rules on collecting information and data, selecting and setting any limits on the number of terms for the members of the panel, managing and avoiding conflicts of interest of members, collecting and using individually identifiable health information and conducting reviews. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. MMMM-3. 22 MRSA §1711-C, sub-§6, ¶T, as amended by PL 2017, c. 203, §3, is further amended to read:

T. To a lay caregiver designated by an individual pursuant to section 1711-G; ~~and~~

Sec. MMMM-4. 22 MRSA §1711-C, sub-§6, ¶U, as enacted by PL 2017, c. 203, §4, is amended to read:

U. To a panel coordinator of the maternal, fetal and infant mortality review panel pursuant to section 261, subsection 4, paragraph B-1 for the purposes of reviewing health care information of a deceased person and a mother of a child who died within one year of birth, including fetal deaths after 28 weeks

of gestation. For purposes of this paragraph, "panel coordinator" has the same meaning as in section 261, subsection 1, paragraph E and "deceased person" has the same meaning as in section 261, subsection 1, paragraph B-; ~~and~~

Sec. MMMM-5. 22 MRSA §1711-C, sub-§6, ¶V is enacted to read:

V. To a panel coordinator of the Aging and Disability Mortality Review Panel pursuant to section 264, subsection 5, paragraph B, subparagraph (4) for the purposes of reviewing health care information of an adult receiving services who is deceased, in accordance with section 264, subsection 5, paragraph A. For purposes of this paragraph, "panel coordinator" has the same meaning as in section 264, subsection 2, paragraph B.

Sec. MMMM-6. Initial appointments; staggered terms. All appointments to the Aging and Disability Mortality Review Panel established in the Maine Revised Statutes, Title 22, section 264 must be made no later than 90 days after the effective date of this Part. Notwithstanding Title 22, section 264, subsection 4, of the initial appointments to the Aging and Disability Mortality Review Panel, the Commissioner of Health and Human Services shall appoint 2 members to serve an initial term of one year, 2 members to serve an initial term of 2 years and the remainder to serve an initial term of 3 years.

PART NNNN

Sec. NNNN-1. Transfer to Department of Administrative and Financial Services, Homestead Property Tax Exemption Reimbursement program. Notwithstanding any provision of law to the contrary, on or before June 30, 2022, the State Controller shall transfer \$97,080,000 from the unappropriated surplus of the General Fund to the Department of Administrative and Financial Services, Homestead Property Tax Exemption Reimbursement program, Other Special Revenue Funds account.

Sec. NNNN-2. Transfer to Department of Administrative and Financial Services, Homestead Property Tax Exemption Reimbursement program. Notwithstanding any provision of law to the contrary, on or before June 30, 2023, the State Controller shall transfer \$97,580,000 from the unappropriated surplus of the General Fund to the Department of Administrative and Financial Services, Homestead Property Tax Exemption Reimbursement program, Other Special Revenue Funds account.

PART OOOO

Sec. OOOO-1. 20-A MRSA §6602, sub-§1, ¶B, as enacted by PL 2007, c. 539, Pt. III, §1, is amended to read:

B. A public school that serves breakfast shall provide ~~all students~~ a student who ~~are~~ is eligible for

free and reduced-price meals under paragraph A a meal that meets the requirements of the federal School Breakfast Program set forth in 7 Code of Federal Regulations, Part 220 (2007) at no cost to the student. The State shall provide to the public school funding equal to the difference between the federal reimbursement for a free breakfast and the federal reimbursement for a reduced-price breakfast for each student eligible for a reduced-price breakfast and receiving breakfast.

¶D, Sec. OOOO-2. 20-A MRSA §6602, sub-§1, as enacted by PL 2019, c. 343, Pt. NNNN, §1, is amended to read:

D. A public school that serves lunch shall provide ~~all students~~ a student who ~~are~~ is eligible for free and reduced-price meals under paragraph A a meal that meets the requirements of the federal National School Lunch Program set forth in 7 Code of Federal Regulations, Part 210 (2019) at no cost to the student. The State shall provide to the public school funding equal to the difference between the federal reimbursement for a free lunch and the federal reimbursement for a reduced-price lunch for each student eligible for a reduced-price lunch and receiving lunch.

¶H, Sec. OOOO-3. 20-A MRSA §6602, sub-§1, is enacted to read:

H. A public school that serves breakfast shall provide a student who is ineligible for free or reduced-price meals under paragraph A a meal that meets the requirements of the federal School Breakfast Program set forth in 7 Code of Federal Regulations, Part 220 (2007) at no cost to the student. The State shall provide to the public school funding equal to the difference between the federal reimbursement for a free breakfast and the full price of the breakfast for each student ineligible for a free or reduced-price breakfast and receiving breakfast.

¶I, Sec. OOOO-4. 20-A MRSA §6602, sub-§1, is enacted to read:

I. A public school that serves lunch shall provide a student who is ineligible for free or reduced-price meals under paragraph A a meal that meets the requirements of the federal National School Lunch Program set forth in 7 Code of Federal Regulations, Part 210 (2019) at no cost to the student. The State shall provide to the public school funding equal to the difference between the federal reimbursement for a free lunch and the full price of the lunch for each student ineligible for a free or reduced-price lunch and receiving lunch.

¶J, Sec. OOOO-5. 20-A MRSA §6602, sub-§1, is enacted to read:

J. A school or school administrative unit shall request the parent or guardian of each student to

complete a household income form provided by the department to determine a family's economic status to determine eligibility for state and federal food assistance programs under this subchapter. This requirement does not apply if the school or school administrative unit is able to obtain equivalent information through another means.

¶K, Sec. OOOO-6. 20-A MRSA §6602, sub-§1, is enacted to read:

K. The Meals for Students Fund, referred to in this section as "the fund," is established as a nonlapsing, dedicated fund within the Department of Education to provide funds for the costs to the State to pay the difference between the federal reimbursement for a free breakfast or lunch and the full price of a breakfast or lunch for students that are ineligible for a free or reduced-price breakfast or lunch. The fund may receive money from any available state, federal or private source.

Sec. OOOO-7. Participation in federal universal meal options. To the maximum extent possible, a school administrative unit that serves breakfast or lunch and is eligible for the community eligibility provision under the federal Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296, Section 104(a) or other federal universal meal programs shall maximize participation in the programs including the federal resources available in those programs by expanding access to breakfast and lunch at no cost for all eligible students at a school.

Sec. OOOO-8. Fiscal year 2020-21 year-end unappropriated surplus; priority transfer. The State Controller, at the close of the fiscal year ending June 30, 2021, as the next priority after the transfers authorized pursuant to the Maine Revised Statutes, Title 5, sections 1507 and 1511, the transfer of \$2,500,000 for the Reserve for the General Fund Operating Capital pursuant to section 1536 and the transfers to the Retiree Health Insurance Internal Service Fund pursuant to section 1519 and after all required deductions of appropriations, budgeted financial commitments and adjustments considered necessary by the State Controller have been made, and any transfers to the Highway and Budget Reserve Other Special Revenue account authorized by Part ZZZ and any transfers to the Department of Agriculture, Conservation and Forestry, Land for Maine's Future – Community Conservation Projects Other Special Revenue Funds account authorized by Part FFFF, shall transfer \$10,000,000 from the available balance of the unappropriated surplus of the General Fund to the Meals for Students Fund Other Special Revenue Funds account established within the Department of Education pursuant to Title 20-A, section 6602, subsection 1 for the costs to the State to pay the difference between the federal reimbursement for a free breakfast or lunch and the full price of a breakfast or lunch for students that are ineligible for a free or reduced-price

breakfast or lunch during the 2022-2023 school year only. Notwithstanding any provision of law to the contrary, the Department of Education is authorized to expend the funds transferred pursuant to this section only if the department does not receive a waiver from the United States Department of Agriculture that allows for the provision of free meals to students during the 2022-2023 school year.

PART PPPP

Sec. PPPP-1. 36 MRSA §683, sub-§3, as amended by PL 2019, c. 343, Pt. H, §3, is further amended to read:

3. Effect on state valuation. For property tax years beginning before April 1, 2018, 50% of the just value of all the homestead exemptions under this subchapter must be included in the annual determination of state valuation under sections 208 and 305. For property tax years beginning on April 1, 2018 and April 1, 2019, 62.5% of the just value of all the homestead exemptions under this subchapter must be included in the annual determination of state valuation under sections 208 and 305. For property tax years beginning on ~~or after~~ April 1, 2020 and April 1, 2021, 70% of the just value of all the homestead exemptions under this subchapter must be included in the annual determination of state valuation under sections 208 and 305. For property tax years beginning on ~~or after~~ April 1, 2022, a percentage of the just value of all the homestead exemptions under this subchapter must be included in the annual determination of state valuation under sections 208 and 305. The percentage for each property tax year is the same as the percentage of state reimbursement for that property tax year under section 685, subsection 2.

Sec. PPPP-2. 36 MRSA §683, sub-§4, as amended by PL 2019, c. 343, Pt. H, §3, is further amended to read:

4. Property tax rate. For property tax years beginning before April 1, 2018, 50% of the just value of all the homestead exemptions under this subchapter must be included in the total municipal valuation used to determine the municipal tax rate. For property tax years beginning on April 1, 2018 and April 1, 2019, 62.5% of the just value of all the homestead exemptions under this subchapter must be included in the total municipal valuation used to determine the municipal tax rate. For property tax years beginning on ~~or after~~ April 1, 2020 and April 1, 2021, 70% of the just value of all the homestead exemptions under this subchapter must be included in the total municipal valuation used to determine the municipal tax rate. For property tax years beginning on or after April 1, 2022, a percentage of the just value of all the homestead exemptions under this subchapter must be included in the total municipal valuation used to determine the municipal tax rate. The percentage for each property tax year is the same as the percentage of state reimbursement for that property tax year under section 685, subsection 2. The municipal tax

rate as finally determined may be applied to only the taxable portion of each homestead qualified for that tax year.

Sec. PPPP-3. 36 MRSA §685, sub-§2, as amended by PL 2019, c. 343, Pt. H, §4, is further amended to read:

2. Entitlement to reimbursement by the State; calculation. A municipality that has approved homestead exemptions under this subchapter may recover from the State:

A. For property tax years beginning before April 1, 2018, 50% of the taxes lost by reason of the exemptions under section 683, subsections 1 and 1-B;

B. For property tax years beginning on April 1, 2018 and April 1, 2019, 62.5% of the taxes lost by reason of the exemptions under section 683, subsections 1 and 1-B; ~~and~~

C. For property tax years beginning on ~~or after~~ April 1, 2020 and April 1, 2021, 70% of the taxes lost by reason of the exemptions under section 683, subsections 1 and 1-B;

D. For property tax years beginning on April 1, 2022, 73% of the taxes lost by reason of the exemptions under section 683, subsections 1 and 1-B; and

E. For property tax years beginning on or after April 1, 2023, the percentage of the taxes lost by reason of the exemptions under section 683, subsections 1 and 1-B that is 3 percentage points over the percentage for the previous year until the percentage of reimbursement reaches 100%.

The municipality must provide proof in a form satisfactory to the bureau. The bureau shall reimburse the Unorganized Territory Education and Services Fund in the same manner for taxes lost by reason of the exemptions.

Sec. PPPP-4. Transfer to the Department of Administrative and Financial Services, Homestead Property Tax Exemption Reimbursement Program. Notwithstanding any provision of law to the contrary, on or before June 30, 2023, the State Controller shall transfer \$3,145,000 from the unappropriated surplus of the General Fund to the Department of Administrative and Financial Services, Homestead Property Tax Exemption Reimbursement program, Other Special Revenue Funds account.

PART QQQQ

Sec. QQQQ-1. Department of Health and Human Services to appropriate funding for emergency supplemental payments. The Department of Health and Human Services, referred to in this Part as "the department," shall appropriate \$20,000,000 from the General Fund for emergency supplemental payments for nursing facilities, so-called private non-medical institution Appendix C facilities and adult family care homes, within existing resources, to provide

funding to account for increased costs related to coronavirus disease 2019, referred to in this Part as "COVID-19." The department shall amend its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for Nursing Facilities, Chapter III, Section 97, Appendix C, Principles of Reimbursement for Medical and Remedial Service Facilities and Chapter III, Section 2, Adult Family Care Services to increase reimbursement rates with \$20,000,000 in state funds together with allowable federal matching Medicaid funds. The department shall implement the same accountability and transparency requirements, requirements regarding the appropriate use of funds, bonus payments for job performance and cost settlement requirements that applied to the use of temporary rate increases that were in effect from March 1, 2020 to May 31, 2020. The increased rates under this section must remain in effect until December 31, 2021 or until the state of emergency due to COVID-19 has ended as declared by the Governor, whichever is later. The department shall allocate the funds through a process modeled after the supplemental payments that were in effect from March 1, 2020 to May 31, 2020 and that targets lower-occupancy facilities beginning immediately and ending December 31, 2021 but that applies retroactively to costs dating to the most recent quarter permissible under federal law.

Sec. QQQQ-2. Department of Health and Human Services to allocate certain federal funds for grants to nursing facilities and private nonmedical institution Appendix C facilities to provide relief and avoid closures. The department shall allocate \$12,500,000 in remaining available federal funding from the federal Coronavirus Aid, Relief, and Economic Security Act, or CARES Act, for facility grants to nursing facilities and to so-called private non-medical institution Appendix C facilities for COVID-19 related expenses. Seventy percent of this amount must be allocated to nursing facilities and 30% must be allocated to private nonmedical institution Appendix C facilities. These grants must be disbursed by October 1, 2021 to provide immediate relief and avoid facility closures. The Department of Economic and Community Development shall allocate the disbursement using the same or similar guidelines used by the federal Department of Health and Human Services in its disbursement of CARES Act federal relief funding directed to such facilities in the last 12 months.

Sec. QQQQ-3. Department of Health and Human Services to waive certain audit cost settlement rules. The department shall amend its rules and practices so that the grant funds provided pursuant to section 2 are not cost settled under the department's nursing facility audit processes but are retained by nursing facilities. The department shall waive any reduction or adjustment to allowable MaineCare costs on filed or audited cost reports under department rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 67,

Principles of Reimbursement for Nursing Facilities that would otherwise result from the receipt of the supplemental payments from the grant funds.

Sec. QQQQ-4. Stimulus funding. To the extent resources are available from federal funding allocated to the State in any federal law enacted after December 15, 2020 that provides stimulus funds due to the ongoing pandemic related to COVID-19, the department shall designate a portion of this funding to nursing facilities for the purposes of this Part instead of using appropriations from the General Fund.

PART RRRR

Sec. RRRR-1. 5 MRSA §25007, sub-§1, ¶C, as enacted by PL 2019, c. 457, §2, is amended to read:

C. Beginning ~~January 1, 2020~~ March 1, 2022, and ~~biennially~~ annually thereafter, report to the Governor and the Legislature concerning the work and interests of the commission, including a summary of public comments obtained pursuant to paragraph B.

PART SSSS

Sec. SSSS-1. 4 MRSA §1603, sub-§3-A is enacted to read:

3-A. Career and technical education center. "Career and technical education center" has the same meaning as "center" in Title 20-A, section 8301-A, subsection 3.

Sec. SSSS-2. 4 MRSA §1603, sub-§3-B is enacted to read:

3-B. Career and technical education region. "Career and technical education region" has the same meaning as "region" in Title 20-A, section 8301-A, subsection 6.

Sec. SSSS-3. 4 MRSA §1603, sub-§4-A is enacted to read:

4-A. Equipment purchases. "Equipment purchases" means the purchase of new or updated equipment and any capital improvements necessary to use the new or updated equipment.

Sec. SSSS-4. 4 MRSA §1603, sub-§7, as amended by PL 1997, c. 788, §1, is further amended to read:

7. Project, projects or part of any project. "Project, projects or part of any project" means the acquisition, construction, improvement, reconstruction or equipping of, or construction of an addition or additions to, any structure designed for use as a court facility, state office or state activity space and intended to be used primarily by the State, any agency, instrumentality or department of the State or by any branch of State Government. The structure may include facilities for the use of related agencies of state, county or local government. "Project, projects or part of any project"

includes all real and personal property, lands, improvements, driveways, roads, approaches, pedestrian access roads, parking lots, parking facilities, rights-of-way, utilities, easements and other interests in land, machinery and equipment and all fixtures, appurtenances and facilities either on, above or under the ground that are used or usable in connection with the structure, and also includes landscaping, site preparation, furniture, machinery, equipment and other similar items necessary or convenient for the operation of a particular facility or structure in the manner for which its use is intended. "Project, projects or part of any project" also includes the acquisition, construction, improvement, reconstruction or repair of any equipment, device, technology, software or other personal property intended to be used primarily by the State, any agency, instrumentality or department of the State or by any branch of State Government or any related agency of state, county or local government. For the purpose of implementing section 1610-M, "project, projects or part of any project" also includes equipment purchases for career and technical education centers and career and technical education regions. The exact scope of each project, projects or part of any project, other than those for the Judicial Branch and the Legislative Branch, must be set forth in a written designation by the Commissioner of Administrative and Financial Services to the authority and the exact scope of each project, projects or part of any project for the Judicial Branch must be set forth in a written designation by the State Court Administrator to the authority. The scope of each project for the Legislative Branch must receive a majority vote of the Legislative Council and be set forth in a written designation by the Executive Director of the Legislative Council to the authority. "Project, projects or part of any project" does not include such items as fuel, supplies or other items that are customarily considered as a current operating charge.

Sec. SSSS-5. 4 MRSA §1604, sub-§18, as amended by PL 1997, c. 523, §9, is further amended to read:

18. Lease or rent any land, buildings, structures, facilities or equipment. To lease or rent any land, buildings, structures, facilities or equipment comprising all or a portion of a project, projects or part of any project for such amounts as the authority determines to the State or any agency, instrumentality or department of the State or a career and technical education center or career and technical education region or by any branch of State Government or any related agency of state, county or local government or a career and technical education center or career and technical education region, to further the purposes of the Act, provided that the obligation of the State or of any such agency, instrumentality, department or branch or of a career and technical education center or career and technical education region to make any rental or other payments is considered executory only to the extent of

money made available by the Legislature, and that no liability on account of the state agency, instrumentality, department or branch or career and technical education center or career and technical education region may be incurred by the State or any such agency, instrumentality, department or branch or career and technical education center or career and technical education region beyond the money available for that purpose;

Sec. SSSS-6. 4 MRSA §1610-M is enacted to read:

§1610-M. Additional securities; career and technical education centers and regions

1. Additional securities. Notwithstanding any limitation on the amount of securities that may be issued pursuant to section 1606, subsection 2, the authority may issue additional securities in an aggregate amount not to exceed \$20,000,000 for equipment purchases to career and technical education centers and career and technical education regions in accordance with this section, and the additional securities must be used for those purposes.

2. Delegation. The authority may delegate those powers that may be delegated to the Department of Administrative and Financial Services, Bureau of General Services pursuant to section 1604, subsection 26 to the career and technical education region cooperative board, as defined in Title 20-A, section 1, subsection 6, or the school administrative unit that governs a career and technical education center subject to the same terms and conditions.

3. Issuance. The authority may not issue any additional securities pursuant to this section after June 30, 2023.

4. Report. The authority shall report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs upon the allocation of all bond proceeds pursuant to this section. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may report out a bill to repeal this section and any related provisions of law upon receipt of that report.

5. Department of Education national industry standards evaluation. A career and technical education center or career and technical education region may submit an application for a project, projects or part of any project to the Department of Education. The Department of Education shall establish criteria, including an evaluation pursuant to Title 20-A, section 15688-A, subsection 6, for the approval of any project, projects or part of any project. The Department of Education shall notify the authority of any approved project, projects or part of any project under this subsection.

6. Debt service. Debt service costs for bonds issued by the authority to career and technical education centers and career and technical education regions for

equipment purchases pursuant to this section must be paid by the State. On or before September 1st of each year, the authority shall prepare and submit to the Department of Education estimates of the appropriation requirements necessary to pay the debt service for each fiscal year of the ensuing biennium for bonds issued by the authority to career and technical education centers and career and technical education regions for equipment purchases.

Debt service costs must be paid by the Commissioner of Education to the authority according to each career and technical education center's or career and technical education region's debt retirement schedule developed by the authority.

All debt service costs must be paid by the Commissioner of Education to the authority one business day prior to the date of the career and technical education center's or career and technical education region's next debt service cost payment as outlined in the career and technical education center's or career and technical education region's debt retirement schedule. If the payment date falls on a Monday, payment must be made to the authority on the preceding Friday.

Sec. SSSS-7. Maine Governmental Facilities Authority report. The executive director of the Maine Governmental Facilities Authority shall report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs no later than January 15, 2022 if the Maine Governmental Facilities Authority determines that additional legislation is necessary to carry out the purposes of this Act, including but not limited to any legislation necessary to ensure that securities issued pursuant to this Act are tax-exempt. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may report out legislation on the subject matter of the report to the Second Regular Session of the 130th Legislature.

PART TTTT

Sec. TTTT-1. Transfer to the Department of Health and Human Services, Medical Care - Payments to Providers program. Notwithstanding any provision of law to the contrary, on or before June 30, 2023, the State Controller shall transfer \$15,000,000 from the unappropriated surplus of the General Fund to the Department of Health and Human Services, Medical Care - Payments to Providers program, Other Special Revenue Funds account.

PART UUUU

Sec. UUUU-1. 21-A MRSA §161, sub-§2-B is enacted to read:

2-B. Information sharing with other states. The Secretary of State shall contract with a nonprofit corporation of member states for periodic sharing of voter registration information, including information on

names and addresses of voters in member states. The Secretary of State shall periodically update the central voter registration system based on the information obtained from the nonprofit corporation of member states.

Sec. UUUU-2. 21-A MRSA §752, sub-§3, as repealed and replaced by PL 2001, c. 310, §51, is amended to read:

3. Form of return envelope. The Secretary of State shall design or approve the form of the absentee ballot return envelope. The Secretary of State may not design or approve a return envelope for use in a general election that includes any mark visible on the outside of the return envelope or a space designated for making a mark visible on the outside of the return envelope that indicates the political party of the voter to whom the absentee ballot is issued.

Sec. UUUU-3. 21-A MRSA §753-A, sub-§8 is enacted to read:

8. Application for ongoing absentee voter status. A voter who will be at least 65 years of age by the next election or who self-identifies as having a disability may apply for status as an ongoing absentee voter. Each qualified applicant must automatically receive an absentee ballot for each ensuing statewide election, municipal election and any other election for which the voter is entitled to vote and need not submit a separate request for each election.

A. An application for status as an ongoing absentee voter must be made by a voter using procedures designed by the Secretary of State. These procedures must include a process for notifying the voter that if the voter moves out of the municipality, that voter's status as an ongoing absentee voter in that municipality terminates. A voter may obtain assistance in completing an application for ongoing absentee voter status pursuant to subsection 5.

B. The clerk or Secretary of State shall terminate a voter's ongoing absentee voter status only upon:

- (1) The written request of the voter;
- (2) The death or disqualification of the voter;
- (3) The cancellation of the voter's registration record in the central voter registration system;
- (4) The return of an absentee ballot as undeliverable;
- (5) The failure of the voter to vote by absentee ballot for a general election; or
- (6) The designation of the voter's status as inactive in the central voter registration system.

This subsection does not apply to uniformed service voters or overseas voters who are covered by the federal Uniformed and Overseas Citizens Absentee Voting Act, 52 United States Code, Section 20302 (2019).

Sec. UUUU-4. 21-A MRSA §753-A, sub-§9 is enacted to read:

9. Telephone and e-mail contact information. In addition to any required information, a voter applying for an absentee ballot or an ongoing absentee ballot must be asked to provide that voter's telephone number and e-mail address, if available.

Sec. UUUU-5. 21-A MRSA §753-B, sub-§1, as amended by PL 2021, c. 273, §16, is further amended to read:

1. Application or written request received Issuance of absentee ballots. Upon receipt of an application or written request for an absentee ballot that is accepted pursuant to section 753-A, and after the official ballots become available, the clerk shall immediately issue an absentee ballot and return envelope by mail or in person to the applicant or to the immediate family member or to a 3rd person designated in a written application or request made by the voter, except as provided in subsection 2. Upon receipt of the official ballots, the clerk shall immediately issue an absentee ballot and return envelope by mail to any voter who has qualified for ongoing absentee voter status under section 753-A, subsection 7. The clerk shall type or write in ink the name and the residence address of the voter in the designated section of the return envelope. The clerk may not make any mark visible on the outside of the return envelope for use in a general election that indicates the political party of the voter to whom an absentee ballot is issued.

Sec. UUUU-6. **Membership agreement with Electronic Registration Information Center, Inc.** By January 1, 2023, the Secretary of State shall enter into a membership agreement with the Electronic Registration Information Center, Inc. on behalf of the State pursuant to the Maine Revised Statutes, Title 21-A, section 161, subsection 2-B. The agreement must include terms providing for the periodic sharing of information, including, but not limited to, voter names and addresses, between the Electronic Registration Information Center, Inc. and the central voter registration system of the Department of the Secretary of State.

Sec. UUUU-7. **Effective date.** That section of this Part that enacts the Maine Revised Statutes, Title 21-A, section 161, subsection 2-B takes effect January 1, 2023. Those sections of this Part that enact Title 21-A, section 753-A, subsections 8 and 9 and those sections of this Part that amend Title 21-A, section 752, subsection 3 and section 753-B, subsection 1 take effect November 1, 2023.

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

Effective July 1, 2021, unless otherwise indicated.

**CHAPTER 399
H.P. 52 - L.D. 86**

An Act To Make Sales to Area Agencies on Aging Tax-exempt

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

Sec. 1. 36 MRSA §1760, sub-§107 is enacted to read:

107. Area agency on aging. Beginning January 1, 2022, sales to an area agency on aging designated under Title 22, section 5116, subsection 1, paragraph B, or sales to a public or nonprofit private agency that is operating under grants authorized by Title 22, chapter 1457, that is providing social services in order to secure and maintain maximum independence and dignity in a home environment for older people capable of self-care with appropriate supportive services.

See title page for effective date.

**CHAPTER 400
S.P. 51 - L.D. 121**

An Act To Require a Background Check for High-risk Health Care Providers under the MaineCare Program

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

Sec. 1. 22 MRSA §5307 is enacted to read:

§5307. Background check for high-risk provider applicants under the MaineCare program

1. Definition. As used in this section, unless the context otherwise indicates, "State Police" means the Department of Public Safety, Bureau of State Police.

2. Background check. The department shall request a background check for MaineCare provider applicants who are high-risk providers or in high-risk provider categories as those terms are defined by department rule. The background check must include criminal history record information obtained from the Maine Criminal Justice Information System and the Federal Bureau of Investigation.

A. The criminal history record information obtained from the Maine Criminal Justice Information System must include a record of public criminal history record information as defined in Title 16, section 703, subsection 8.

B. The criminal history record information obtained from the Federal Bureau of Investigation must include other state and national criminal history record information.

C. A provider applicant shall submit to having fingerprints taken. The State Police, upon payment by the provider applicant, shall take or cause to be taken the applicant's fingerprints and shall forward the fingerprints to the State Bureau of Identification so that bureau can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the State Police for purposes of this paragraph must be paid over to the Treasurer of State. The money must be applied to the expenses of administration incurred by the Department of Public Safety.

D. The subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of the criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of a state criminal history record check may inspect and review the criminal history record information pursuant to Title 16, section 709.

E. State and national criminal history record information of a provider applicant must be used by the department for the purpose of screening that provider applicant.

F. Information obtained pursuant to this subsection is confidential. The results of background checks received by the department are for official use only and may not be disseminated to any other person or entity.

G. An individual whose enrollment as a MaineCare provider has expired and who has not applied for renewal may request in writing that the State Bureau of Identification remove the individual's fingerprints from the bureau's fingerprint file. In response to a written request, the bureau shall remove the individual's fingerprints from the fingerprint file and provide written confirmation of that removal.

3. Rules. The department, following consultation with the State Bureau of Identification, shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 25 MRSA §1542-A, sub-§1, ¶V is enacted to read:

V. Who is required to have a criminal history record check under Title 22, section 5307.

Sec. 3. 25 MRSA §1542-A, sub-§3, ¶U is enacted to read:

U. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph V at the request of that person or the

Department of Health and Human Services pursuant to Title 22, section 5307.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Office of MaineCare Services 0129

Initiative: Provides one-time funding for technological changes required in the Maine Integrated Health Management Solution computer system.

GENERAL FUND	2021-22	2022-23
All Other	\$23,579	\$0
GENERAL FUND TOTAL	<u>\$23,579</u>	<u>\$0</u>
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$70,736	\$0
FEDERAL EXPENDITURES FUND TOTAL	<u>\$70,736</u>	<u>\$0</u>

See title page for effective date.

CHAPTER 401

S.P. 78 - L.D. 190

**An Act To Amend the Laws
Governing Retirement Benefit
Reductions for Corrections
Officers Currently Included in
the 1998 Special Plan**

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

Sec. 1. Computation of service retirement benefits for certain employees of the Department of Corrections. Notwithstanding the Maine Revised Statutes, Title 5, section 17851-A, subsection 4 or any other provision of law to the contrary, the service retirement benefit of a qualified member must be computed on the basis of all of the qualified member's creditable service in the capacity specified in Title 5, section 17851-A, subsection 1, paragraph I, regardless of when that creditable service was earned, except that for a member qualifying for a retirement benefit under Title 5, section 17851-A, subsection 2, paragraph B:

1. If the member had 10 years of creditable service on July 1, 1993, the benefit must be reduced as provided in Title 5, section 17852, subsection 3, paragraphs A and B for each year the member's age precedes 55 years of age; or

2. If the member had fewer than 10 years of creditable service on July 1, 1993, the benefit must be reduced by 6% for each year that the member's age precedes 55 years of age.

Sec. 2. Qualified member; definition. As used in this Act, "qualified member" means a member on the effective date of this Act to whom the Maine Revised Statutes, Title 5, section 17851-A, subsection 1, paragraph I applies and who:

1. Was employed by the Department of Corrections prior to January 1, 2000;
2. Is employed in a correctional facility as defined in Title 34-A, section 1001, subsection 6; and
3. Receives a direct care stipend pursuant to a collective bargaining agreement in effect on the effective date of this Act.

As used in this Act, the terms "creditable service," "member" and "retirement benefit" have the same meanings as in Title 5, section 17001.

Sec. 3. Transfer of settlement funds; fiscal year 2021-22. Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$280,000 from the Administration - Attorney General, Other Special Revenue Funds account within the Department of the Attorney General from funds received from settlement agreements to the unappropriated surplus of the General Fund no later than October 1, 2021.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES

Retirement System - Retirement Allowance Fund 0085

Initiative: Provides one-time funds for the cost of the unfunded actuarial liability created by allowing service retirement benefits to be calculated under the 1998 Special Plan for certain workers in the Department of Corrections who receive a direct care stipend and who are currently under the 1998 Special Plan but had previously earned retirement benefits under the regular state employee and teacher plan.

GENERAL FUND	2021-22	2022-23
All Other	\$280,000	\$0
GENERAL FUND TOTAL	\$280,000	\$0

See title page for effective date.

CHAPTER 402
H.P. 245 - L.D. 347

An Act To Facilitate Maine's Climate Goals by Encouraging Use of Electric Vehicles

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

Sec. 1. 35-A MRSA §10125, sub-§1, as enacted by PL 2019, c. 258, §1, is amended by enacting at the end a new first blocked paragraph to read:

The trust may expend funds received under paragraphs A and C consistent with the allowable uses of and any criteria or limitations placed upon the expenditure of those funds by the sources of those funds.

Sec. 2. 35-A MRSA §10126, sub-§1, ¶B, as enacted by PL 2019, c. 258, §1 and reallocated by RR 2019, c. 1, Pt. A, §54, is repealed.

Sec. 3. 35-A MRSA §10126, sub-§3, as enacted by PL 2019, c. 258, §1 and reallocated by RR 2019, c. 1, Pt. A, §54, is amended to read:

3. Rebate program established; eligibility. In accordance with the provisions of this section, the trust shall establish and administer a program that provides rebates for the purchase or lease of electric vehicles. A person may apply for and, as resources within the fund allow, receive a rebate for an electric vehicle, subject to eligibility requirements established by the trust. Eligibility criteria for the vehicle must include that the vehicle is: an eligible a battery electric vehicle or plug-in hybrid electric vehicle; purchased, or leased from its original equipment manufacturer or an authorized licensee of the original equipment manufacturer or a licensed automobile dealer for a term of 36 months or more, in the State; and registered in the State, except that a vehicle is not eligible if it has a gross vehicle weight rating of 6,000 pounds or less, is not a truck or an off-road vehicle and has a manufacturer's suggested retail price greater than \$50,000. To the extent funds are available, the trust may extend program eligibility to medium duty vehicles and heavy duty vehicles that are battery electric vehicles or plug-in hybrid electric vehicles. Eligibility requirements for the recipient of the rebate must include that the recipient attests to a commitment to retain ownership, whether through purchase or lease, of the eligible electric vehicle for at least 36 months from the date of purchase or lease. The trust may require a recipient of a rebate under this section who does not retain ownership of the eligible electric vehicle for at least 36 months to repay the trust up to the full amount of the rebate.

The trust shall establish the rebate amount for each eligible electric vehicle. The trust shall establish rebate amounts that it determines most effectively increase the purchase of eligible electric vehicles. For each model

of an eligible electric vehicle, the trust may establish different rebate amounts based on the size of the vehicle battery. The trust may establish different rebate amounts for the purpose of providing reasonable opportunity for participation in the program across different customer groups and geographic areas. The trust may establish reasonable limits on the number of rebates per vehicle or per person.

Sec. 4. Public Utilities Commission; inquiry regarding establishment of alternative rates to support electric vehicle charging stations. The Public Utilities Commission shall open an inquiry to review alternative rate structures to support electric vehicle charging stations for nonresidential applications, including, but not limited to, for light duty vehicles, medium duty vehicles, heavy duty vehicles and transit and other fleet vehicles.

1. As part of the inquiry, the commission shall direct each transmission and distribution utility in the State to develop and submit by November 1, 2021 one or more proposed rate schedules to support the installation and sustainable operation of existing and new electric vehicle charging stations and shall accept public comment on such rate schedules, including any proposals for such rate schedules, both in advance of and during its review of the proposed rate schedules submitted by each utility. A rate schedule proposed by a transmission and distribution utility must:

A. Be designed to support electric vehicle charging and align with and support relevant strategies of the State's climate action plan adopted and updated under the Maine Revised Statutes, Title 38, section 577 and to help achieve the State's greenhouse gas emissions reduction levels under Title 38, section 576-A; and

B. Include an evaluation of the relative direct and indirect costs and benefits associated with each proposed rate and must account for varying scenarios of electric vehicle adoption and usage.

2. The commission shall review all proposed rate schedules submitted by transmission and distribution utilities and, using the information provided by the utilities and any other information available to the commission, including any submitted public comments or proposals, shall evaluate the costs and benefits of the proposed schedules and develop recommendations regarding the establishment of alternative rate structures to support electric vehicle charging stations for nonresidential applications. In developing recommendations, the commission shall consider clean transportation recommendations included in the State's climate action plan, as adopted and updated under the Maine Revised Statutes, Title 38, section 577, or any reports or recommendations issued by a state department or agency relating to clean transportation or electric vehicle infrastructure and use, as well as the results of any completed

or ongoing pilot program in the State related to electric vehicle charging.

3. On or before February 15, 2022, the commission shall submit a report to the Joint Standing Committee on Energy, Utilities and Technology regarding its findings from the inquiry under this section and any recommendations, including any proposed legislation, regarding the establishment of alternative rate structures to support electric vehicle charging stations for nonresidential applications. After reviewing the report, the joint standing committee may report out legislation related to the commission's report to the 130th Legislature.

4. No earlier than April 1, 2022, the commission shall approve, approve with modifications or reject a rate schedule proposed by a transmission and distribution utility pursuant to subsection 1 and reviewed by the commission pursuant to subsection 2. If the commission rejects a proposed schedule, the commission may either order the utility to implement a rate schedule established by the commission that meets the requirements of subsection 1 or direct the utility to submit a new proposed schedule that meets the requirements of subsection 1.

See title page for effective date.

CHAPTER 403

H.P. 626 - L.D. 858

An Act To Limit Reincarceration for Persons on Probation

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

Sec. 1. 17-A MRSA §1809, sub-§1, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

1. Authority of probation officer. If a probation officer has probable cause to believe that a person on probation has violated a condition of that person's probation, that officer may arrest the person or cause the person to be arrested for the alleged violation. If the probation officer cannot, with due diligence, locate the person, the officer shall file a written notice of this fact with the court that placed the person on probation. Upon the filing of that written notice, the court shall issue a warrant for the arrest of that person. This subsection does not apply to a violation of a condition of probation imposed pursuant to section 1807, subsection 2, paragraph I when there is no alleged violation that constitutes a crime, except as set out in section 1814.

Sec. 2. 17-A MRSA §1810, sub-§1, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

1. Authority of probation officer. If a probation officer has probable cause to believe that a person on

probation has violated a condition of probation, that officer may deliver to that person, or cause to be delivered to that person, a summons ordering that person to appear for a court hearing on the alleged violation. This subsection does not apply to a violation of a condition of probation imposed pursuant to section 1807, subsection 2, paragraph I when there is no alleged violation that constitutes a crime, except as set out in section 1814.

Sec. 3. 17-A MRSA §1812, sub-§4, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

4. Failure to comply with requirement of probation. If the alleged violation does not constitute a crime and the court finds by a preponderance of the evidence that the person on probation has inexcusably failed to comply with a requirement imposed as a condition of probation, it may revoke probation. This subsection does not apply to a violation of a condition of probation imposed pursuant to section 1807, subsection 2, paragraph I when there is no alleged violation that constitutes a crime, except as set out in section 1814.

Sec. 4. 17-A MRSA §1812, sub-§6, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

6. Authority of court finding violation of probation. Upon a finding of a violation of probation, the court may vacate all, part or none of the suspension of execution as to imprisonment or fine specified when probation was granted, considering the nature of the violation and the reasons for granting probation. The remaining portion of the sentence for which suspension of execution is not vacated upon the revocation of probation remains suspended and is subject to revocation at a later date. During the service of that portion of the sentence imposed for which the suspension of execution was vacated upon revocation, the running of the period of probation must be interrupted and resumes again upon release. If the court finds a violation of probation but vacates none of the suspended sentence, the running of the period of probation resumes upon entry of that final disposition. The court may nevertheless revoke probation and vacate the suspension of execution as to the remainder of the suspended sentence or a portion thereof for any criminal conduct committed during the service of that portion of the sentence for which the suspension of execution was vacated upon revocation. This subsection does not apply to a violation of a condition of probation imposed pursuant to section 1807, subsection 2, paragraph I when there is no alleged violation that constitutes a crime, except as set out in section 1814.

Sec. 5. 17-A MRSA §1814, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

§1814. Additional conditions in lieu of probation revocation proceedings

Whenever a probation officer has probable cause to believe that a person under the supervision of that probation officer has violated a condition of probation but the violation does not constitute a crime, the probation officer, instead of commencing a probation revocation proceeding under section 1809 or section 1810, may offer to the person the option of adding one or more of the following conditions to the person's probation:

1. Participation in public restitution program or treatment program. The person will participate in a public restitution program or treatment program ~~administered through a correctional facility or county jail in the community; or~~ and

~~**2. Residence at correctional facility or county jail.** The person will reside at a correctional facility or county jail for a period of time not to exceed 90 days.~~

3. Graduated sanction. The person will comply with a graduated sanction, which may not consist of incarceration.

Notwithstanding other provisions in this subchapter, a probation officer may arrest a person for a violation of a condition imposed pursuant to section 1807, subsection 2, paragraph I and may commence probation revocation proceedings if that officer has probable cause to believe that the person has committed a violation of the condition and determines there is a significant risk to the safety of others or the person that cannot be managed through a noncustodial response.

If the person agrees in writing to the additional conditions under subsection 1 or ~~2~~ 3, the conditions must be implemented. If the person does not agree or if the person fails to fulfill the additional conditions to the satisfaction of the probation officer, the probation officer may commence probation revocation proceedings under section 1809 or 1810 for the violation that the probation officer had probable cause to believe occurred. If the person fulfills the additional conditions to the satisfaction of the probation officer, the probation officer shall so notify the person in writing and the probation officer may not commence probation revocation proceedings for the violation that the probation officer had probable cause to believe occurred.

See title page for effective date.

CHAPTER 404

H.P. 845 - L.D. 1167

An Act Relating to Fair Chance in Employment

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

Sec. 1. 26 MRSA §600-A is enacted to read:

§600-A. Criminal history record information; employment application

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

A. "Criminal history record information" has the same meaning as in Title 16, section 703, subsection 3.

B. "Employer" means a person in this State who employs individuals. "Employer" includes municipalities and political subdivisions of the State, but does not include an employer of an individual who holds a position in the legislative, executive or judicial branch of State Government or a position with a quasi-independent state entity or public instrumentality of the State. "Employer" includes a person acting in the interest of an employer directly or indirectly.

2. Initial employee application form. Except as provided in subsection 4, an employer may not:

A. Request criminal history record information on the employer's initial employee application form; or

B. State on an initial employee application form or advertisement or specify prior to determining a person is otherwise qualified for the position that a person with a criminal history may not apply or will not be considered for a position.

3. Interviews. An employer may inquire about a prospective employee's criminal history record information during an interview or once the prospective employee has been determined otherwise qualified for the position. An employer that inquires about a prospective employee's criminal history record information shall afford to the prospective employee the opportunity to explain the information and the circumstances regarding any convictions, including post-conviction rehabilitation.

4. Exceptions for initial employee application form. An employer may inquire about criminal convictions on an initial employee application form or state on an initial employee application form or advertisement or otherwise assert that a person with a criminal history may not apply or will not be considered for a position if:

A. The position is one for which a federal or state law or regulation or rule creates a mandatory or presumptive disqualification based on a conviction for one or more types of criminal offenses, and the questions on the initial employee application form are limited to the types of criminal offenses creating the disqualification; or

B. The employer is subject to an obligation imposed by a federal or state law or regulation or rule

not to employ in a position a person who has been convicted of one or more types of criminal offenses, and the questions on the initial employee application form are limited to the types of criminal offenses creating the obligation.

5. Penalty. This section must be enforced pursuant to section 626-A.

Sec. 2. 26 MRSA §626-A, first ¶, as amended by PL 2019, c. 35, §2, is further amended to read:

Whoever violates any of the provisions of section 600-A, sections 621-A to 623 or section 626, 628, 628-A, 629 or 629-B is subject to a forfeiture of not less than \$100 nor more than \$500 for each violation.

See title page for effective date.

CHAPTER 405

H.P. 1192 - L.D. 1603

An Act To Implement the Recommendations of the Committee To Study the Feasibility of Creating Basic Income Security

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

Sec. 1. Committee To Study the Feasibility of Creating Basic Income Security; reestablished. The Committee To Study the Feasibility of Creating Basic Income Security, referred to in this section as "the committee," is established.

1. The committee consists of 11 members appointed as follows:

A. Three members of the Senate appointed by the President of the Senate, including a representative of each of the following joint standing committees:

- (1) The Joint Standing Committee on Labor and Housing;
- (2) The Joint Standing Committee on Health and Human Services; and
- (3) The Joint Standing Committee on Taxation;

B. Three members of the House of Representatives appointed by the Speaker of the House, including a representative of each of the following joint standing committees:

- (1) The Joint Standing Committee on Labor and Housing;
- (2) The Joint Standing Committee on Health and Human Services; and

(3) The Joint Standing Committee on Innovation, Development, Economic Advancement and Business;

C. Two members of the public who represent low-income workers and recipients of public benefits, appointed by the President of the Senate;

D. One member of the public who represents business and industry, appointed by the Speaker of the House;

E. One member of the public who represents higher education, appointed by the Speaker of the House; and

F. One member of the public who represents a trade union, appointed by the Governor.

2. The first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the committee.

3. All appointments must be made no later than 30 days following the effective date of this section. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the committee. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the committee to meet and conduct its business.

4. The committee shall examine and assess the feasibility, economic impact and poverty reduction effect of providing basic income security through a direct cash payment system and other programs that are designed to help individuals and families become more economically secure.

The committee shall consider what the State can do to further the goal of helping individuals and families to become more economically secure and to move state residents towards improved economic security. The committee shall make recommendations about what the Federal Government can do to help achieve this goal.

In fulfilling its duties under this section, the committee shall as necessary invite input from the Department of Administrative and Financial Services, Maine Revenue Services and from the Governor's Office of Policy Innovation and the Future.

5. The Legislative Council shall provide necessary staffing services to the committee, except that the Legislative Council staff support is not authorized when the Legislature is in regular or special session.

6. No later than December 1, 2021, the committee shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Joint Standing Committee on Labor and Housing. The Joint Standing Committee on Labor

and Housing is authorized to report out a bill related to the report.

7. The committee shall seek funding contributions to fully fund the costs of the study including the hiring of an outside consultant to conduct a feasibility study or to provide the committee with additional staffing needs, if funding permits. The committee is authorized to use the balances from the study authorized in Resolve 2019, chapter 82. All funding is subject to approval by the Legislative Council in accordance with its policies. If sufficient contributions to fund the study have not been received within 30 days after the effective date of this section, no meetings are authorized and no expenses of any kind may be incurred or reimbursed.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

LEGISLATURE

Study Commissions - Funding 0444

Initiative: Allocates funds received from contributions for the costs to the Legislature of the Committee To Study the Feasibility of Creating Basic Income Security, including the costs of hiring an outside consultant.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$1,320	\$0
All Other	\$23,680	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$25,000	\$0

See title page for effective date.

CHAPTER 406

H.P. 1200 - L.D. 1611

An Act To Amend Maine's Harness Racing Laws Regarding Race Dates and Pari-mutuel Pools

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

Sec. 1. 8 MRSA §275-A, sub-§1, ¶A, as amended by PL 2019, c. 626, §9, is repealed and the following enacted in its place:

A. If the population of the region is 300,000 or more, based on the 1990 U.S. Census, conducted racing on more than 69 days in each calendar year after the track was initially licensed as a commercial track, unless a lesser number of days of racing was conducted in a year due to:

(1) Conditions beyond the control of the race-track owner or operator as approved by the commission; or

(2) A determination by the commission under section 271, subsection 2, and with the express written approval of the track and of a statewide association of horsemen as defined in section 272-B, that a lesser number of race days is in the best interest of the State's harness horse racing industry; or

Sec. 2. 8 MRSA §275-A, sub-§1, ¶B, as amended by PL 2019, c. 626, §9, is repealed and the following enacted in its place:

B. If the population of the region is less than 300,000, based on the 1990 U.S. Census, conducted racing on more than 34 days in each calendar year after the track was initially licensed as a commercial track, unless a lesser number of days of racing was conducted in a year due to:

(1) Conditions beyond the control of the race-track owner or operator as approved by the commission; or

(2) A determination by the commission under section 271, subsection 2, and with the express written approval of the track and of a statewide association of horsemen as defined in section 272-B, that a lesser number of race days is in the best interest of the State's harness horse racing industry.

Sec. 3. 8 MRSA §275-B, sub-§3 is enacted to read:

3. Facilities approved by commission. Notwithstanding any provision of this chapter to the contrary, a person licensed pursuant to section 271 to conduct harness horse racing with pari-mutuel betting may sell pari-mutuel pools and common pari-mutuel pools for simulcast races at a facility if approved by the commission under this subsection. The commission may approve a facility under this subsection only if it is located within the same county as the commercial track where the race or races are conducted, it is not located within the same municipality as an off-track betting facility licensed under section 275-D and the municipal officers of the municipality in which the facility is located approve of the sale of pari-mutuel pools or common pari-mutuel pools at the facility. A person authorized to operate a facility that receives approval under this subsection shall provide the municipality in which the facility is located 5% of the track share of the commission allocated by section 286, subsection 5.

A person authorized to sell pari-mutuel pools and common pari-mutuel pools for simulcast races at a facility under this subsection may conduct at the facility any other activities incidental to and permitted by that license under section 271.

This subsection is repealed January 1, 2024.

Sec. 4. 8 MRSA §275-C, sub-§1, as amended by PL 2011, c. 142, §2, is further amended to read:

1. Authority. A person authorized to sell pari-mutuel pools on horse racing may sell common pari-mutuel pools for simulcast races. The sale must be conducted within the enclosure of the licensee's racetrack, at the licensee's slot machine facilities licensed pursuant to section 1011 ~~or~~, at the licensee's off-track betting facility or at a facility approved by the commission in accordance with section 275-B, subsection 3.

See title page for effective date.

CHAPTER 407

S.P. 512 - L.D. 1619

An Act To Prohibit Offshore Wind Power Development in Territorial Waters and Submerged Lands of the State

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

Whereas, development of offshore wind power projects, particularly those which deploy deep-water, floating platform technology, in suitable locations off Maine's coast may provide significant economic and environmental benefits to the State by generating renewable energy needed to achieve the goals and objectives of the State's climate action plan adopted pursuant to the Maine Revised Statutes, Title 38, section 577 and related state economic and environmental goals and objectives developed by the Maine Climate Council pursuant to Title 38, section 577-A; and

Whereas, the siting, construction and operation of offshore wind power projects in Maine's territorial waters, as defined by Title 12, section 6001, subsection 48-B, may adversely affect resources, including scenic and aesthetic resources, and recreational and economic uses, including commercial fishing, which are more commonly found or take place in the State's submerged lands and territorial waters than in proximate federal waters; and

Whereas, Maine's renewable, natural resources-based commercial fishing industry contributed direct revenues of \$517 million to the State's economy in 2020 and is a vital part of the State's economy and cultural heritage and identity; and

Whereas, Maine's lobster fishery is active primarily in Maine's territorial waters, had landings valued in excess of \$405 million in 2020, had an additional statewide economic impact of \$1 billion and is among the most valuable fisheries in the United States; and

Whereas, there are outstanding questions regarding the manner in and extent to which the siting, construction and operation of offshore wind power projects

may displace or otherwise adversely affect natural resources within and uses of the State's submerged lands and territorial waters; and

Whereas, it is anticipated that the growth and development of the offshore wind power industry in the Northeast region and elsewhere in the United States over the next decade will provide additional information through project-specific studies, research findings, monitoring results and operational experience that may assist the State in evaluating the siting and development of new offshore wind power projects in the State's submerged lands and territorial waters; and

Whereas, a moratorium on the development of offshore wind power projects will allow the State to undergo a review of applicable state laws and rules to determine whether the existing offshore wind power regulatory framework adequately protects Maine's coastal resources in a manner that avoids or minimizes adverse effects on coastal resources and uses; 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:

Sec. 1. 35-A MRSA §3404, sub-§3 is enacted to read:

3. Wind energy development; impacts to fisheries. If, in reviewing a proposed commercial lease for a wind energy development for any purpose other than scientific research or technological development to be located in federal waters within lobster management area 1, the United States Department of the Interior, Bureau of Ocean Energy Management determines that the wind energy development would have a significant adverse impact on fisheries, the State shall request that the Bureau of Ocean Energy Management work to minimize that impact.

For the purposes of this subsection, "wind energy development" has the same meaning as in section 3451, subsection 11 and "lobster management area 1" means the area defined by rule by the Department of Marine Resources.

Sec. 2. 35-A MRSA §3405 is enacted to read:
§3405. Prohibition on offshore wind power projects in territorial waters and submerged lands

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

A. "Associated facilities" has the same meaning as in section 3451, subsection 1.

B. "Offshore wind energy demonstration project" has the same meaning as in Title 38, section 480-HH, subsection 1, paragraph H.

C. "Offshore wind power project" means an offshore project that uses a windmill or wind turbine to convert wind energy to electrical energy. "Offshore wind power project" includes both generating facilities as defined by section 3451, subsection 5 and associated facilities, without regard to whether the electrical energy is for sale or use by a person other than the generator.

D. "Pilot-scaled, limited duration offshore wind power research and development project" means an offshore project that uses a wind turbine to convert wind energy to electrical energy, has a generating capacity of no more than 0.5 megawatts and is operational for no more than 5 years.

E. "Submerged lands" has the same meaning as in Title 12, section 1801, subsection 9.

F. "Territorial waters" has the same meaning as in Title 12, section 6001, subsection 48-B.

2. Prohibition. Notwithstanding any provision of law to the contrary and except as otherwise provided by subsection 3, a state agency or municipality or other political subdivision of the State may not license, permit or otherwise approve or authorize the siting, construction or operation of or issue a lease or grant an easement or other real property interest for a windmill or wind turbine or tower for an offshore wind power project in state-owned submerged lands or territorial waters.

3. Exemption. The prohibition established under subsection 2 does not apply to:

A. A pilot-scaled, limited-duration offshore wind power research and development project;

B. An offshore wind energy demonstration project and its associated facilities proposed for location in the Maine Offshore Wind Energy Research Center designated by the Department of Agriculture, Conservation and Forestry pursuant to Title 12, section 1868 and for which, prior to the effective date of this section, the commission has approved the terms of a long-term power purchase agreement. Subsequent amendment of the terms of such an agreement does not affect the applicability of this exemption;

C. The licensing, permitting or approval by a state agency or municipality or other political subdivision of the State of the siting, construction or operation of or the issuance of a lease or the grant of an easement or other real property interest for portside infrastructure or associated facilities other than utility cables or transmission lines governed by paragraph D that are intended to support generation of electricity from offshore wind energy facilities located seaward of the territorial waters; and

D. The licensing, permitting or approval by a state agency or municipality or other political subdivision of the State of the siting, construction or operation of or the issuance of a lease or the grant of an easement or other real property interest for utility cables or transmission lines that are intended to support generation of electricity from offshore wind energy facilities located seaward of the territorial waters if, by March 1, 2023:

(1) The Governor's Energy Office has completed a strategic plan to inform the development of offshore wind power projects that minimizes conflict with existing maritime industries, particularly fishing; identifies opportunities to preserve existing maritime businesses and jobs; and maximizes jobs, investment, new technologies and sustainability;

(2) The Governor's Energy Office, in consultation with other state agencies, has conducted a review of applicable state laws and rules to determine whether the existing offshore wind energy statutory and regulatory framework protects the State's coastal resources in a manner that avoids or minimizes adverse effects on coastal resources and users from the development of offshore wind power projects located seaward of the territorial waters; and

(3) The Governor's Energy Office, with input from the advisory board of the Offshore Wind Research Consortium established in section 3406, has identified the preliminary research questions the consortium seeks to answer regarding the development of offshore wind power projects.

The Governor's Energy Office shall submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utility matters when the conditions established under subparagraphs (1) to (3) are met.

Sec. 3. 35-A MRSA §3406 is enacted to read:

§3406. Offshore Wind Research Consortium; fund established

1. Offshore Wind Research Consortium. The Offshore Wind Research Consortium is an initiative of the Governor's Energy Office to coordinate, support and arrange for the conduct of research on offshore wind power projects in the Gulf of Maine.

2. Advisory board. The Governor's Energy Office, in consultation with independent scientific experts, shall establish an advisory board of the consortium to oversee the development and execution of a research strategy to better understand the local and regional impacts of floating offshore wind power projects in the Gulf of Maine. The advisory board must include, but is not limited to, the following members:

A. Two individuals from organizations that represent commercial lobster harvesting interests in the State;

B. At least one individual from an organization that represents the interest of commercial fisheries other than lobster harvesting;

C. The Commissioner of Marine Resources, or the commissioner's designee;

D. Two individuals, not represented by an organization, that represent the interests of the commercial lobster harvesting industry and commercial fisheries in the State; and

E. One individual from the recreational charter fishing industry.

The advisory board is subject to all applicable provisions of the Freedom of Access Act. The operation of the advisory board must be informed by the work of regional and national scientific entities. The advisory board shall solicit input from stakeholders, including representatives of the fishing industry, state and federal agencies and scientific experts.

3. Research strategy. The advisory board established in subsection 2 in developing a research strategy shall at a minimum identify:

A. Opportunities and challenges caused by the deployment of floating offshore wind power projects to the existing uses of the Gulf of Maine;

B. Methods to avoid and minimize the impact of floating offshore wind power projects on ecosystems and existing uses of the Gulf of Maine; and

C. Ways to realize cost efficiencies in the commercialization of floating offshore wind power projects.

The advisory board shall advise the Governor's Energy Office on the development of the components of the research strategy.

4. Offshore Wind Research Consortium Fund; established. The Offshore Wind Research Consortium Fund, referred to in this subsection as "the fund," is established as a nonlapsing fund administered by the Governor's Energy Office and the Department of Marine Resources. The fund consists of funds that are appropriated by the Legislature, funds received from federal and state sources and other funds from any public or private source received for use for any of the purposes under this subsection. The source of any funds received from public or private sources must be publicly disclosed. The fund may be used to support the consortium and the work of the advisory board established in subsection 2, including for:

A. Developing the research strategy under subsection 3;

B. Conducting research;

- C. Producing reports or other materials;
- D. Compensating independent experts, if needed to assist in the development or execution of the research strategy under subsection 3; and
- E. Making any other expenditures that are necessary to achieve the purposes of this section.

The Governor's Energy Office, in consultation with the advisory board, shall provide an annual report on the use of the fund in the last quarter of each calendar year to the joint standing committee of the Legislature having jurisdiction over energy and utility matters.

Sec. 4. Department of Agriculture, Conservation and Forestry; submission of legislation. On or before February 1, 2022, the Department of Agriculture, Conservation and Forestry shall submit legislation to the Second Regular Session of the 130th Legislature necessary to align those provisions of law under its jurisdiction with the prohibition on offshore wind power projects under the Maine Revised Statutes, Title 35-A, section 3405.

Sec. 5. Public Utilities Commission; submission of legislation. On or before February 1, 2022, the Public Utilities Commission shall submit legislation to the Second Regular Session of the 130th Legislature necessary to align those provisions of law under its jurisdiction with the prohibition on offshore wind power projects under the Maine Revised Statutes, Title 35-A, section 3405.

Sec. 6. Department of Environmental Protection; submission of legislation. On or before February 1, 2022, the Department of Environmental Protection shall submit legislation to the Second Regular Session of the 130th Legislature necessary to align those provisions of law under its jurisdiction with the prohibition on offshore wind power projects under the Maine Revised Statutes, Title 35-A, section 3405.

Sec. 7. Appropriations and allocations. The following appropriations and allocations are made.

EXECUTIVE DEPARTMENT

Offshore Wind Research Consortium Fund N940

Initiative: Provides allocations to establish the Offshore Wind Research Consortium Fund.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

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

Effective July 6, 2021.

CHAPTER 408
H.P. 1265 - L.D. 1702

An Act To Authorize a General Fund Bond Issue To Improve Transportation

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14 to authorize the issuance of bonds on behalf of the State of Maine to provide funds as described in this Act,

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

Sec. 1. Authorization of bonds. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$100,000,000 for the purposes described in section 5 of this Act. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds.

Sec. 2. Records of bonds issued; Treasurer of State. The Treasurer of State shall ensure that an account of each bond is kept showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.

Sec. 3. Sale; how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in this Act lapse to the Office of the Treasurer of State to be used for the retirement of general obligation bonds.

Sec. 4. Interest and debt retirement. The Treasurer of State shall pay interest due or accruing on any bonds issued under this Act and all sums coming due for payment of bonds at maturity.

Sec. 5. Disbursement of bond proceeds from General Fund bond issue. The proceeds of the sale of the bonds authorized under this Act must be expended as designated in the following schedule under the direction and supervision of the agencies and entities set forth in this section.

DEPARTMENT OF TRANSPORTATION

Provides funds to construct, reconstruct, rehabilitate and preserve state Priority 1, Priority 2 and Priority 3 corridor highways statewide, to replace and

rehabilitate bridges statewide and to fund the municipal partnership initiative and for associated activities.

Total \$85,000,000

Provides funds for multimodal facilities or equipment related to transit, freight and passenger railroads, aviation, ports, harbors, marine transportation and active transportation projects and associated activities.

Total \$15,000,000

Sec. 6. Contingent upon ratification of bond issue. Sections 1 to 5 do not become effective unless the people of the State ratify the issuance of the bonds as set forth in this Act.

Sec. 7. Appropriation balances at year-end. At the end of each fiscal year, all unencumbered appropriation balances representing state money carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds lapse to the Office of the Treasurer of State to be used for the retirement of general obligation bonds.

Sec. 8. Bonds authorized but not issued. Any bonds authorized but not issued within 5 years of ratification of this Act are deauthorized and may not be issued, except that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds for an additional amount of time not to exceed 5 years.

Sec. 9. Referendum for ratification; submission at election; form of question; effective date. This Act must be submitted to the legal voters of the State at a statewide election held in the month of November following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor a \$100,000,000 bond issue to build or improve roads, bridges, railroads, airports, transit facilities and ports and make other transportation investments, to be used to leverage an estimated \$253,000,000 in federal and other funds?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If a majority of the legal votes

are cast in favor of this Act, the Governor shall proclaim the result without delay and this Act becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purposes of this referendum.

Effective pending referendum.

**CHAPTER 409
H.P. 288 - L.D. 404**

**An Act To Preserve Deer
Habitat**

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

Whereas, this legislation directs the Land for Maine's Future Board to give a preferential consideration to certain projects that conserve lands that are important for conserving deer; and

Whereas, this legislation provides for the acquisition and management of areas that are important to the conservation of deer and provides that these lands must be managed with deer conservation as the highest management priority; and

Whereas, funding for such acquisition and management may be available before the end of the 90-day period; 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:

Sec. 1. 5 MRSA §6203, sub-§3, as amended by PL 2021, c. 135, §3, is further amended to read:

3. Fund proceeds. The proceeds of the Land for Maine's Future Fund may be applied and expended to:

A. Acquire property or an interest in property that is determined by the board to be of state significance under the guidelines of this chapter;

B. When interest in land is acquired with proceeds from the Land for Maine's Future Fund, fund minor capital improvements on such lands and on adjoining lands in the same ownership or under the same management to improve accessibility, as long as these improvements do not exceed 5% of the appraised value of the acquired property; ~~and~~

D. When land or interest in land is acquired with proceeds from the Land for Maine's Future Fund, fund minor capital investments in the stewardship and management of that land. Stewardship and management investments under this paragraph must be held in a dedicated stewardship endowment and identified for use on the funded property. Stewardship and management investments may not exceed 5% of the appraised value of the acquired property; ~~and~~

E. When land or interest in land for deer wintering areas is acquired with proceeds from the Land for Maine's Future Fund pursuant to section 6207, subsection 2, paragraph E, fund the development of a management plan to provide for the land's continuing function as a deer wintering area, as long as the cost of the plan and any investments related to that land under paragraph D do not exceed 5% of the appraised value of the acquired property. A management plan developed under this paragraph may also apply to adjoining deer wintering areas in the same ownership or under the same management.

Sec. 2. 5 MRSA §6207, sub-§2, as amended by PL 2007, c. 64, §1 and c. 353, §§1 to 3, is further amended to read:

2. Determination of state significance. In determining whether a proposed acquisition must be funded, in full or in part, by the Land for Maine's Future Fund or the Public Access to Maine Waters Fund, the board shall consider whether the site is of state significance and:

A. Contains recreation lands, prime physical features of the Maine landscape, areas of special scenic beauty, farmland or open space, undeveloped shorelines, significant undeveloped archeological sites, wetlands, fragile mountain areas or lands with other conservation, wilderness or recreation values;

B. Is habitat for plant or animal species or natural communities considered rare, threatened or endangered in the State;

C. Provides nonmotorized or motorized public access to recreation opportunities or those natural resources identified in this section; ~~or~~

D. Provides public water supply protection when that purpose is consistent and does not conflict with the natural resource conservation and recreation purposes of this chapter; ~~or~~

E. Contains deer wintering areas and satisfies all the requirements of subsection 3, paragraph A.

Sec. 3. 5 MRSA §6207, sub-§3, as amended by PL 2011, c. 381, §1, is further amended to read:

3. Priorities. Whenever possible, the Land for Maine's Future Fund and the Public Access to Maine

Waters Fund must be used for land acquisition projects when matching funds are available from cooperating entities, as long as the proposed acquisition meets all other criteria set forth in this chapter. For acquisitions funded by the Land for Maine's Future Fund, the board shall give priority to projects that conserve lands with multiple outstanding resource or recreation values or a single exceptional value, ~~conserve and protect deer wintering areas~~, provide geographic representation and build upon or connect existing holdings.

A. When evaluating projects to be funded, the board shall give a preferential consideration to projects that conserve lands that have been determined by the Department of Inland Fisheries and Wildlife to be important for conserving deer in northern, eastern and western Maine. To be given preferential consideration under this paragraph, a project must result in the acquisition of a fee interest or an easement interest in the land, the department's holding the interest in the land and the department's managing the land area as a wildlife management area, as defined in Title 12, section 10001, subsection 74, with deer conservation as the highest management priority. Only projects that satisfy the requirements of this paragraph may be given preferential consideration. Nothing in this paragraph limits the ability of the board to use the Land for Maine's Future Fund to fund other projects that may also help conserve deer or deer habitat but that do not receive preferential consideration under this paragraph.

When acquiring land or interest in land, the board shall examine public vehicular access rights to the land and, whenever possible and appropriate, acquire guaranteed public vehicular access as part of the acquisition.

Sec. 4. 12 MRSA §10105, sub-§14, as amended by PL 2019, c. 355, §§2 and 3, is further amended to read:

14. Regulating the feeding of deer, bear, moose and wild turkey. The commissioner may by rule:

A. Prohibit or limit the feeding of deer, bear, moose and wild turkey at any location if there is documented evidence of chronic wasting disease, as defined in Title 7, section 1821, subsection 1, in the State or within 50 miles of the border of the State or if the commissioner has reason to believe that the type or location of feed may create a public safety hazard or may have a detrimental effect on deer, bear, moose and wild turkey; ~~and~~

C. Prohibit or otherwise limit the placement of garbage or other known attractants for deer, bear, moose and wild turkey if the department has reason to believe the placement creates a public safety hazard; ~~and~~

D. Prohibit or otherwise limit the feeding of deer, bear, moose and wild turkey at any location as part

of a plan to promote the use of deer wintering areas by deer.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 5. 12 MRSA §10109, sub-§1-A is enacted to read:

1-A. Acquisition of land; deer wintering areas. The commissioner shall identify areas that are important to the conservation of deer in northern, eastern and western Maine, and may acquire these lands, including with funds provided by the Land for Maine's Future Fund in accordance with Title 5, section 6207. These lands must be designated as wildlife management areas and managed with deer conservation as the highest management priority, and the commissioner shall ensure that appropriate deed restrictions are placed on the land that reflect these priorities. The commissioner shall also develop appropriate purchase and sale agreements that ensure that deer wintering areas on land to be acquired pursuant to this subsection are preserved as deer wintering areas prior to purchase. Beginning January 15, 2023 and annually thereafter, the department shall report to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters on the acquisition and management of deer wintering areas.

Sec. 6. 12 MRSA §10264, as amended by PL 2011, c. 668, §3, is further amended to read:

§10264. Maine Deer Management Fund

The Maine Deer Management Fund, referred to in this section as "the fund," is established within the department as a nonlapsing fund to be used by the commissioner to fund or assist in funding predator control and to acquire or enhance deer habitat. The commissioner shall establish on the department's online licensing system checkoff options that allow a person to donate money for predator control or deer habitat acquisition or enhancement. The checkoff options must be prominently displayed and contain web links to information about how the checkoff revenues have been and will be used. The commissioner shall also print in a prominent place on every paper application for a hunting license checkoff options that allow a person to donate money to the fund for predator control or deer habitat acquisition or enhancement. Revenues from the checkoffs must be deposited in the fund and used for purposes indicated by the checkoffs.

Notwithstanding section 10801, subsection 4, \$2 of each deer registration fee collected under section 12301-A, subsection 3, paragraph C must be deposited in the fund. Fifty percent of the funds deposited in the fund from the deer registration fees must be used for predator control purposes and 50% of the deposited fees must be used to acquire or enhance deer habitat. The commissioner may accept and deposit into the fund

monetary gifts, donations or other contributions from public or private sources for the purposes specified in this section. The fund must be held separate and apart from all other money, funds and accounts. The department shall report annually to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters on the fund and its utilization.

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

Effective July 8, 2021.

CHAPTER 410
S.P. 86 - L.D. 198

**An Act To Improve Maine's
Tax Laws by Providing a
Property Tax Exemption for
Central Labor Councils**

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

Sec. 1. 36 MRSA §652, sub-§1, ¶F, as amended by PL 2007, c. 627, §20, is further amended to read:

F. The real estate and personal property owned and occupied or used solely for their own purposes by central labor councils, chambers of commerce or boards of trade in this State are exempt from taxation. For the purposes of this paragraph, "central labor council" means an association or network of labor unions designed to promote and protect the interests of their members.

Further conditions to the right of exemption are that:

- (1) A director, trustee, officer or employee of any organization claiming exemption may not receive directly or indirectly any pecuniary profit from the operation of that organization, except as reasonable compensation for services in effecting its purposes or as a proper beneficiary of its purposes;
- (2) All profits derived from the operation of the organization and the proceeds from the sale of its property must be devoted exclusively to the purposes for which it is organized; and
- (3) The institution, organization or corporation claiming exemption under this paragraph must file with the assessors upon their request a report for its preceding fiscal year in such detail as the assessors may reasonably require.

See title page for effective date.

CHAPTER 411
H.P. 158 - L.D. 223

An Act To Clarify Maine's Fish
and Wildlife Licensing and
Registration Laws

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

Sec. 1. 12 MRSA §10901, sub-§4, as enacted by PL 2003, c. 655, Pt. B, §96 and affected by §422, is amended to read:

4. Suspension of license. If a license, permit or registration is suspended pursuant to Title 19-A, section 2201, the suspension remains in effect until the person is in compliance with the support order. On condition of payment of a ~~\$25~~ \$50 reinstatement fee to the department, the suspension is rescinded and the license reinstated. The reinstatement fee must be deposited into the Landowner Relations Fund established in section 10265.

Sec. 2. 12 MRSA §10902, sub-§3, as amended by PL 2013, c. 538, §3, is further amended to read:

3. Failure to pay fine; reinstatement fee. If a license, permit or registration is suspended pursuant to this section or Title 14, section 3142, the suspension remains in effect until the person pays the fine and the reinstatement fee under subsection 11. ~~On condition of payment of a \$25 reinstatement fee to the department, the clerk of the court in which the suspension was ordered shall rescind the suspension and notify the department, which, upon receipt of the \$25 reinstatement fee, shall delete any record of the suspension from that person's record.~~ For the purposes of this subsection, "fine" has the same meaning as in Title 14, section 3141, subsection 1.

Sec. 3. 12 MRSA §10902, sub-§11 is enacted to read:

11. Reinstatement fee. A person who has had a license, permit or registration suspended or revoked pursuant to this section or Title 14, section 3142 must pay a \$50 reinstatement fee, and a suspension or revocation remains in effect until the person pays the fee. The reinstatement fee must be deposited into the Landowner Relations Fund established in section 10265.

Sec. 4. 12 MRSA §12201, sub-§2, as amended by PL 2019, c. 325, §6, is further amended to read:

2. Eligibility. The following persons are eligible to purchase a trapping license, subject to the provisions of subsection 3.

A. A resident 16 years of age or older is eligible to purchase a resident adult trapping license.

B. A resident person 10 years of age or older and under 16 years of age is eligible to purchase a ~~resident~~ junior trapping license. If the person is a nonresident and not a citizen of the United States, the license issued under this paragraph authorizes the person to trap only beaver pursuant to section 12259, subsection 3.

C. A resident person under 10 years of age may trap all legal species, except bear, without a license, except that if the person is a nonresident and not a citizen of the United States, the person may trap only beaver pursuant to section 12259, subsection 3.

D. A nonresident ~~who is a citizen of the United States~~ 16 years of age or older is eligible to purchase a nonresident adult trapping license, except that if the person is not a citizen of the United States, the license authorizes the person to trap only beaver pursuant to section 12259, subsection 3.

E. ~~If a nonresident is not a citizen of the United States, the nonresident may purchase a nonresident trapping license but may not trap any species other than beaver pursuant to section 12259, subsection 3.~~

Sec. 5. 12 MRSA §12201, sub-§5, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended by amending the last blocked paragraph to read:

A ~~resident~~ junior trapping license issued to a person who has passed that person's 15th birthday is valid through the year for which the license was issued.

Sec. 6. 12 MRSA §12201, sub-§6, as amended by PL 2015, c. 245, §6, is further amended to read:

6. Trapping fees. The fees for trapping licenses are as follows:

A. A resident junior trapping license, for a person 10 years of age or older and under 16 years of age, is \$10;

B. A resident adult trapping license, for a person 16 years of age or older, is \$36; and

C. A nonresident adult trapping license is \$318.

Sec. 7. 12 MRSA §13104, sub-§2, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is repealed and the following enacted in its place:

2. Application and issuance. The commissioner, or an agent designated by the commissioner, may register and assign a registration number to a snowmobile upon application and payment of a fee by the owner. The commissioner shall charge a fee of \$1 in addition to the fee for each registration issued by an employee of the department. The registration number in the form of stickers issued by the commissioner must be clearly dis-

played on both sides of the snowmobile. An annual registration is valid for one year commencing July 1st of each year, except that any registration issued prior to July 1st but after May 1st is valid from the date of issuance until June 30th of the following year.

Sec. 8. 12 MRSA §13155, sub-§3, as affected by PL 2003, c. 614, §9 and amended by c. 695, Pt. B, §13 and affected by Pt. C, §1, is further amended to read:

3. Application and issuance. The commissioner, or an agent designated by the commissioner, may register and assign a registration number to an ATV upon application and payment of ~~an annual~~ a fee by the owner. The commissioner shall charge a fee of \$1 in addition to the ~~annual~~ fee for each registration issued by an employee of the department. The registration number in the form of stickers issued by the commissioner must be clearly displayed on the front and rear of the vehicle. ~~A An annual~~ registration is valid for one year commencing July 1st of each year, except that any registration issued prior to July 1st but after May 1st is valid from the date of issuance until June ~~31st~~ 30th of the following year.

Sec. 9. Appropriations and allocations. The following appropriations and allocations are made.

**INLAND FISHERIES AND WILDLIFE,
DEPARTMENT OF**

**Administrative Services - Inland Fisheries and
Wildlife 0530**

Initiative: Provides ongoing allocations for the expenditure of funds related to the landowner relations program and the Keep Maine Clean program.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$13,000	\$13,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$13,000</u>	<u>\$13,000</u>

See title page for effective date.

**CHAPTER 412
S.P. 97 - L.D. 229**

**An Act To Increase Investment
Caps in the Maine Seed Capital
Tax Credit Program**

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

Sec. 1. 10 MRSA §1100-T, sub-§2, ¶C, as amended by PL 2019, c. 616, Pt. LL, §2, is further amended to read:

C. Aggregate investment eligible for tax credits may not be more than \$5,000,000 for any one business as of the date of issuance of a tax credit certificate. Beginning with investments made on or after April 1, 2020, aggregate investment eligible for tax credits may not be more than \$3,500,000 for any one business as of the date of issuance of a tax credit certificate and not more than \$2,000,000 for any calendar year. Notwithstanding the other provisions of this paragraph, with respect to a business that was approved by the authority as an eligible business under this subsection before April 1, 2020, the aggregate investment eligible for tax credits may not be more than \$5,000,000 for that business as of the date of the issuance of the tax credit certificate, and the \$2,000,000 annual limitation does not apply.

Sec. 2. 10 MRSA §1100-T, sub-§2-C, ¶C, as amended by PL 2019, c. 616, Pt. LL, §7, is further amended to read:

C. Aggregate investment eligible for tax credit certificates, including investments under this subsection and under subsection 2, may not be more than \$5,000,000 for any one eligible business. Beginning with investments made on or after April 1, 2020, aggregate investment eligible for tax credit certificates, including investments under this subsection and under subsection 2, may not be more than \$3,500,000 for any one eligible business in total and not more than \$2,000,000 for any calendar year. Notwithstanding the other provisions of this paragraph, with respect to a business that was approved by the authority as an eligible business under this subsection before April 1, 2020, the aggregate investment eligible for tax credits may not be more than \$5,000,000 for that business as of the date of the issuance of the tax credit certificate, and the \$2,000,000 annual limitation does not apply.

Sec. 3. 10 MRSA §1100-T, sub-§2-C, ¶D, as amended by PL 2019, c. 616, Pt. LL, §8, is further amended to read:

D. The investment with respect to which any private venture capital fund is applying for a tax credit certificate may not be more than the lesser of an amount equal to \$500,000 times the number of investors in the private venture capital fund and an aggregate of \$4,000,000 in any one eligible business invested in by a private venture capital fund in any 3 consecutive calendar years. For investments made on or after April 1, 2020, the investment with respect to which any private venture capital fund is applying for a tax credit certificate may not be more than the lesser of an amount equal to \$500,000 times the number of investors in the private venture capital fund and an aggregate of \$3,500,000 in any one eligible business invested in by a private venture capital fund, but investments in a business that

was approved by the authority as an eligible business under this subsection before April 1, 2020 with respect to which any private venture capital fund is applying for a tax credit certificate may not be more than the lesser of an amount equal to \$500,000 times the number of investors in the private venture capital fund and an aggregate of \$4,000,000 for that eligible business. This paragraph does not limit other investment by an applicant for which that applicant is not applying for a tax credit certificate. A private venture capital fund must certify to the authority that it will be in compliance with these limitations. The tax credit certificate issued to a private venture capital fund may be revoked and any credit taken recaptured pursuant to Title 36, section 5216-B, subsection 5 if the fund is not in compliance with this paragraph.

Sec. 4. 10 MRSA §1100-T, sub-§4, as amended by PL 2019, c. 616, Pt. LL, §9, is further amended to read:

4. Total of credits authorized. The authority may issue tax credit certificates to investors eligible pursuant to subsections 2, 2-A and 2-C in an aggregate amount not to exceed \$2,000,000 up to and including calendar year 1996, \$3,000,000 up to and including calendar year 1997, \$5,500,000 up to and including calendar year 1998, \$8,000,000 up to and including calendar year 2001, \$11,000,000 up to and including calendar year 2002, \$14,000,000 up to and including calendar year 2003, \$17,000,000 up to and including calendar year 2004, \$20,000,000 up to and including calendar year 2005, \$23,000,000 up to and including calendar year 2006, \$26,000,000 up to and including calendar year 2007 and \$30,000,000 up to and including calendar year 2013, in addition to which, the authority may issue tax credit certificates to investors eligible pursuant to subsections 2, 2-A and 2-C in an annual amount not to exceed \$675,000 for investments made between January 1, 2014 and December 31, 2014, \$4,000,000 for investments made in calendar year 2015, \$5,000,000 for investments made in calendar years 2016 to 2019, \$15,000,000 for investments made in calendar year 2020, \$13,500,000 for investments made in calendar years 2021 and 2022, \$15,000,000 for investments made in calendar years ~~2020~~ 2023 to 2026 and \$5,000,000 each year for investments made in calendar years beginning with 2027. The authority may provide that investors eligible for a tax credit under this section in a year when there is insufficient credit available are entitled to take the credit when it becomes available subject to limitations established by the authority by rule. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 413
S.P. 103 - L.D. 242**

**An Act To Support the Maine
Fire Protection Services
Commission**

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

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE

Live Fire Service Training Facilities Fund Z269

Initiative: Provides one-time funds for the Maine Fire Service Institute for the construction and repair or replacement of regional live fire service training facilities in the State awarded through grants by the Maine Fire Protection Services Commission.

GENERAL FUND	2021-22	2022-23
All Other	\$250,000	\$78,147
GENERAL FUND TOTAL	\$250,000	\$78,147

See title page for effective date.

**CHAPTER 414
S.P. 118 - L.D. 268**

**An Act To Eliminate Online
Burn Permit Fees for All Areas
of the State**

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

Sec. 1. 12 MRSA §9326, 3rd ¶, as amended by PL 2017, c. 449, §3, is further amended to read:

A person may apply for a permit to burn using the Internet or as otherwise provided in this article. When a person applies for and is issued a permit electronically pursuant to this section, a fee of \$7 must be paid. ~~From the \$7 fee, \$4 must be deposited in the General Fund, \$2 must be transferred to the municipality in which the permit is issued and the remainder of \$1 must be used to cover administrative costs. For a permit issued in the unorganized and deorganized areas, from the \$7 fee, \$6 must be deposited in the General Fund and the remainder of \$1 must be used to cover administrative costs may not be charged.~~

Sec. 2. 12 MRSA §9327, sub-§6, as enacted by PL 2017, c. 449, §4, is amended to read:

6. Private party burn permit software to be provided at no charge. A vendor or owner of a private party burn permit software system may ~~not~~ charge a

municipality for use of private party burn permit software approved under subsection 1.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Division of Forest Protection Z232

Initiative: Provides funding for an online burn permit system from InforME.

GENERAL FUND	2021-22	2022-23
All Other	\$7,200	\$9,600
GENERAL FUND TOTAL	\$7,200	\$9,600

See title page for effective date.

**CHAPTER 415
H.P. 226 - L.D. 322**

An Act To Provide Occupants of Motor Vehicles with Gold Star Family Registration Plates Free Entry to State Parks and Historic Sites

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

Sec. 1. 12 MRSA §1819, as amended by PL 2013, c. 1, Pt. J, §1 and c. 405, Pt. A, §24, is further amended by adding at the end a new paragraph to read:

A person displaying on the person's motor vehicle gold star family registration plates issued in accordance with Title 29-A, section 524-B and any passengers in that vehicle are not required to pay a fee for admission to any state-owned park or historic site managed by the State. The free entry is for day use only. For purposes of this paragraph, "day use" does not include camping.

See title page for effective date.

**CHAPTER 416
H.P. 285 - L.D. 401**

An Act To Provide a Sales and Use Tax Exemption for Certain Nonprofit Cemeteries

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

Sec. 1. 36 MRSA §1760, sub-§107 is enacted to read:

107. Nonprofit cemeteries. Sales to a cemetery company that is exempt from federal income tax under Section 501(c)(13) of the Code.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Revenue Services, Bureau of 0002

Initiative: Provides one-time funding for computer programming costs to create a new sales tax exemption certificate.

GENERAL FUND	2021-22	2022-23
All Other	\$5,000	\$0
GENERAL FUND TOTAL	\$5,000	\$0

Sec. 2. Effective date. This Act takes effect January 1, 2022.

Effective January 1, 2022.

**CHAPTER 417
H.P. 315 - L.D. 435**

An Act To Provide a Sales and Use Tax Exemption for Certain Educational Collaboratives

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

Sec. 1. 36 MRSA §1760, sub-§107 is enacted to read:

107. Certain educational collaboratives. Beginning January 1, 2022, sales to an incorporated nonprofit collaborative whose members are regional school units, as defined in Title 20-A, section 1, subsection 24-B, and that is organized to assist those units with professional development opportunities and services.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Revenue Services, Bureau of 0002

Initiative: Provides one-time funding for computer programming costs to create a new sales tax exemption certificate.

GENERAL FUND	2021-22	2022-23
All Other	\$5,000	\$0
GENERAL FUND TOTAL	\$5,000	\$0

See title page for effective date.

**CHAPTER 418
S.P. 183 - L.D. 440**

**An Act To Conserve the
Frances Perkins Homestead
National Historic Landmark**

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

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

**HISTORIC PRESERVATION COMMISSION,
MAINE**

Historic Preservation Commission 0036

Initiative: Provides one-time funds to the Frances Perkins Center to ensure the public has safe and accessible access to the Frances Perkins Homestead.

GENERAL FUND	2021-22	2022-23
All Other	\$100,000	\$0
GENERAL FUND TOTAL	\$100,000	\$0

See title page for effective date.

**CHAPTER 419
H.P. 343 - L.D. 467**

**An Act To Support E-9-1-1
Dispatchers and Corrections
Officers Diagnosed with Post-
traumatic Stress Disorder**

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

Sec. 1. 39-A MRSA §201, sub-§3-A, ¶B, as enacted by PL 2017, c. 294, §2, is amended to read:

B. The employee is a law enforcement officer, corrections officer, E-9-1-1 dispatcher, firefighter or emergency medical services person and is diagnosed by an allopathic physician or an osteopathic physician licensed under Title 32, chapter 48 or chapter 36, respectively, with a specialization in psychiatry or a psychologist licensed under Title 32, chapter 56 as having post-traumatic stress disorder that resulted from work stress, that the work stress was extraordinary and unusual compared with that experienced by the average employee and the work stress and not some other source of stress was the predominant cause of the post-traumatic stress disorder, in which case the post-traumatic stress disorder is presumed to have arisen out of and in the course of the worker's employment. This presumption may be rebutted by clear and convincing evidence to the contrary. For purposes of this paragraph, "law enforcement officer," "corrections

officer," "firefighter" and "emergency medical services person" have the same meaning as in section 328-A, subsection 1. For the purposes of this paragraph, "E-9-1-1 dispatcher" means a person who receives calls made to the E-9-1-1 system and dispatches emergency services. "E-9-1-1 dispatcher" includes an emergency medical dispatcher as defined in Title 32, section 85-A, subsection 1, paragraph D.

By January 1, 2022, the board shall submit a report to the joint standing committee of the Legislature having jurisdiction over labor matters that includes an analysis of the number of claims brought under this paragraph, the portion of those claims that resulted in a settlement or award of benefits and the effect of the provisions of this paragraph on costs to the State and its subdivisions. The Department of Administrative and Financial Services, Bureau of Human Resources and the Department of Public Safety shall assist the board in developing the report, and the board shall seek the input of an association, the membership of which consists exclusively of counties, municipalities and other political or administrative subdivisions, in the development of the report.

This paragraph is repealed October 1, 2022.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

**CORRECTIONS, DEPARTMENT OF
Administration - Corrections 0141**

Initiative: Provides ongoing funds to support the costs associated with increased payments of workers' compensation benefits for correctional officers diagnosed as having post-traumatic stress disorder by a psychiatrist or psychologist as a result of work stress.

GENERAL FUND	2021-22	2022-23
Personal Services	\$67,500	\$67,500
GENERAL FUND TOTAL	\$67,500	\$67,500

See title page for effective date.

**CHAPTER 420
S.P. 200 - L.D. 492**

**An Act To Create a Regional
Grant Program To Help Rural
Businesses Find Qualified Staff**

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

Sec. 1. 5 MRSA §13056-I is enacted to read:
§13056-I. Rural Workforce Recruitment and Retention Grant Program

1. Program established. The Rural Workforce Recruitment and Retention Grant Program, referred to in this section as "the program," is established within the department to provide grants for local economic development initiatives in rural regions of the State that will assist rural businesses in those regions in locating, recruiting and retaining qualified staff to meet workforce needs. For the purpose of this section, "rural regions of the State" means Aroostook County, Piscataquis County, Somerset County and Washington County.

2. Fund established. The Rural Workforce Recruitment and Retention Grant Fund, referred to in this section as "the fund," is established as a nonlapsing fund within the department for the purpose of providing funds for the program. The fund consists of money appropriated to the fund by the Legislature and any funds received by the department for the purposes of the program.

3. Rulemaking. The department shall establish by rule the criteria for eligibility for grants from the program and the process of application. The rules must require that an entity receiving a grant for an initiative secure matching funds for the initiative on a one-to-one basis. Rules adopted pursuant to this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.

4. Reporting. The department shall report by January 15th of each year to the joint standing committee of the Legislature having jurisdiction over economic development matters on the program, including the number of grants given and the results achieved.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Rural Workforce Recruitment and Retention Grant Fund N363

Initiative: Provides base allocations to authorize the expenditure of any funds received from outside sources to provide grants for local economic development initiatives in rural regions of the State.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Rural Workforce Recruitment and Retention Grant Fund N363

Initiative: Provides one-time funds of \$200,000 in fiscal year 2021-22 and fiscal year 2022-23 only for eligible local economic development initiatives to advertise and promote jobs in rural regions of the State and to locate and retain qualified staff. Funding appropriated to this

program does not lapse but must be carried forward into the next fiscal year to be used only for the purpose for which it was provided.

GENERAL FUND	2021-22	2022-23
All Other	\$200,000	\$200,000
GENERAL FUND TOTAL	\$200,000	\$200,000

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$200,000	\$200,000
OTHER SPECIAL REVENUE FUNDS	\$500	\$500
DEPARTMENT TOTAL - ALL FUNDS	\$200,500	\$200,500

See title page for effective date.

CHAPTER 421

H.P. 357 - L.D. 494

An Act To Change the Compensation Structure of the Maine Labor Relations Board and the State Board of Arbitration and Conciliation

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

Sec. 1. 26 MRSA §931, first ¶, as amended by PL 2007, c. 175, §1, is further amended to read:

The State Board of Arbitration and Conciliation, in this subchapter called the "board," consists of 3 members appointed by the Governor from time to time upon the expiration of the terms of the several members; for terms of 3 years. One member must be an employer of labor or selected from ~~some an~~ association representing employers of labor, and another must be an employee or selected from ~~some a~~ bona fide trade or labor union. The 3rd member must represent the public interests of the State and serves as chair. Vacancies occurring during a term must be filled for the unexpired term. ~~Members~~ When meeting to deliberate or vote with respect to a matter before the board, members of the board are entitled to receive \$150 a day per meeting for their services for the time actually employed in the discharge of their official duties. For all other purposes, members of the board are entitled to receive \$300 a day for their services for the time actually employed in the discharge of their official duties. They are entitled to receive their traveling and all other necessary expenses. The costs for services rendered and expenses incurred by the State Board of Arbitration and Conciliation and any state allocation program charges must be shared equally by the

parties to the proceedings and must be paid into a special fund administered by the Maine Labor Relations Board. Authorization for services rendered and expenditures incurred by the State Board of Arbitration and Conciliation is the responsibility of the Executive Director of the Maine Labor Relations Board. All costs must be paid from that special fund. The executive director may estimate costs upon receipt of a request for services and collect those costs prior to providing the services. The executive director shall bill or reimburse the parties, as appropriate, for any difference between the estimated costs that were collected and the actual costs of providing the services. Once one party has paid its share of the estimated cost of providing the service, the matter is scheduled for hearing. A party who has not paid an invoice for the estimated or actual cost of providing services within 60 days of the date the invoice was issued is, in the absence of good cause shown, liable for the amount of the invoice together with a penalty in the amount of 25% of the amount of the invoice. Any penalty amount collected pursuant to this ~~provision section~~ remains in the special fund administered by the Maine Labor Relations Board and that fund does not lapse. The executive director is authorized to collect any sums due and payable pursuant to this ~~provision section~~ through civil action. In such an action, the court shall allow litigation costs, including court costs and reasonable attorney's fees, to be deposited in the General Fund if the executive director is the prevailing party in the action. The executive director shall, annually, on or before July 1st, make a report of the activities of the State Board of Arbitration and Conciliation to the Governor. The board shall from time to time adopt rules of procedure as it determines necessary, ~~including rules of procedure for proceedings under chapter 18~~. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 26 MRSA §968, sub-§1, as amended by PL 2019, c. 184, §1, is further amended to read:

1. Maine Labor Relations Board. The Maine Labor Relations Board, established by Title 5, section 12004-B, subsection 2, consists of 3 members and 6 alternates appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over labor matters and to confirmation by the Legislature. The Governor, in making appointments, shall name one member and 2 alternates to represent employees, one member and 2 alternates to represent employers and one member and 2 alternates to represent the public. The member and alternates representing employees may not have worked in a management capacity or represented employer interests in any proceedings at any time during the prior 6 years. The member and alternates representing the public may not have worked in a management capacity or represented employer interests in any proceedings or have worked for a labor organization or served in a leadership role in a labor organization at any time during the prior 6 years.

The member representing the public serves as the board's chair and the alternate representing the public serves as an alternate chair. Members of the board are entitled to compensation according to the provisions of Title 5, chapter 379. The alternates are entitled to compensation at the same per diem rate as the member that the alternate replaces. The term of each member and each alternate is 4 years, except that of the members and alternates first appointed, one member and 2 alternates are appointed for a term of 4 years, one member and 2 alternates are appointed for a term of 3 years and one member and 2 alternates are appointed for a term of 2 years. The members of the board, its alternates and its employees are entitled to receive necessary expenses. Per diem and necessary expenses for members and alternates of the board may be paid from the board's General Fund appropriation if, in the discretion of the executive director, doing so would not create a financial hardship for the board; otherwise, per diem and necessary expenses for members and alternates of the board, as well as state cost allocation program charges, must be shared equally by the parties to any proceeding at which the board presides and must be paid into a special fund administered by the board from which all costs must be paid. The executive director may estimate costs upon receipt of a request for services and collect those costs prior to providing the services. The executive director shall bill or reimburse the parties, as appropriate, for any difference between the estimated costs that were collected and the actual costs of providing the services. Once one party has paid its share of the estimated cost of providing the service, the matter is scheduled for hearing. A party who has not paid an invoice for the estimated or actual cost of providing services within 60 days of the date the invoice was issued is, in the absence of good cause shown, liable for the amount of the invoice together with a penalty in the amount of 25% of the amount of the invoice. Any penalty amount collected pursuant to this ~~provision subsection~~ remains in the special fund administered by the Maine Labor Relations Board, and that fund does not lapse. The executive director is authorized to collect any sums due and payable pursuant to this ~~provision subsection~~ through civil action. In such an action, the court shall allow litigation costs, including court costs and reasonable attorney's fees, to be deposited in the General Fund if the executive director is the prevailing party in the action. At its discretion, the board may allocate all costs to a party that presents a frivolous complaint or defense or that commits a blatant violation of the applicable collective bargaining law. When the board meets on administrative or other matters that do not concern the interests of particular parties or when any board member presides at a prehearing conference, the members' per diem and necessary expenses must be paid from the board's regular appropriation for these purposes. The executive director and legal or professional personnel

employed by the board are members of the unclassified service.

See title page for effective date.

**CHAPTER 422
H.P. 377 - L.D. 514**

An Act To Establish and Promote a System of Safe Disposal of Expired Marine Flares

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

Sec. 1. 25 MRSA c. 318-A is enacted to read:

**CHAPTER 318-A
EXPIRED MARINE FLARES**

§2491. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Commissioner. "Commissioner" means the Commissioner of Public Safety or the commissioner's designee.

2. Expired. "Expired" means, with regard to a marine flare, beyond the manufacturer-designated period of recommended use.

3. Fire inspector. "Fire inspector" means a person designated by the commissioner to collect expired marine flares.

4. Marine flare. "Marine flare" means a device designed to produce a bright flame for use as a signal or marker on the inland or coastal waters of the State or at sea.

§2492. Collection program

The commissioner shall establish and oversee a program for the convenient and safe collection of expired marine flares pursuant to this section.

1. Site collection. The commissioner shall coordinate the following site collection operations.

A. The commissioner shall, in coordination with a statewide association of fire chiefs, identify fire departments in the State that have the capacity and willingness to accept expired marine flares from members of the public. A participating fire department may choose to designate the geographic area from which the fire department will accept expired marine flares. A participating fire department and the commissioner shall coordinate for timely pickup of the collected expired marine flares.

B. The commissioner shall coordinate with sponsors of annual community events that choose to include expired marine flare collection as part of their events.

C. The commissioner shall coordinate with marinas, municipalities and groups that organize events at which the public is invited to drop off expired marine flares for timely collection.

2. Short-term storage. The commissioner shall provide guidance for short-term storage to persons collecting expired marine flares under subsection 1 if the commissioner determines that safety equipment or special procedures are required.

3. Direct collection. The commissioner shall designate fire inspectors to collect expired marine flares in a timely way from individuals who fish commercially and recreational boaters in the State who contact the Department of Public Safety to notify the department of expired marine flares in need of disposal.

§2493. Disposal program

The commissioner shall establish a program for the safe, nonpolluting disposal of all types of expired marine flares pursuant to this section.

1. Short-term storage. Expired marine flares collected pursuant to section 2492 that require short-term storage must be stored according to standards established by the Department of Public Safety.

2. Sorting. Expired marine flares collected pursuant to section 2492 must be sorted by type for proper incineration.

3. Incineration. Expired marine flares sorted pursuant to subsection 2 must be incinerated at temperatures that are compliant with Department of Environmental Protection standards for preventing air pollution.

4. Recycling. To the extent practicable, material from incinerated expired marine flares must be recycled.

§2494. Education program

The commissioner shall establish an education program for the public and state agencies regarding expired marine flares pursuant to this section.

1. Education campaign. The Department of Public Safety shall engage in an education campaign to inform the public and personnel of the Department of Public Safety, the Department of Agriculture, Conservation and Forestry, the Department of Inland Fisheries and Wildlife, the Department of Environmental Protection and the Department of Marine Resources and other potentially interested entities about the expired marine flare collection and disposal programs under this chapter, the dangers expired marine flares pose to public

health and the dangers expired marine flares that are improperly disposed of pose to the environment and to the safety of persons and property.

2. Department websites. The Department of Public Safety shall maintain a publicly accessible website supporting the education campaign under subsection 1 and serving as an information resource regarding expired marine flares and their proper disposal pursuant to this chapter. The Department of Public Safety, the Department of Agriculture, Conservation and Forestry, the Department of Inland Fisheries and Wildlife, the Department of Environmental Protection and the Department of Marine Resources shall coordinate to update their publications and publicly accessible websites that are suited for the purpose with information regarding the collection and disposal of expired marine flares pursuant to this chapter.

3. Printed materials. Materials published by a state agency and intended for those who fish commercially or for recreational boaters must, in printings that occur on or after the effective date of this subsection, include information about environmental and safety concerns related to improper disposal and storage of expired marine flares. The expired marine flare collection and disposal programs established pursuant to this chapter must be described in these print materials, including contact information for the Department of Public Safety's expired marine flare collection and disposal programs.

4. State agency notification. The commissioner shall notify other state agencies or entities as the commissioner determines appropriate about the expired marine flare collection and disposal programs under this chapter.

See title page for effective date.

CHAPTER 423

H.P. 386 - L.D. 541

An Act To Improve Health Care Data Analysis

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

PART A

Sec. A-1. 5 MRSA §12004-I, sub-§30-B is enacted to read:

30-B.

<u>Health Care:</u>	<u>Maine Health Data</u>	<u>Expenses</u>	<u>22 MRSA</u>
<u>Data</u>	<u>Organization Health</u>	<u>Only</u>	<u>§8718</u>
	<u>Information Advisory</u>		
	<u>Committee</u>		

Sec. A-2. 22 MRSA §42, sub-§5, as amended by PL 2009, c. 514, §1, is further amended by amending the 2nd blocked paragraph to read:

Exceptions to this subsection include release of medical and epidemiologic information in such a manner that an individual ~~can not~~ cannot be identified; disclosures that are necessary to carry out the provisions of chapter 250; disclosures made upon written authorization by the subject of the record, except as otherwise provided in this section; disclosures that are specifically required for purposes of reporting data to the Maine Health Data Organization as provided for by statute or by rules adopted by the Maine Health Data Organization; and disclosures that are specifically provided for by statute or by departmental rule. The department may participate in a regional or national tracking system as provided in sections 1533 and 8824.

Sec. A-3. 22 MRSA §1406-A is enacted to read:

§1406-A. Reporting data to the Maine Health Data Organization

The department shall report data from the cancer-incidence registry established pursuant to section 1404, including personally identifying medical or protected health information, to the Maine Health Data Organization in accordance with the joint rule adopted pursuant to section 8715-A. The data reported must be assigned a Maine Health Data Organization identifier and integrated with other Maine Health Data Organization data. The data reported may be released only in accordance with the rule adopted by the Maine Health Data Organization on release of data to the public pursuant to section 8707.

Sec. A-4. 22 MRSA §2706, sub-§2-A is enacted to read:

2-A. Reporting data to the Maine Health Data Organization. The state registrar shall report data related to the registration of vital statistics, including personally identifying medical or protected health information, to the Maine Health Data Organization in accordance with the joint rule adopted pursuant to section 8715-A. The data reported must be assigned a Maine Health Data Organization identifier and integrated with other Maine Health Data Organization data. The data reported may be released only in accordance with the rule adopted by the Maine Health Data Organization on release of data to the public pursuant to section 8707.

Sec. A-5. 22 MRSA §8703, sub-§1, as amended by PL 2019, c. 470, §1, is further amended to read:

1. Objective. The purposes of the organization are to create and maintain a useful, objective, reliable and comprehensive health information database that is used to improve the health of Maine citizens and to issue re-

ports, as provided in sections 8712 and 8736 this chapter. This database must be publicly accessible while protecting patient confidentiality and respecting providers of care. The organization shall collect, process, analyze and report clinical, financial, quality and restructuring data as defined in this chapter.

Sec. A-6. 22 MRSA §8712, sub-§2, as amended by PL 2017, c. 232, §2, is further amended to read:

2. Payments. The organization shall create a publicly accessible interactive website that presents reports related to payments for services rendered by health care facilities and practitioners to residents of the State. The services presented must include, but not be limited to, imaging, preventative health, radiology, surgical services, comparable health care services as defined in Title 24-A, section 4318-A, subsection 1, paragraph A and other services that are predominantly elective and may be provided to a large number of patients who do not have health insurance or are underinsured. The website must also be constructed to display prices paid by individual commercial health insurance companies, 3rd-party administrators and, unless prohibited by federal law, governmental payors. Beginning October 1, 2012, price information posted on the website must be posted semiannually and beginning October 1, 2022 must be posted annually, must display the date of posting and, when posted, must be current to within 12 months of the date of submission of the information. Payment reports and price information posted on the website must include data submitted by payors with regard to all health care facilities and practitioners that provide comparable health care services as defined in Title 24-A, section 4318-A, subsection 1, paragraph A or services for which the organization reports data pertaining to the statewide average price pursuant to this subsection or Title 24-A, section 4318-B. Upon notice made by a health care facility or practitioner that data posted by the organization pertaining to that facility or practitioner is inaccurate or incomplete, the organization shall remedy the inaccurate or incomplete data within the earlier of 30 days of receipt of the notice and the next semiannual posting date.

Sec. A-7. 22 MRSA §8712, sub-§3, as enacted by PL 2003, c. 469, Pt. C, §29, is repealed.

Sec. A-8. 22 MRSA §8712, sub-§4, as enacted by PL 2003, c. 469, Pt. C, §29, is repealed.

Sec. A-9. 22 MRSA §8715-A is enacted to read:

§8715-A. Reporting of cancer data and vital statistics data

1. Reporting; joint rule-making authority. The organization and the Department of Health and Human Services may adopt a joint rule to require the reporting to the organization of data from the cancer-incidence registry established pursuant to section 1404 and data

related to the registration of vital statistics pursuant to section 2701. The rule adopted pursuant to this section is a routine technical rule as described in Title 5, chapter 375, subchapter 2-A.

2. Confidentiality of data reported. Data reported to the organization in accordance with subsection 1 is the organization's data and must be protected by privacy and security measures consistent with health care industry standards. The data is confidential and may be released only in accordance with the organization's rule on release of data to the public adopted pursuant to section 8707. Any such cancer data or vital statistics data may be released only in accordance with the organization's rule adopted after the effective date of this subsection.

Sec. A-10. 22 MRSA §8718 is enacted to read:

§8718. Maine Health Data Organization Health Information Advisory Committee

The Maine Health Data Organization Health Information Advisory Committee, referred to in this section as "the advisory committee," is established in accordance with this section to make recommendations to the organization regarding public reporting of health care trends developed from data reported to the organization pursuant to this chapter.

1. Membership. The advisory committee consists of the following 11 members:

- A. The executive director of the organization;
- B. One member of the Senate, appointed by the President of the Senate;
- C. One member of the House of Representatives, appointed by the Speaker of the House of Representatives;
- D. The commissioner or the commissioner's designee;
- E. The Superintendent of Insurance or the superintendent's designee; and
- F. Six members appointed by the board as follows:
 - (1) One member representing consumers of health care;
 - (2) One member representing providers;
 - (3) One member representing hospitals;
 - (4) One member representing employers;
 - (5) One member representing carriers; and
 - (6) One member representing the state employee health plan under Title 5, section 285.

2. Duties. The advisory committee shall:

- A. Make recommendations to the organization to establish priorities for health care trend data items;

B. Make recommendations to the organization on the annual public reporting of health care trend data items pursuant to this chapter; and

C. Make additional health care data trend-related recommendations as requested by the executive director of the organization.

3. Terms. Except for Legislators, members of the advisory committee appointed by the board serve 5-year terms except for initial appointments. Initial appointments must include one member appointed to a 3-year term, 2 members appointed to 4-year terms and 3 members appointed to 5-year terms. A member may not serve more than 2 consecutive terms. The terms of Legislators serving as members of the advisory committee coincide with their legislative term of office.

4. Compensation. Except for Legislators, members of the advisory committee are eligible for compensation according to the provisions of Title 5, chapter 379.

5. Quorum. A quorum is a majority of the members of the advisory committee.

6. Chair and officers. The advisory committee shall annually choose one of its members to serve as chair for a one-year term. The advisory committee may select other officers and designate their duties.

7. Meetings. The advisory committee shall meet at least 4 times a year at regular intervals and may meet at other times at the call of the chair or the executive director of the organization. Meetings of the advisory committee are public proceedings as provided by Title 1, chapter 13, subchapter 1.

Sec. A-11. Appropriations and allocations. The following appropriations and allocations are made.

LEGISLATURE

Legislature 0081

Initiative: Appropriates funds for the ongoing costs of Legislator participation on the Maine Health Data Organization Health Information Advisory Committee.

GENERAL FUND	2021-22	2022-23
Personal Services	\$220	\$220
All Other	\$560	\$560
GENERAL FUND TOTAL	\$780	\$780

PART B

Sec. B-1. 22 MRSA §3173, as amended by PL 1997, c. 676, §1 and PL 2003, c. 689, Pt. B, §6, is further amended by adding at the end a new paragraph to read:

The department shall use the multipayor provider database established in section 8719 as its primary source of information to update the department's own data and publicly available information regarding health care provider and service directory information

when the information required by the department is already available through the multipayor provider database.

Sec. B-2. 22 MRSA §8704, sub-§1, ¶A, as amended by PL 2019, c. 470, §2, is further amended to read:

A. The board shall develop and implement policies and procedures for the collection, processing, storage and analysis of clinical, financial, quality, ~~restructuring~~ and provider data and prescription drug price data in accordance with this subsection for the following purposes:

- (1) To use, build and improve upon and coordinate existing data sources and measurement efforts through the integration of data systems and standardization of concepts;
- (2) To coordinate the development of a linked public and private sector information system;
- (3) To emphasize data that is useful, relevant and not duplicative of existing data;
- (4) To minimize the burden on those providing data; and
- (5) To preserve the reliability, accuracy and integrity of collected data while ensuring that the data is available in the public domain.

Sec. B-3. 22 MRSA §8719 is enacted to read:

§8719. Provider database and service locator tool

1. Provider database. The organization shall develop and maintain a multipayor provider database that must be used by the department to provide information for a service locator available on a publicly accessible website for use by the public, by providers and by state agencies in accordance with this section. The organization and the department shall leverage existing data sources to maintain the database whenever possible, as allowable by state and federal law. Creation and maintenance of the database may not increase mandatory reporting requirements for providers of physical health services, and reporting requirements for providers of behavioral health services must be kept to the minimum necessary to ensure development of a useful database and tool for analytic, consumer service and provider identification and referral purposes. The organization shall collaborate with the department as necessary on the development and maintenance of the database.

2. Funding. The development of the multipayor provider database and service locator tool under subsection 1 must be funded using existing resources within the department and grant funding obtained by the department from public and private sources. The organization and the Office of MaineCare Services within the department are jointly responsible for the ongoing maintenance costs of the provider database using existing resources.

Sec. B-4. Development of multipayor provider database. In accordance with the Maine Revised Statutes, Title 22, section 8719, the Maine Health Data Organization shall develop a plan, in collaboration with the Department of Health and Human Services, payors, providers, health care purchasers and representatives of consumers, to develop a broad, multipayor provider database. The organization's objective is to develop reporting, use and structure requirements for the multipayor provider database that will enable carriers to fulfill their obligation to provide timely and accurate provider directories without placing undue, additional administrative burdens on providers and to improve the accuracy and mapping of such data for analytic, consumer service and provider identification and referral purposes. The organization shall consult with other state and national agencies and organizations to determine best and promising practices for the development of the database. The organization shall submit the plan, its findings and any recommendations for suggested legislation to the Joint Standing Committee on Health Coverage, Insurance and Financial Services no later than February 1, 2022. The committee may report out legislation based upon the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 424

H.P. 436 - L.D. 593

An Act To Restore Eelgrass Mapping and Enhance Salt Marsh Vegetation Mapping in the State

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

Sec. 1. 38 MRSA §1805 is enacted to read:

§1805. Eelgrass and salt marsh vegetation mapping

In accordance with the requirements of this section and in consultation with the Department of Marine Resources, the department shall establish and administer an eelgrass and salt marsh vegetation mapping program. For the purposes of this section, "eelgrass" means the flowering marine plant species *Zostera marina* that is primarily found in shallow, protected intertidal and subtidal locations in the State. For the purposes of this section, "salt marsh vegetation" means salt-tolerant vegetation that contains a mixture of graminoids and forbs and sometimes includes cordgrasses.

1. Mapping procedures. The department shall in accordance with the schedule in subsection 3 facilitate the production and update of eelgrass and salt marsh vegetation distribution maps for eelgrass beds and salt marsh vegetation within the State. The data collected and the maps produced and updated in accordance with

this section must, to the maximum extent practicable, be compatible with the State's geographic information system.

2. Eelgrass and Salt Marsh Vegetation Mapping Fund. The Eelgrass and Salt Marsh Vegetation Mapping Fund is created within the department as a nonlapsing dedicated fund to support the establishment and administration of the eelgrass and salt marsh vegetation mapping program required under this section. The fund may accept revenue from grants, bequests, gifts or contributions from any source, public or private.

3. Mapping schedule. The mapping of eelgrass beds and salt marsh vegetation required under this section must be conducted in accordance with the following schedule, as department resources allow.

A. No later than November 1, 2023, mapping must be completed for that portion of the coast from Phippsburg to St. George and must be updated every 5 years thereafter.

B. No later than November 1, 2024, mapping must be completed for that portion of the coast from St. George to Brooklin and must be updated every 5 years thereafter.

C. No later than November 1, 2025, mapping must be completed for that portion of the coast from Brooklin to Jonesport and must be updated every 5 years thereafter.

D. No later than November 1, 2026, mapping must be completed for that portion of the coast from Jonesport to Calais and must be updated every 5 years thereafter.

E. No later than November 1, 2027, mapping must be completed for that portion of the coast from Elliot to Phippsburg and must be updated every 5 years thereafter.

4. Availability of data and maps. The department shall make available on its publicly accessible website the data collected and maps produced and updated under this section.

5. Report. On or before March 1, 2024, and biennially thereafter, the department shall submit to the joint standing committee of the Legislature having jurisdiction over environmental and natural resources matters a report summarizing the data collected and maps produced and updated under this section and including an analysis, if available, of the changes to the eelgrass beds and salt marsh vegetation within the State that are demonstrated by the data collected and maps produced under this section

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Eelgrass and Salt Marsh Vegetation Mapping Fund N302

Initiative: Provides an allocation to accept grants, bequests, gifts or contributions from any source, public or private, to support the administration of the eelgrass and salt marsh vegetation mapping program.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$500

Water Quality 0248

Initiative: Provides appropriations for one Biologist II position and one Environmental Technician position and All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	2.000
Personal Services	\$0	\$191,551
All Other	\$0	\$6,292
GENERAL FUND TOTAL	\$0	\$197,843

Water Quality 0248

Initiative: Provides appropriations for aerial imagery acquisition and processing and annual equipment maintenance and replacement.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$86,671
GENERAL FUND TOTAL	\$0	\$86,671

ENVIRONMENTAL PROTECTION, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$0	\$284,514
OTHER SPECIAL REVENUE FUNDS	\$0	\$500
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$285,014

See title page for effective date.

**CHAPTER 425
H.P. 446 - L.D. 610**

An Act To Amend the Laws Governing Employer Recovery of Overcompensation Paid to an Employee

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

Sec. 1. 26 MRSA §635, as enacted by PL 1989, c. 804, is amended to read:

§635. Overcompensation by employer

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

A. "Net amount" means the amount of money due an employee as compensation after any deductions or withholdings other than an employer's withholding for the purpose of recovering any overcompensation.

A-1. "Employer" means a person in this State that employs individuals and includes the State and political subdivisions of the State. "Employer" includes a person acting in the interest of an employer directly or indirectly.

B. "Overcompensation" means any compensation paid to an employee that is greater than that to which the employee is entitled under the compensation system established by the employer, but does not include fringe benefits, paid leave, awards, bonuses, settlements or insurance proceeds in respect to or in lieu of compensation, expense reimbursements, commissions or draws or advances against compensation.

C. "Paid leave" has the same meaning as in section 636, subsection 1, paragraph C.

2. Recovery of overcompensation; limitations.

An employer who has overcompensated an employee through employer error may not withhold more than ~~10%~~ 5% of the net amount of any subsequent pay without the employee's written permission, except that, if the employee voluntarily terminates employment, the employer may deduct the full amount of overcompensation from any wages due. An employer who has overcompensated an employee through employer error may not recover more than the amount of overcompensation paid to that employee in the 3 years preceding the date of discovery of the overcompensation.

3. Violation.

If an employer with over 25 employees violates this section, that employer forfeits any claim to the overcompensation.

If an employer with 25 or fewer employees knows of the ~~limitation~~ limitations established by subsection 2 and violates this section, that employer forfeits any claim to the overcompensation. ~~Employers~~ An employer of 25 or fewer employees who ~~do~~ does not know of the ~~limitation~~ limitations established by subsection 2 and who ~~violate~~ violates this section shall return all money withheld in excess of that permitted under subsection 2 within 3 days of written or oral demand by the employee, or ~~forfeit~~ forfeits any claim to the overcompensation.

4. Application. This section is applied as follows.

A. An employer has the burden of proof, except that, if the overcompensation amounts to less than 15% of the correct net amount of the employee's compensation, the employer must prove by clear and convincing evidence that the employee knowingly accepted the overcompensation.

B. If an employee knowingly accepts the overcompensation, this section does not apply.

C. This section, except for the forfeiture provisions in subsection 3, does not limit or affect an employer's general civil remedies against an employee or an employee's general civil remedies against an employer.

See title page for effective date.

**CHAPTER 426
S.P. 250 - L.D. 636**

**An Act To Encourage the
Purchase of Local Foods for
Public Schools**

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

Whereas, school administrative units have an immediate need to provide high-quality, locally grown foods to Maine students, many of whom experience food insecurity; and

Whereas, school administrative units require the ability to access the State's enhanced program providing local foods to public schools in the current fiscal year; 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:

Sec. 1. 20-A MRSA §6602, sub-§12, as amended by PL 2019, c. 511, §1 and affected by §2, is further amended to read:

12. Local Produce Foods Fund. The Local Produce Foods Fund is established within the department. The fund is authorized to receive revenue from public and private sources. The fund must be held separate and apart from all other money, funds and accounts. Any balance remaining in the fund at the end of the fiscal year must be carried forward to the next fiscal year. The fund must be used to match \$1 for every \$3 a school administrative unit pays for produce, value-added dairy,

protein or minimally processed foods purchased directly from a farmer, farmers' cooperative or local food hub, local food processor or food service distributor in the State, to a maximum state contribution of ~~\$1,000 per school administrative unit in fiscal year 2019-20 and \$1,500~~ \$5,000 per school administrative unit in fiscal year ~~2020-21~~ 2021-22 and subsequent years or ~~\$2,000~~ \$5,500 per school administrative unit if funding is received and the school administrative unit sends a food service employee to local foods training administered by the department under subsection 13. All foods purchased using the fund must be grown or produced in the State. At the end of the fiscal year, the school administrative unit may provide the department with receipts documenting purchases pursuant to this subsection during that year. For purposes of this subsection, "minimally processed" means only the washing, cleaning, trimming, peeling, slicing, drying, sorting, refrigerating, freezing and packaging of food items or a combination of those activities. Reimbursement or partial reimbursement to school administrative units may only be made up to the amount available in the fund. Failure to reimburse does not constitute an obligation on behalf of the State to a school administrative unit. The department shall apply for federal grant funding to provide state contributions in excess of ~~\$1,000 per school administrative unit in fiscal year 2019-20 and \$1,500~~ \$5,000 per school administrative unit in fiscal year ~~2020-21~~ 2021-22 and subsequent years pursuant to this subsection if applicable grant funding is available. The department may accept grant funding from hospitals and other sources to provide state contributions in excess of ~~\$1,000 per school administrative unit in fiscal year 2019-20 and \$1,500~~ \$5,000 per school administrative unit in fiscal year ~~2020-21~~ 2021-22 and subsequent years pursuant to this subsection.

Sec. 2. 20-A MRSA §6602, sub-§12-A is enacted to read:

12-A. Local Foods Fund reimbursement. Reimbursement or partial reimbursement to school administrative units may be made only up to the amount appropriated to support the provisions of the Local Foods Fund as established in subsection 12. Funds appropriated for this purpose do not lapse but must be carried forward to the next fiscal year to be used for the same purpose.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Local Foods N371

Initiative: Transfers funding to support the use of local produce in schools to a newly created Local Foods Fund.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	\$300,813	\$322,500	\$322,500

GENERAL FUND \$300,813 \$322,500 \$322,500
TOTAL

School Finance and Operations Z078

Initiative: Transfers funding to support the use of local produce in schools to a newly created Local Foods Fund.

GENERAL FUND	2020-21	2021-22	2022-23
All Other	(\$300,813)	(\$322,500)	(\$322,500)
GENERAL FUND	(\$300,813)	(\$322,500)	(\$322,500)
TOTAL			

EDUCATION, DEPARTMENT OF DEPARTMENT TOTALS	2020-21	2021-22	2022-23
GENERAL FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

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

Effective July 8, 2021.

**CHAPTER 427
H.P. 475 - L.D. 644**

**An Act Regarding Motor
Vehicle Registration Violations**

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

Sec. 1. 29-A MRSA §351, sub-§1, as amended by PL 2013, c. 112, §6, is further amended to read:

1. Failure to register. A person who operates a vehicle that is not registered in accordance with this Title, fails to register a vehicle or permits a vehicle that is not registered to remain on a public way commits:

A. A traffic infraction for which a fine of not more than \$50 may be adjudged for a first offense if the vehicle was registered and the registration has been expired for more than 30 days but less than 150 days; ~~or~~

~~B. A Class E crime if the vehicle was not registered or the registration has been expired for 150 days or more.~~

C. A traffic infraction for which a fine of not more than \$100 may be adjudged for a first offense if the vehicle was registered and the registration has been expired for 150 days or more;

D. A traffic infraction for which a fine of not more than \$500 may be adjudged for each subsequent offense; or

E. A Class E crime if the vehicle has never been registered by the current owner of the vehicle.

A person served with a Violation Summons and Complaint charging a violation of this subsection may have the complaint dismissed if that person shows satisfactory evidence of registration that was in effect at the time of the alleged violation or that the person subsequently registered the vehicle prior to the date required for filing an answer to the complaint. The clerk of the District Court Violations Bureau must dismiss the complaint if, prior to the date required for filing an answer to the complaint, the person charged files a copy of the Violation Summons and Complaint with the bureau, together with satisfactory evidence of registration. If a person files a timely answer to a Violation Summons and Complaint alleging a violation of this subsection and that person presents to the court at the time of trial satisfactory evidence of registration, the court must dismiss the complaint.

Sec. 2. 29-A MRSA §351, sub-§1-A, as amended by PL 2005, c. 433, §5 and affected by §28, is further amended to read:

1-A. Residents required to register. An owner of a vehicle who becomes a resident of this State shall register that vehicle in this State within 30 days of establishing residency. A person who operates or allows a vehicle that is not registered in accordance with this subsection to remain on a public way commits:

A. A traffic infraction for which a fine of not more than \$50 may be adjudged for a first offense if more than 30 days but less than 150 days has elapsed since establishing residency; ~~or~~

A-1. A traffic infraction for which a fine of not more than \$500 may be adjudged for a 2nd and each subsequent offense; or

B. A Class E crime if more than 150 days have elapsed since establishing residency.

Sec. 3. 29-A MRSA §351, sub-§2, ¶A, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

A. Within 2 10 business days, the owner or operator must register the vehicle;

Sec. 4. Effective date. This Act takes effect July 1, 2022.

Effective July 1, 2022.

CHAPTER 428
H.P. 478 - L.D. 651

**An Act To Stabilize Student
Count in Maine's School
Funding Formula**

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

Sec. 1. 20-A MRSA §15674, sub-§1, ¶B, as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

B. The average number of students in equivalent instruction programs during the most recent calendar year, as reported pursuant to section 5021, subsection 8; ~~and~~

Sec. 2. 20-A MRSA §15674, sub-§1, ¶C, as amended by PL 2017, c. 284, Pt. C, §29, is further amended to read:

C. Beginning in fiscal year 2018-19 ~~and until fiscal year 2022-23~~:

(1) The average of the pupil counts for October 1st of the 2 most recent calendar years prior to the year of funding, reported in accordance with section 6004, including the counts of students enrolled in an alternative education program made in accordance with section 5104-A; ~~and~~

Sec. 3. 20-A MRSA §15674, sub-§1, ¶D is enacted to read:

D. Beginning in fiscal year 2022-23:

(1) The average of the pupil counts for October 1st of the 2 most recent calendar years prior to the year of funding, reported in accordance with section 6004, including the counts of students enrolled in an alternative education program made in accordance with 5104-A, except that if a school administrative unit experiences a decline in total school administrative unit student enrollment of 10% or more in the most recent year, the pupil counts for October 1st of the 3 most recent calendar years prior to the year of funding must be used unless that count is less than the average of the October 1st pupil counts of the 2 most recent calendar years.

Sec. 4. 20-A MRSA §15674, sub-§2, as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

2. Exception. Notwithstanding subsection 1, paragraph C, the pupil count identified in subsection 1, paragraph C, ~~subparagraph (1) or D, whichever is applicable~~, must be used for:

A. Elementary school level and middle school level students for school administrative units that

send all their elementary school level and middle school level students as tuition students to schools elsewhere in the State;

B. High school level students for school administrative units that send all their high school level students as tuition students to schools elsewhere in the State; and

C. School level students for school administrative units that send all their school level students to schools elsewhere in the State.

Sec. 5. 20-A MRSA §15675, first ¶, as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

For the purpose of calculating the total operating allocation under this chapter pursuant to section 15683, the following additional weights must be added to the per-pupil count calculated under section 15674, subsection 1, paragraph C, ~~subparagraph (1) or D, whichever is applicable~~.

Sec. 6. 20-A MRSA §15678, sub-§3, as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

3. Number of teaching positions required. The commissioner shall identify for each school administrative unit, using the pupil count arrived at under section 15674, subsection 1, paragraph C, ~~subparagraph (1) or D, whichever is applicable~~, the number of school level teaching positions that are required in order to achieve the student-to-teacher ratios set forth in subsection 2.

Sec. 7. 20-A MRSA §15679, sub-§3, as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

3. Number of staff positions required. The commissioner shall identify for each school administrative unit, using the pupil count arrived at under section 15674, subsection 1, paragraph C, ~~subparagraph (1) or D, whichever is applicable~~, the number of staff positions that are required in order to achieve the student-to-staff ratios set forth in subsection 2.

Sec. 8. 20-A MRSA §15679, sub-§5, as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

5. Salary costs for substitute teachers. The commissioner shall calculate the additional salary costs for substitute teachers for each school administrative unit using the pupil count arrived at under section 15674, subsection 1, paragraph C, ~~subparagraph (1) or D, whichever is applicable~~. In order to calculate this amount, the commissioner shall establish a per-pupil rate for the cost of a substitute teacher for 1/2 day.

Sec. 9. 20-A MRSA §15683, sub-§1, ¶A, as amended by PL 2019, c. 398, §33, is further amended by amending subparagraph (1) to read:

(1) The pupil count set forth in section 15674, subsection 1, paragraph C or D, whichever is applicable;

See title page for effective date.

CHAPTER 429

H.P. 485 - L.D. 658

An Act To Provide Funding for 2 Veteran Service Officers in the Maine Bureau of Veterans' Services

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

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Veterans Services 0110

Initiative: Provides funding for 2 Veteran Service Officer positions and related costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$114,416	\$152,554
All Other	\$6,090	\$8,120
GENERAL FUND TOTAL	\$120,506	\$160,674

See title page for effective date.

CHAPTER 430

H.P. 505 - L.D. 693

An Act To Make the Pilot Program Providing Mental Health Case Management Services to Veterans a Permanent Program

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

Whereas, this legislation makes permanent the pilot program to provide case management services to veterans for mental health care established by Resolve 2017, chapter 24; and

Whereas, this legislation must take effect before the expiration of the 90-day period to ensure continued case management services are provided without interruption after the pilot program ends; 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:

Sec. 1. 22 MRSA §1833 is enacted to read:

§1833. Referral of veterans

1. Screening. A hospital licensed under this chapter shall screen all patients presenting for emergency care at the hospital's emergency department regarding whether or not the patient has prior service in the military. This information must be added to the hospital's patient data management system.

2. Referral. If a patient presenting for emergency care at the emergency department of a hospital licensed under this chapter identifies as having prior service in the military under subsection 1, the hospital shall, at a minimum, provide the patient with the following information and document the provision of this information in the hospital's patient data management system:

A. Contact information for the Department of Defense, Veterans and Emergency Management, Maine Bureau of Veterans' Services. The hospital shall inform the patient that the bureau may be able to assist the patient with accessing state and federal veterans benefits; and

B. A copy of a benefits and resource guide for veterans seeking emergency care made available on the publicly accessible website of the Department of Defense, Veterans and Emergency Management, Maine Bureau of Veterans' Services.

Sec. 2. 34-B MRSA c. 3, sub-c. 7 is enacted to read:

SUBCHAPTER 7

MENTAL HEALTH CASE MANAGEMENT SERVICES FOR VETERANS

§3911. Mental health case management services for veterans

The department shall provide contracted case management services to provide necessary mental health treatment to veterans who are residents of the State. Case management services must include assisting veterans in accessing a range of mental and behavioral health services, which must include inpatient mental health care services as clinically required. The department, with the assistance of the Department of Defense, Veterans and Emergency Management, Maine Bureau of Veterans' Services, referred to in this subchapter as "the bureau," shall identify regions of the State where case management services are most needed and identify

veterans seeking case management services who are enrolled with the United States Department of Veterans Affairs and those who would likely be eligible to be enrolled.

1. Coordination. The department, with the assistance of the bureau, shall seek to coordinate services with the United States Department of Veterans Affairs and state agencies that offer mental health care services or provide assistance to veterans.

2. Regional contracts. The department may enter into regional contracts, including a contract with a provider that has experience providing services in the northern part of the State, for the purpose of ensuring a statewide network of case management that provides coordinated mental health care services for veterans living in the State, including, but not limited to, inpatient treatment as clinically required. Contracted providers shall, at a minimum, connect each individual referred to the provider for case management services with a veteran service officer at the bureau, who shall assist the individual in accessing the state and federal veterans benefits to which the individual may be entitled.

3. Eligibility. An individual who served in the Armed Forces of the United States and meets the definition of "veteran" under 38 Code of Federal Regulations, Section 3.1 or who has served or is currently serving in the Maine Army National Guard or Air National Guard or the Reserves of the Armed Forces of the United States is eligible to receive services under this subchapter. The character of a veteran's discharge from service is not a disqualifying eligibility criterion to receive services under this subchapter. A veteran who has received a mental health diagnosis or mental health disability rating from the United States Department of Veterans Affairs is eligible to receive services under this subchapter. A veteran who is not enrolled with the United States Department of Veterans Affairs who is determined to require mental health care services by a licensed mental health professional may be considered eligible for case management and other behavioral health services under this subchapter based on the individual needs of the veteran. The department, with the assistance of the bureau, shall establish criteria to determine eligibility for case management services to be provided under this subchapter.

4. Enrollment. The bureau shall work to assist veterans receiving case management services under this subchapter who are not enrolled with the United States Department of Veterans Affairs to determine eligibility and to assist with those veterans' enrollment and with filing claims to the United States Department of Veterans Affairs.

5. Cultural competency. Case management and mental health professionals selected to provide services pursuant to this subchapter must demonstrate familiarity with military and veteran culture.

6. Data collection. All veterans receiving case management and mental health services under this subchapter must be accounted for in department and bureau data collections.

7. Department report. The department, in consultation with the bureau, shall prepare a written report of the services provided under this subchapter and make any recommendations regarding its provision of services under this subchapter to the joint standing committee of the Legislature having jurisdiction over veterans affairs by February 1st annually.

§3912. Veterans Mental Health Case Management and Services Fund

The Veterans Mental Health Case Management and Services Fund, referred to in this section as "the fund," is established as a dedicated, nonlapsing Other Special Revenue Funds account in the department. The fund is administered by the department to support the provision of case management services for veterans under this subchapter.

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

Effective July 8, 2021.

CHAPTER 431

H.P. 569 - L.D. 764

**An Act To Authorize the Maine
Emergency Management
Agency To Requisition Food
Supplies for Emergency Use or
Special Duty Assignments**

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

Sec. 1. 5 MRS-A §8-C, first ¶, as corrected by RR 1995, c. 2, §1 and amended by PL 2001, c. 354, §3; PL 2003, c. 689, Pt. B, §§6 and 7; PL 2011, c. 657, Pt. W, §7; and PL 2013, c. 405, Pt. A, §23, is further amended to read:

All commissary-type facilities operated by state departments for the sale of food and food supplies to any person must be eliminated. Purchasing of food and food supplies for any person by requisition or otherwise is prohibited, except that the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency and the Department of Inland Fisheries and Wildlife and the Department of Agriculture, Conservation and Forestry, Bureau of Forestry may requisition food supplies for emergency use or special duty assignments. Meals purchased and prepared for institutional or school use may be sold to employees or to visitors based on the actual total cost of purchasing and serving such food or food supplies.

In the case of institutions and schools operated by the Department of Health and Human Services, income derived from the sale of meals accrues to the General Fund. With the approval of the Commissioner of Health and Human Services and the head of the institution involved, no charge may be made for the provision of meals to any state employee who eats such meals within the scope of employment and in doing so serves a function of that employment. If such approval is given, the Commissioner of Health and Human Services shall establish standards that must be applied uniformly at all institutions within the department.

See title page for effective date.

**CHAPTER 432
S.P. 117 - L.D. 803**

**An Act Regarding Violation of
a Protective Order**

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

Sec. 1. 19-A MRSA §4011, sub-§1, as amended by PL 2001, c. 420, §1, is further amended to read:

1. Crime committed. Except as provided in subsections 2 ~~and~~ 4 ~~and~~ 5, violation of the following is a Class D crime when the defendant has prior actual notice, which may be notice by means other than service in hand, of the order or agreement:

A. A temporary, emergency, interim or final protective order, an order of a tribal court of the Passamaquoddy Tribe or the Penobscot Nation or a similar order issued by a court of the United States or of another state, territory, commonwealth or tribe; or

B. A court-approved consent agreement.

Sec. 2. 19-A MRSA §4011, sub-§4, as enacted by PL 2001, c. 420, §2, is amended to read:

4. Reckless conduct; assault. A defendant who violates a protective order issued pursuant to section 4007 or an order that is similar to a protective order pursuant to section 4007 issued by a court of the United States or of another state, territory, commonwealth or tribe through conduct that is reckless and that creates a substantial risk of death or serious bodily injury to the plaintiff named in the protective order or who assaults the plaintiff named in the protective order commits a Class C crime.

See title page for effective date.

**CHAPTER 433
H.P. 696 - L.D. 940**

**An Act To Establish Appliance
Energy and Water Standards**

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

Sec. 1. 38 MRSA §1613 is enacted to read:

§1613. Appliance and product efficiency standards

1. Sale prohibition; appliances and products. The following provisions apply to the sale or offering for sale in the State of certain new appliances and products.

A. Except as provided in subsection 2, beginning January 1, 2023, a person may not sell or offer for sale in the State any of the following appliances and products manufactured on or after January 1, 2023 that are prohibited from sale in rules adopted by the department in accordance with subsection 3:

- (1) Computers and computer monitors;
- (2) General service lamps;
- (3) Commercial hot food holding cabinets;
- (4) Plumbing fittings that are showerheads, lavatory faucets, kitchen faucets, public lavatory faucets, metering faucets, kitchen replacement aerators and lavatory replacement aerators;
- (5) Plumbing fixtures that are water closets and urinals;
- (6) Portable electric spas;
- (7) Spray sprinkler bodies; and
- (8) Water dispensers.

For the purposes of this paragraph, the appliances and products listed in subparagraphs (1) to (8) have the same meanings as in rules adopted by the department under subsection 3, except that "general service lamps" means medium-base incandescent light bulbs that are: reflector lamps that are ER30, BR30, BR40 or ER40 lamps rated at 50 watts or less; reflector lamps that are BR30, BR40 or ER40 lamps rated at 65 watts; reflector lamps that are R20 lamps rated at 45 watts or less; B, BA, CA, F and G shape lamps as defined in American National Standards Institute standard C79.1-2002 with a lumen output greater than or equal to 200 and rated at 40 watts or less; A and C shape lamps as defined in American National Standards Institute standard C79.1-2002 with a lumen output greater than or equal to 200 and less than 310; shatter-resistant lamps; and 3-way lamps.

B. In determining a person's compliance with paragraph A, the department shall, to the greatest extent practicable and where consistent with the requirements of this subsection, use information available from other states that regulate the same appliances and products.

C. A person who violates paragraph A commits a civil violation for which a fine of not more than \$100 may be adjudged.

2. Exclusions; federal preemption. This section does not apply to any appliances and products listed in subsection 1, paragraph A, subparagraphs (1) to (8) that are manufactured before January 1, 2023 or that are sold or offered for sale in the State in used condition. An appliance or product listed in subsection 1, paragraph A is exempt from the prohibitions in this section and the rules adopted pursuant to this section if state regulation of the appliance or product is preempted by federal statute or regulation, for as long as that federal preemption remains in effect.

3. Rules. The department may adopt rules to prohibit the sale or offering for sale in the State of appliances or products described in subsection 1, paragraph A. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. Memorandum of understanding regarding technical assistance to consumers and businesses. The Department of Environmental Protection may enter into a memorandum of understanding or other formalized agreement with the Efficiency Maine Trust, established in the Maine Revised Statutes, Title 35-A, chapter 97, for the provision of technical assistance by the trust to consumers and businesses in the scope and application of the State's efficiency standards under Title 38, section 1613.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Maine Environmental Protection Fund 0421

Initiative: Provides appropriations for one Environmental Specialist III position and associated costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	0.000	1.000
COUNT		
Personal Services	\$0	\$85,182
All Other	\$0	\$18,000
GENERAL FUND TOTAL	\$0	\$103,182

See title page for effective date.

**CHAPTER 434
H.P. 732 - L.D. 994**

An Act To Promote Public Health by Eliminating Criminal Penalties for Possession of Hypodermic Apparatuses

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

Sec. 1. 17-A MRSA §1106, sub-§6, as amended by PL 2019, c. 12, Pt. B, §7, is further amended to read:

6. It is an affirmative defense to prosecution under this section that the substance furnished is:

A. Hemp; or

~~B. A residual amount of any scheduled drug that is contained in one or more hypodermic apparatuses if the person is enrolled in a hypodermic apparatus exchange program that is certified by the Department of Health and Human Services, Maine Center for Disease Control and Prevention and is furnishing the hypodermic apparatuses to an employee of such a program.~~

Sec. 2. 17-A MRSA §1107-A, sub-§5, as amended by PL 2019, c. 12, Pt. B, §9, is further amended to read:

5. It is an affirmative defense to prosecution under this section that the substance furnished is:

A. Hemp; or

~~B. A residual amount of any scheduled drug that is contained in one or more hypodermic apparatuses if the person is enrolled in a hypodermic apparatus exchange program that is certified by the Department of Health and Human Services, Maine Center for Disease Control and Prevention and is transporting the hypodermic apparatuses to the program.~~

Sec. 3. 17-A MRSA §1107-A, sub-§6 is enacted to read:

6. Unlawful possession of a scheduled drug does not include possession of a residual amount of any scheduled drug that is contained in one or more hypodermic apparatuses.

Sec. 4. 17-A MRSA §1110, as amended by PL 2007, c. 695, Pt. A, §20, is repealed.

Sec. 5. 17-A MRSA §1111, as amended by PL 2007, c. 346, Pt. B, §4, is repealed.

Sec. 6. 17-A MRSA §1111-A, sub-§1, as amended by PL 2017, c. 409, Pt. B, §6, is further amended to read:

1. As used in this section the term "drug paraphernalia" means all equipment, products and materials of any kind that are used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, ~~testing, analyzing,~~ packaging, re-packaging, storing, containing, ~~or concealing, injecting, ingesting, inhaling or otherwise introducing into the human body~~ a scheduled drug in violation of this chapter or Title 22, section 2383, except that this section does not apply to a person who is authorized to possess marijuana for medical use pursuant to Title 22, chapter 558-C, to the extent the drug paraphernalia is used for that person's medical use of marijuana; to a person who is authorized to possess marijuana pursuant to Title 28-B, to the extent the drug paraphernalia is used for that person's adult use of marijuana; or to a marijuana store licensed pursuant to Title 28-B, to the extent that the drug paraphernalia relates to the sale or offering for sale of marijuana by the marijuana store. It includes, but is not limited to:

- A. Kits used or intended for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a scheduled drug or from which a scheduled drug can be derived;
- B. Kits used or intended for use in manufacturing, compounding, converting, producing, processing or preparing scheduled drugs;
- C. Isomerization devices used or intended for use in increasing the potency of any species of plant that is a scheduled drug;
- ~~D. Testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness or purity of scheduled drugs;~~
- E. Scales and balances used or intended for use in weighing or measuring scheduled drugs;
- F. Dilutants and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used or intended for use in cutting scheduled drugs;
- G. Separation gins and sifters, used or intended for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana;
- H. Blenders, bowls, containers, spoons and mixing devices used or intended for use in compounding scheduled drugs;
- I. Capsules, balloons, envelopes and other containers used or intended for use in packaging small quantities of scheduled drugs; and
- J. Containers and other objects used or intended for use in storing or concealing scheduled drugs; and

~~K. Objects used or intended for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish or hashish oil into the human body, such as:~~

- ~~(1) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;~~
- ~~(2) Water pipes;~~
- ~~(3) Carburetion tubes and devices;~~
- ~~(4) Smoking and carburetion masks;~~
- ~~(5) Roach clips, meaning objects used to hold burning material, such as a marijuana cigarette that has become too small or too short to be held in the hand;~~
- ~~(6) Miniature cocaine spoons and cocaine vials;~~
- ~~(7) Chamber pipes;~~
- ~~(8) Carburetor pipes;~~
- ~~(9) Electric pipes;~~
- ~~(10) Air driven pipes;~~
- ~~(11) Chillums;~~
- ~~(12) Bongs; or~~
- ~~(13) Ice pipes or chillers.~~

Sec. 7. 17-A MRSA §1111-A, sub-§2, as enacted by PL 1981, c. 266, is amended to read:

2. For purposes of this section, drug paraphernalia does not include hypodermic ~~apparatus~~ apparatuses. ~~Possession of, furnishing or trafficking in hypodermic apparatus constitute separate offenses under sections 1110 and 1111.~~

Sec. 8. 17-A MRSA §1111-B, as enacted by PL 2019, c. 137, §1 and amended by c. 292, §1, is further amended to read:

§1111-B. Exemption from criminal liability for reporting a drug-related medical emergency or administering naloxone

A person who in good faith seeks medical assistance for or administers naloxone hydrochloride to another person experiencing a drug-related overdose and who is experiencing a drug-related overdose and is in need of medical assistance may not be arrested or prosecuted for a violation of section 1107-A, 1108, ~~1111~~ or 1111-A or a violation of probation as authorized by chapter ~~49~~ 67, subchapter 1 if the grounds for arrest or prosecution are obtained as a result of the person's seeking medical assistance, administering naloxone hydrochloride or experiencing a drug-related overdose.

Sec. 9. 17-A MRSA §1126, sub-§2, as enacted by PL 2019, c. 113, Pt. B, §17, is amended to read:

2. Mandatory minimum fine barring court finding exceptional circumstances. In addition to any other authorized sentencing alternative specified in section 1502, subsection 2 for individuals or section 1502, subsection 7 for organizations, the court shall impose a minimum fine of \$400, none of which may be suspended, except as provided in subsection 3, for an individual convicted of a crime under section 1103; 1104; 1105-A; 1105-B; 1105-C; 1105-D; 1106; 1107-A; 1108; 1109; ~~1110; 1111~~; 1111-A, subsection 4-A; 1116; 1117; or 1118.

Sec. 10. 22 MRSA §2383-B, sub-§2, as amended by PL 2013, c. 266, §§9 and 10, is further amended to read:

2. Others lawfully in possession. Except as otherwise authorized or restricted, the following persons are authorized to possess, furnish and have control of scheduled or prescription drugs, or controlled substances ~~or hypodermic apparatuses~~:

- A. Common carriers or warehouse operators while engaged in lawfully transporting or storing prescription drugs ~~or hypodermic apparatuses~~ or any of their employees acting within the scope of their employment;
- B. Employees or agents of persons lawfully entitled to possession who have temporary, incidental possession while acting within the scope of their employment or agency;
- C. Persons whose possession is for the purpose of aiding public officers in performing their official duties while acting within the scope of their employment or duties;
- D. Law enforcement officers while acting within the scope of their employment and official duties;
- E. Physicians, dentists, podiatrists, pharmacists or other persons authorized by law or rule to administer, dispense, prescribe or sell scheduled or prescription drugs, or controlled substances ~~or hypodermic apparatuses~~ while acting within the course of their professional practice; and
- ~~F. With regard to the possession or furnishing of hypodermic apparatuses, persons authorized by the Bureau of Health pursuant to a hypodermic apparatus exchange program, certified under chapter 252-A while acting within the scope of their employment under such programs; and~~
- G. Persons conducting research at a school of pharmacology that is accredited or is a candidate for accreditation in good standing.

Sec. 11. 22 MRSA §2383-B, sub-§6, as amended by PL 2015, c. 27, §1, is repealed.

Sec. 12. 32 MRSA §13787-A, sub-§3, as amended by PL 2003, c. 688, Pt. A, §39, is repealed.

Sec. 13. 32 MRSA §13787-A, sub-§4, as enacted by PL 1993, c. 394, §2, is amended to read:

4. Immunity limited. This section does not limit prosecution for violation of any law prohibiting or regulating the use, possession, dispensing, distribution or promotion of controlled substances, or scheduled drugs ~~or drug paraphernalia~~.

See title page for effective date.

**CHAPTER 435
H.P. 750 - L.D. 1012**

**An Act To Provide Funding for
the Maine Outdoor Heritage
Fund Program**

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

Sec. 1. Transfer. Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$75,000 during fiscal year 2021-22 and \$75,000 during fiscal year 2022-23 from the unappropriated surplus of the General Fund to the Maine Outdoor Heritage Fund established in the Maine Revised Statutes, Title 12, section 10302.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

**INLAND FISHERIES AND WILDLIFE,
DEPARTMENT OF
Maine Outdoor Heritage Fund 0829**

Initiative: Provides an allocation for maintaining, improving and expanding state and local natural resource conservation programs and associated compatible public uses.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$75,000	\$75,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$75,000	\$75,000

See title page for effective date.

**CHAPTER 436
H.P. 768 - L.D. 1034**

An Act To Provide Funding To Support the Permanent Commission on the Status of Racial, Indigenous and Tribal Populations and To Establish Staffing for the Commission

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

Sec. 1. 5 MRSA §12004-I, sub-§74-J, as enacted by PL 2019, c. 457, §1, is repealed.

Sec. 2. 5 MRSA §12004-J, sub-§19 is enacted to read:

19.

<u>Racial, Indigenous and Tribal Populations</u>	<u>Permanent Commission on the Status of Racial, Indigenous and Tribal Populations</u>	<u>Legislative Per Diem and Expenses</u>	<u>5 MRSA §25001</u>
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Sec. 3. 5 MRSA c. 631, headnote is amended to read:

CHAPTER 631

PERMANENT COMMISSION ON THE STATUS OF RACIAL, INDIGENOUS AND MAINE TRIBAL POPULATIONS

Sec. 4. 5 MRSA §25001, as enacted by PL 2019, c. 457, §2, is amended to read:

§25001. Commission established

The Permanent Commission on the Status of Racial, Indigenous and ~~Maine~~ Tribal Populations, established by ~~section 12004-I, subsection 74-J~~ section 12004-J, subsection 19 and referred to in this chapter as "the commission," is an independent commission. The commission shall promote, implement and coordinate programs that create and improve opportunities and incorporate the goal of eliminating disparities for historically disadvantaged racial, indigenous and tribal populations in the State.

Sec. 5. 5 MRSA §25002, sub-§1, ¶D, as enacted by PL 2019, c. 457, §2, is amended to read:

D. Other members:

- (1) A representative from each of the federally recognized Indian tribes in the State; and
- (2) Any other individual agreed to by a majority of commission members.

Sec. 6. 5 MRSA §25007, sub-§2, ¶D, as enacted by PL 2019, c. 457, §2, is amended to read:

D. Submit to the Legislature, ~~at the start of each regular session,~~ such legislation as the commission determines appropriate for improving opportunities and eliminating disparities for historically disadvantaged racial, indigenous and tribal populations in the State;

Sec. 7. 5 MRSA §25009, as enacted by PL 2019, c. 457, §2, is repealed.

Sec. 8. 5 MRSA §25010, as enacted by PL 2019, c. 457, §2, is amended to read:

§25010. Federal and state funds

The commission may accept funds from the Federal Government, from a political subdivision of the State or from an individual, a foundation or a corporation and may expend funds for purposes that are consistent with this chapter. Funds received under this section must be deposited in ~~a nonlapsing Other Special Revenue Funds account within the Department of Labor~~ an account maintained by the commission to support the work of the commission.

Sec. 9. 5 MRSA §25011 is enacted to read:

§25011. Executive director; staff; duties

The commission shall select an individual to serve as the executive director of the commission. The executive director shall hire appropriate staff to assist in carrying out the duties of the commission.

Sec. 10. Transfer of funds. Notwithstanding any provision of law to the contrary, the State Controller shall transfer any unobligated balances remaining in the Racial, Indigenous and Maine Tribal Populations, Other Special Revenue Funds account within the Department of Labor to the Racial, Indigenous and Tribal Populations, Other Special Revenue Funds account within the Permanent Commission on the Status of Racial, Indigenous and Tribal Populations no later than the effective date of this Act.

Sec. 11. Appropriations and allocations. The following appropriations and allocations are made.

LABOR, DEPARTMENT OF

Racial, Indigenous and Maine Tribal Populations Z287

Initiative: Deallocates funding for professional services needed to further the work of the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations within the Department of Labor

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	(\$50,000)	(\$50,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$50,000)</u>	<u>(\$50,000)</u>

Racial, Indigenous and Maine Tribal Populations Z287

Initiative: Deappropriates funding for one Public Service Executive I position, one Business Manager II position, one Public Service Coordinator I position and one Planning and Research Associate I position and related All Other to support the work of the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations within the Department of Labor effective October 1, 2021.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	(4.000)	(4.000)
COUNT		
Personal Services	(\$311,101)	(\$434,795)
All Other	(\$375,000)	(\$500,000)
GENERAL FUND TOTAL	(\$686,101)	(\$934,795)

Racial, Indigenous and Maine Tribal Populations Z287

Initiative: Deappropriates funding for the per diem costs for members of the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations within the Department of Labor effective October 1, 2021.

GENERAL FUND	2021-22	2022-23
Personal Services	(\$34,875)	(\$46,500)
GENERAL FUND TOTAL	(\$34,875)	(\$46,500)

Racial, Indigenous and Maine Tribal Populations Z287

Initiative: Eliminates base allocations to authorize expenditures from funds received from federal sources.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	(\$500)	(\$500)
FEDERAL EXPENDITURES FUND TOTAL	(\$500)	(\$500)

LABOR, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	(\$720,976)	(\$981,295)
FEDERAL EXPENDITURES FUND	(\$500)	(\$500)
OTHER SPECIAL REVENUE FUNDS	(\$50,000)	(\$50,000)
DEPARTMENT TOTAL - ALL FUNDS	(\$771,476)	(\$1,031,795)

STATUS OF RACIAL, INDIGENOUS AND TRIBAL POPULATIONS, PERMANENT COMMISSION ON THE

Racial, Indigenous and Tribal Populations N329

Initiative: Provides funding for one Public Service Executive I position, one Business Manager II position,

one Public Service Coordinator I position and one Planning and Research Associate I position and related All Other to support the work of the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations effective October 1, 2021.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	4.000	4.000
COUNT		
Personal Services	\$311,101	\$434,795
All Other	\$375,000	\$500,000
GENERAL FUND TOTAL	\$686,101	\$934,795

Racial, Indigenous and Tribal Populations N329

Initiative: Allocates funding for professional services needed to further the work of the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations. Revenue for this funding will be raised through donations and fund-raising efforts.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000

Racial, Indigenous and Tribal Populations N329

Initiative: Provides funding for the per diem costs for members of the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations effective October 1, 2021

GENERAL FUND	2021-22	2022-23
Personal Services	\$34,875	\$46,500
GENERAL FUND TOTAL	\$34,875	\$46,500

Racial, Indigenous and Tribal Populations N329

Initiative: Provides base allocations to authorize expenditures from funds received from federal or private sources.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

STATUS OF RACIAL, INDIGENOUS AND TRIBAL POPULATIONS, PERMANENT COMMISSION ON THE DEPARTMENT TOTALS	2021-22	2022-23
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GENERAL FUND	\$720,976	\$981,295
FEDERAL EXPENDITURES FUND	\$500	\$500
OTHER SPECIAL REVENUE FUNDS	\$50,500	\$50,500
DEPARTMENT TOTAL - ALL FUNDS	<u>\$771,976</u>	<u>\$1,032,295</u>
SECTION TOTALS	2021-22	2022-23
GENERAL FUND	\$0	\$0
FEDERAL EXPENDITURES FUND	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$500	\$500
SECTION TOTAL - ALL FUNDS	<u>\$500</u>	<u>\$500</u>

See title page for effective date.

**CHAPTER 437
H.P. 774 - L.D. 1046**

An Act To Create an Income Tax Return Checkoff for Hunger Prevention

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

Sec. 1. 12 MRSA §5018 is enacted to read:

§5018. Emergency Food Assistance Program Fund

1. Fund established. The Emergency Food Assistance Program Fund, referred to in this section as "the fund," is established as a nonlapsing fund to support the emergency food assistance program administered by the Department of Agriculture, Conservation and Forestry, referred to in this section as "the department." Money in the fund must be expended as allocated by the Legislature for the purposes of the fund and may be invested as provided by law. Interest on investments must be credited to the fund.

2. Use of fund. Amounts available in the fund must be used to support the emergency food assistance program administered by the department.

3. Administration. The department shall administer the fund and shall adopt rules as necessary to administer the fund. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

4. Income tax check-off funding. Revenue collected from the income tax checkoff pursuant to Title 36, section 5293 must be credited to the fund.

5. Other funds. The fund may receive money from any source, including grants, gifts, bequests and donations.

Sec. 2. 36 MRSA §5283-A, sub-§1, as amended by PL 2019, c. 433, §2, is further amended to read:

1. Minimum threshold for total contributions.

The State Tax Assessor may not include on an individual income tax return form a designation for a taxpayer to make a contribution through a checkoff under section 5284, 5284-A, 5285, 5288-A, 5289, 5291 ~~or~~ 5292 or 5293 unless on returns filed in the prior calendar year the total contributions to the organization or fund to which the contributions are credited under the applicable section are at least:

- A. For calendar year 2012, \$10,000;
- B. For calendar year 2013, \$13,000;
- C. For calendar year 2014, \$16,000;
- D. For calendar year 2015, \$19,000;
- E. For calendar year 2016, \$22,000; and
- F. For calendar years beginning on or after January 1, 2017, \$25,000.

This subsection does not apply to a contribution checkoff that has been on the individual income tax form for less than one year.

Sec. 3. 36 MRSA §5293 is enacted to read:

§5293. Emergency food assistance program; voluntary checkoff

1. Emergency food assistance program. When filing a return, a taxpayer entitled to a refund under this Part may designate that a portion of that refund be paid into the Emergency Food Assistance Program Fund established in Title 12, section 5018. A taxpayer who is not entitled to a refund under this Part may contribute to the Emergency Food Assistance Program Fund by including with that taxpayer's return sufficient funds to make the contribution. The contribution may not be less than \$5. Each individual income tax return form must contain a designation in substantially the following form: "Emergency Food Assistance Program Fund: () \$5, () \$10, () \$25 or () Other \$...."

2. Contributions credited to Emergency Food Assistance Program Fund. The State Tax Assessor shall determine annually the total amount contributed pursuant to subsection 1. Prior to the beginning of the next year, the State Tax Assessor shall deduct the cost of administering the Emergency Food Assistance Program Fund checkoff and report the remainder to the Treasurer of State, who shall forward that amount to the Emergency Food Assistance Program Fund.

Sec. 4. Application. This Act applies to tax years beginning on or after January 1, 2022.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

**CHAPTER 438
H.P. 793 - L.D. 1064**

Revenue Services, Bureau of 0002

Initiative: Provides funding for costs related to creating and administering an income tax checkoff for hunger prevention.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$14,855
GENERAL FUND TOTAL	\$0	\$14,855

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$0	\$14,855
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$14,855

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Emergency Food Assistance Program Fund N361

Initiative: Provides allocations to establish the Emergency Food Assistance Program Fund to be used to support emergency food assistance administered by the Department of Agriculture, Conservation and Forestry.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS	\$500	\$500
DEPARTMENT TOTAL - ALL FUNDS	\$500	\$500

SECTION TOTALS	2021-22	2022-23
GENERAL FUND	\$0	\$14,855
OTHER SPECIAL REVENUE FUNDS	\$500	\$500
SECTION TOTAL - ALL FUNDS	\$500	\$15,355

See title page for effective date.

An Act To Advance Palliative Care Utilization in the State

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

Sec. 1. 22 MRSA §3174-FFF is enacted to read:

§3174-FFF. Palliative care reimbursement

1. Reimbursement. The department shall provide reimbursement under the MaineCare program for palliative care for the entire interdisciplinary team as appropriate to the plan of care, regardless of setting, including hospitals, nursing homes, outpatient clinics and home care providers. For the purposes of this section, "palliative care" has the same meaning as in section 1726.

2. Rules. The department shall adopt rules to implement this section. The rules must include, but are not limited to, reimbursement policies and quality control measures that ensure and promote high-value palliative care under the MaineCare program. The department shall use national standards for quality palliative care in the development of the rules. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

3. Stakeholder group. The department shall periodically convene a stakeholder group that includes the Palliative Care and Quality of Life Interdisciplinary Advisory Council established in Title 5, section 12004-I, subsection 47-I and representatives of organizations representing palliative care, home care and hospice providers to advise the department on educational materials and outreach related to this section.

Sec. 2. Rulemaking; national standards. In developing rules pursuant to the Maine Revised Statutes, Title 22, section 3174-FFF, subsection 2, the Department of Health and Human Services shall consider national standards such as the Clinical Practice Guidelines for Quality Palliative Care developed by the National Coalition for Hospice and Palliative Care.

Sec. 3. State plan amendment. The Department of Health and Human Services shall submit to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services any state plan amendments necessary to implement the requirements of the Maine Revised Statutes, Title 22, section 3174-FFF.

See title page for effective date.

CHAPTER 439
H.P. 804 - L.D. 1126

**An Act To Update the Voter
Registration Process**

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

Sec. 1. 21-A MRSA §1, sub-§27-D is enacted to read:

27-D. Online voter registration application. "Online voter registration application" means the electronic voter registration application form created by the Secretary of State pursuant to section 152 and available on the Secretary of State's publicly accessible website and through which, in accordance with the rules adopted under section 152, subsection 6, an individual may register to vote and enroll in a party or a registered voter may enroll in a party, change the voter's party enrollment, withdraw from a party or notify the appropriate registrar of voters of a change in the voter's name or address when the voter's name is changed due to marriage or other process of law or when the voter has moved within a municipality.

Sec. 2. 21-A MRSA §121, sub-§1-A, as amended by PL 2011, c. 534, §4, is further amended to read:

1-A. Identification and proof. Registration applications taken by outside agencies must be transferred to the Secretary of State within 5 days of receipt. An applicant who attempts to register within 30 days of an election must be advised that the registrar might not receive the application before the deadline for online, mail or 3rd-person registration set forth in section 121-A, but that the applicant may register in person no later than the deadline for in-person registration set forth in section 121-A.

Registration applications received by the Secretary of State from outside agencies 30 days or more before an election must be transferred to the appropriate registrar's office within 7 business days of receipt. Registration applications received by the Secretary of State from outside agencies less than 30 days before an election must be transferred to the appropriate registrar's office within 5 business days of receipt. Registration applications submitted online must be received by the Secretary of State by midnight on the 21st day before election day and must be transmitted to the appropriate registrar's office daily. Registration applications by mail or by a 3rd person must be received in the registrar's office by the close of business on the 21st day before election day in order for persons' names to appear on the incoming voting list for that election. The 20-day period before the election is the closed period for outside registrations. The registrar shall send the notice required by section 122 no later than the 18th day before election

day to all voters whose applications were received submitted online, submitted by mail or submitted by a 3rd person as long as the registrar received the application by the 21st day before election day no later than the 18th day before election day.

A person who registers in person shall show proof of identity and residency. If satisfactory proof of identity and residency can not be provided to the registrar or deputy, the person's name is entered into the central voter registration system and placed on the incoming voting list and the person casts a challenged ballot. If the person shows satisfactory proof of identity and residency prior to voting on election day, the person's ballot is not challenged.

Sec. 3. 21-A MRSA §121-A, as enacted by PL 2011, c. 534, §5, is amended to read:

§121-A. Deadline for registration

The deadline for receipt of voter registration applications submitted by mail or by a 3rd person is the close of business on the 21st day before election day. The deadline for receipt of voter registration applications submitted online is midnight on the 21st day before election day. The deadline for in-person registration is the close of the polls on election day.

Sec. 4. 21-A MRSA §129, sub-§1, as corrected by RR 2019, c. 2, Pt. B, §37, is amended to read:

1. Notice. The voter must give written notice to the registrar of the voter's new and former names or addresses before the close of registrations prior to election day or provide notice through the online voter registration application.

Sec. 5. 21-A MRSA §130, as amended by PL 2011, c. 534, §9, is further amended to read:

§130. Applications for voter registration

A person who completes a written or online voter registration application, as provided in section 152, may submit the application online, mail the application or have the application delivered to the registrar in the person's municipality of residence before the deadline for online, mail or 3rd-person registrations in section 121-A, to be entered into the central voter registration system and placed on the incoming voting list prior to the next election; except that applications completed under section 122, subsection 5 may be delivered during the closed period for immediate placement on the incoming voting list.

Sec. 6. 21-A MRSA §142, first ¶, as amended by PL 1989, c. 313, §3, is further amended to read:

A voter who had initially chosen not to enroll in a particular party may later enroll in a party by filing an application with the registrar personally, or by mail or otherwise by submitting an online voter registration application, at any time, except that on election day a voter must enroll in person.

Sec. 7. 21-A MRSA §144, first ¶, as amended by PL 2017, c. 248, §1, is further amended to read:

A voter may change the voter's enrollment after 3 months from the date on which the voter enrolled by filing an application with the registrar personally, by mail or ~~otherwise~~ by submitting an online voter registration application. When a voter files an application to change enrollment on the day of a primary election, the application is deemed received the following business day.

Sec. 8. 21-A MRSA §144, sub-§1, as amended by PL 2017, c. 248, §2, is further amended to read:

1. Content of application. The application must contain the following information: Name of applicant, the date of birth, residence address, name of party in which enrollment is requested, signature of the applicant and the date of application. If the voter submits an online voter registration application, the applicant must meet the requirements of section 152, subsection 1, paragraph K to satisfy the signature requirement of this subsection.

Sec. 9. 21-A MRSA §145, first ¶, as amended by PL 2017, c. 248, §3, is further amended to read:

A voter may withdraw the voter's enrollment after 3 months from the date on which the voter enrolled through an online voter registration application or by filing a written request with the registrar. When a voter files an application to withdraw enrollment on the day of a primary election, the application is deemed received the following business day.

Sec. 10. 21-A MRSA §145, sub-§2, as amended by PL 2001, c. 310, §9, is further amended to read:

2. Reenrollment after withdrawal. A voter may not enroll in a different party but may enroll in the same party within 15 days after ~~filing a written request for withdrawal~~ withdrawing from a party under this section.

Sec. 11. 21-A MRSA §152, sub-§1, as amended by PL 2019, c. 409, §3 and affected by §9, is further amended to read:

1. Application. In addition to the procedures provided by section 122 and subchapter 9, a person may register to vote or enroll in a political party, or both, by completing ~~an a written~~ an application that is designed by the Secretary of State or by submitting an online voter registration application. The application must include, but is not limited to:

- A. The legal name of the voter, in one of the following combinations:
 - (1) First name and last name;
 - (2) First initial, middle name and last name; or

(3) First name, middle name or middle initial and last name;

B. Residence address, including street, street number, apartment number, town and zip code;

C. Mailing address;

D. Date of birth;

F. Most recent prior residence where registered to vote, including the municipality, county and state, and the name under which previously registered, if changed;

H. Notification that failure to complete the entire application may prevent registration;

J. Date of application;

K. Signature of applicant collected in a way that ensures the quality and integrity of the signature. If the applicant submits an online voter registration application, the applicant satisfies the signature requirement of this paragraph by submitting a current, valid Maine driver's license number or nondriver identification card number or, if the applicant does not have a current, valid Maine driver's license or nondriver identification card, by submitting an electronic image of the applicant's signature;

L. Choice of political party if the applicant desires to enroll in a political party or an indication that the applicant chose not to enroll in a party;

M. A place for the ~~person's~~ applicant's current, valid Maine driver's license number or nondriver identification card number, if applicable; or, if the applicant has no Maine driver's license number or nondriver identification card, the last 4 digits of the ~~person's~~ applicant's social security number, if applicable; or, if the application is submitted in writing and the applicant has neither number, a place to put "none" or "not applicable"; and

N. A place for the applicant to respond to the questions concerning the voter's qualifications as required by the federal Help America Vote Act of 2002, Public Law 107-252; and

O. A place for the applicant to attest to the truth of the information provided in the application.

Sec. 12. 21-A MRSA §152, sub-§5, as amended by PL 2003, c. 407, §9, is further amended to read:

5. Design of written application. The Secretary of State shall design the written application that meets the requirements of subsection 1. ~~The Secretary of State may design an application that can be completed electronically and that substantially meets the requirements of this section.~~

Sec. 13. 21-A MRSA §152, sub-§6 is enacted to read:

6. Design of online voter registration application; rulemaking. The Secretary of State shall design the online voter registration application that meets the requirements of subsection 1 and that can be submitted online through the Secretary of State's publicly accessible website. The online registration application must be designed to prevent an applicant from registering to vote unless the applicant discloses a current, valid Maine driver's license number or nondriver identification number or the last 4 digits of the applicant's social security number.

The Secretary of State shall adopt rules governing the online voter registration process, which must, at a minimum, include the following:

A. A process for informing an applicant who discloses a current, valid Maine driver's license number or nondriver identification card number that disclosure of that number constitutes consent to the use of the applicant's signature on the driver's license or nondriver identification card for all purposes for which a signature on a written application for voter registration is used under this Title;

B. A process for an applicant who discloses the last 4 digits of the applicant's social security number to include with the online voter registration application an electronic image of the applicant's signature and for the applicant to consent to the use of that electronic image of the applicant's signature for all purposes for which a signature on a written application for voter registration is used under this Title;

C. A process for transmitting any driver's license number or nondriver identification card number from an online voter registration application along with the applicant's name and date of birth to the central voter registration system and for determining whether the information entered in the central voter registration system matches the information in the driver's license or nondriver identification card records maintained by the Department of the Secretary of State, Bureau of Motor Vehicles and, if a match is found, for transmitting an electronic image of the applicant's signature on that driver's license or nondriver identification card from the bureau to the central voter registration system;

D. A process for matching the last 4 digits of a social security number provided in an online voter registration application and the applicant's name and date of birth with the information available from the United States Social Security Administration;

E. A process for transmitting the contents of each online voter registration application and the electronic image of the signature of that applicant to the appropriate registrar of voters;

F. Minimum procedures and security measures for ensuring the accuracy and security of online voter registration applications;

G. A process and form for a registered voter whose name is changed by marriage or other process of law or who has moved within a municipality to notify the appropriate registrar of voters pursuant to section 129 of the registered voter's new name or address through the online voter registration application; and

H. A process and form for a registered voter to enroll in a party pursuant to section 142, to change the voter's party enrollment pursuant to section 144 or to withdraw from a party pursuant to section 145 through the online voter registration application.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 14. Appropriations and allocations. The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF Bureau of Administrative Services and Corporations 0692

Initiative: Provides one-time funding for contracted programming costs to implement online voter registration.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$259,000
GENERAL FUND TOTAL	\$0	\$259,000

Sec. 15. Effective date. This Act takes effect November 1, 2023.

Effective November 1, 2023.

**CHAPTER 440
H.P. 818 - L.D. 1140**

An Act To Establish a Sales Tax Exemption for the Purchase of Firearm Safety Devices

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

Sec. 1. 36 MRSA §1760, sub-§107 is enacted to read:

107. Firearm safety devices. Beginning January 1, 2022, sales of firearm safety devices. For purposes of this subsection, "firearm safety device" means, if specifically designed for securing firearms:

A. A safe or lockbox; or

B. A trigger or barrel lock.

See title page for effective date.

CHAPTER 441

H.P. 866 - L.D. 1188

An Act To Include Career and Technical Education Teachers in the Minimum \$40,000 Salary Initiative

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

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to ensure that career and technical education teachers are eligible for the incremental increase in minimum salary for the school year starting after June 30, 2021; 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:

Sec. 1. 20-A MRSA §13407, as enacted by PL 2019, c. 343, Pt. UU, §2, is amended to read:

§13407. Minimum salaries beginning in 2020-2021 school year

Each school administrative unit shall establish a minimum salary for certified teachers and career and technical education teachers as follows:

1. School year 2020-2021. For the school year starting after June 30, 2020, the minimum salary is \$35,000;

2. School year 2021-2022. For the school year starting after June 30, 2021, the minimum salary for certified teachers and career and technical education teachers is \$37,500; and

3. School years beginning in or after 2022. For the school year starting after June 30, 2022, and in each subsequent school year, the minimum salary for certified teachers and career and technical education teachers is \$40,000.

A school administrative unit shall provide to the department annually on or before October 1st the number of certified teachers and career and technical education teachers eligible for incremental salary increases as defined in section 15689, subsection 7-A, paragraph A.

Sec. 2. 20-A MRSA §15689, sub-§7-A, as amended by PL 2019, c. 616, Pt. C, §6, is further amended to read:

7-A. Adjustment for minimum teacher salary. Beginning in fiscal year 2020-21, the commissioner shall, in accordance with this subsection, increase the state share of the total allocation to a qualifying school administrative unit by an amount necessary to achieve the minimum salary for certified teachers and career and technical education teachers established in section 13407.

A. As used in this subsection, unless the context otherwise indicates, "qualifying school administrative unit" means a school administrative unit that the commissioner determines to have a locally established salary schedule with a minimum teacher salary of less than \$40,000 in school year 2019-2020. As used in this subsection, unless the context otherwise indicates, "incremental salary increases" means the incremental increases in the salaries of certified teachers and career and technical education teachers employed by a qualifying school administrative unit in school year 2019-2020 necessary to meet the minimum salary requirements of section 13407 from fiscal year 2020-21 to fiscal year 2022-23.

B. The commissioner shall allocate the funds appropriated by the Legislature in accordance with the following.

(1) The amount of increased funds provided to qualifying school administrative units under this subsection must be the amount necessary to fund the incremental salary increases specified in this subsection.

(2) The number of certified teachers and career and technical education teachers eligible for incremental salary increases in a qualifying school administrative unit for a fiscal year must be based on the information supplied to the department pursuant to section 13407 in that fiscal year.

(3) The increased funds provided under this subsection must be issued to qualifying school administrative units as an adjustment to the state school subsidy for distribution to the certified teachers and career and technical education teachers. Qualifying school administrative units shall use the payments provided under this subsection to provide salary adjustments to those certified teachers and career and technical education teachers eligible for incremental salary increases. The department shall collect the necessary data to allow the funds to be included in a qualifying school administrative unit's monthly subsidy payments beginning no later than February 1st of each fiscal year.

(4) Funding for incremental salary increases in fiscal year 2020-21 must be based on data submitted to the department and certified by school administrative units as of October 1, 2019.

Sec. 3. Department of Education to report.

By December 1, 2021, the Department of Education shall report to the Joint Standing Committee on Education and Cultural Affairs on the status of the \$40,000 minimum teacher salary initiative. The department shall report on progress made toward meeting the requirements of the Maine Revised Statutes, Title 20-A, section 13407 and shall include verification that all professions intended to be included in the salary initiative are included, including librarians and career and technical education teachers teaching in career and technical education regions and centers. If the department identifies any areas of deficiency, its report to the committee must include a plan for remediation. The committee is authorized to report out legislation related to the department's report in the Second Regular Session of the 130th Legislature.

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

Effective July 9, 2021.

CHAPTER 442

H.P. 911 - L.D. 1245

An Act To Ensure the Provision of Appropriate Personal Protective Equipment to Firefighters

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

Whereas, firefighters must remain ever vigilant as fires and other emergencies happen every day; and

Whereas, firefighters are exposed to toxic fumes and substances regularly in the course of their firefighting duties; and

Whereas, immediate enactment of this Act is necessary to help prevent the negative effects of such exposure for the many firefighters who have only ill-fitting gear to protect them in their firefighting duties; 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:

Sec. 1. 26 MRSA §2103, sub-§1, as amended by PL 2003, c. 570, §3 and affected by c. 570, §7, is repealed.

Sec. 2. 26 MRSA §2103, sub-§1-A is enacted to read:

1-A. Protective equipment. The fire department shall provide each firefighter with the appropriate equipment to protect the firefighter from the hazards of the work environment to which the firefighter is likely to be exposed.

A. All protective equipment must fit properly and must meet or exceed the requirements of the United States Department of Labor, Occupational Safety and Health Administration or the National Fire Protection Association, whichever are more stringent, that are in effect at the time of purchase. Proper fit is determined by selecting the best-fitting protective equipment after reviewing design options specific to the firefighter's sex and options for sizing and tailoring the protective equipment.

B. The firefighter shall use the protective equipment whenever exposed to the hazards for which that equipment is provided.

C. Protective equipment, as provided in this section, must consist of protective clothing, helmet ensemble, foot, hand and hearing protection, self-contained breathing apparatus, personal alert safety systems and fire service life safety rope, harness and hardware.

Sec. 3. Notice to fire departments and volunteer fire associations. The Department of Labor, Bureau of Labor Standards shall notify all municipal fire departments and volunteer fire departments and associations of the requirements of this Act and the commercial availability of firefighting protective equipment appropriately sized for firefighters who are females.

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

Effective July 9, 2021.

CHAPTER 443

S.P. 588 - L.D. 1734

An Act To Fund Collective Bargaining Agreements with Certain Judicial Department Employees

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 Judicial Department is negotiating collective bargaining agreements with the 4 bargaining units representing Judicial Department employees; and

Whereas, this legislation authorizes funding of any agreements ratified by December 31, 2021; and

Whereas, it is the responsibility of the Legislature to act upon those portions of collective bargaining agreements negotiated by the judicial branch that require legislative action; and

Whereas, the judicial branch and the Legislature share a desire to address in a timely manner the needs of certain state employees excluded from collective bargaining units; 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:

Sec. 1. Adjustment of salary schedules for fiscal years 2021-22 and 2022-23. The salaries and stipends for the Judicial Department employees in the administrative services bargaining unit, the supervisory services bargaining unit, the law enforcement bargaining unit and the professional services bargaining unit and employees referred to in section 2 must be adjusted consistent with the terms of any agreements ratified by December 31, 2021.

Sec. 2. Other employees; similar and equitable treatment. Employees of the Judicial Department who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5, paragraphs C, D, E, F and G must be given similar and equitable treatment on a pro rata basis to that given employees covered by the collective bargaining agreements.

Sec. 3. Costs to General Fund. Costs to the General Fund must be provided in the Salary Plan program, General Fund account in the Department of Administrative and Financial Services in an amount up to \$1,594,600 for the fiscal year ending June 30, 2022 and in an amount up to \$2,536,191 for the fiscal year ending June 30, 2023 to implement the economic terms of the collective bargaining agreements made between the Judicial Department and the Maine State Employees Association for the administrative services bargaining unit, the supervisory services bargaining unit and the professional services bargaining unit; made between the Judicial Department and the Maine State Law Enforcement Association for the law enforcement bargaining unit; and for the costs of those Judicial Department employees referred to in section 2 who are excluded from

collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5.

Sec. 4. Contingent effective date. This Act takes effect only upon the ratification by December 31, 2021 of a collective bargaining agreement made between the Judicial Department and the Maine State Employees Association for the administrative services bargaining unit, the supervisory services bargaining unit and the professional services bargaining unit or between the Judicial Department and the Maine State Law Enforcement Association for the law enforcement bargaining unit.

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

Effective July 9, 2021, unless otherwise indicated.

CHAPTER 444

H.P. 972 - L.D. 1316

An Act To Provide Funding for the Maine Length of Service Award Program

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

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

FIRE PROTECTION SERVICES COMMISSION, MAINE

Maine Fire Protection Services Commission 0936

Initiative: Provides one-time funding for the Maine Length of Service Award Program to provide length of service awards to eligible volunteer firefighters and emergency medical services personnel.

GENERAL FUND	2021-22	2022-23
All Other	\$500,000	\$0
GENERAL FUND TOTAL	\$500,000	\$0

See title page for effective date.

CHAPTER 445

S.P. 424 - L.D. 1318

An Act To Increase High School Graduation Rates for Students Experiencing Education Disruption

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at

least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Sec. 1. 20-A MRSA §257-A, as enacted by PL 2013, c. 439, §2, is amended to read:

§257-A. Department of Education diploma

The commissioner shall issue a Department of Education diploma to a student who qualifies for the diploma pursuant to this section. A Department of Education diploma has the same legal status as a diploma awarded by a school administrative unit.

1. Eligibility to apply for diploma. A student is eligible to apply for a Department of Education diploma if that student is unable to satisfy the requirements for a diploma from a school administrative unit because the student experienced one or more education disruptions, as defined in section 5161, subsection 2-A, during the student's educational history.

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

- A. "Community provider" has the same meaning as in section 5161, subsection 1-B.
- B. "Education disruption" has the same meaning as in section 5161, subsection 2-A.
- C. "Responsible school" has the same meaning as in section 5161, subsection 5-A and includes a school identified pursuant to section 5163, subsection 6.
- D. "Student experiencing homelessness" has the same meaning as in section 5161, subsection 11.

2. Standard for awarding diploma. The commissioner shall issue a diploma under this section only to a student who demonstrates achievement of the content standards of the system of learning results established pursuant to section 6209 completes the minimum requirements for a high school diploma pursuant to section 4722.

3. Process. A student who seeks a Department of Education diploma shall submit an application to the commissioner, including such evidence of student achievement and other information as is required by the commissioner. The responsible school shall provide support for and assist in the completion and submission to the commissioner of an application for a Department of Education diploma for any student who has experienced one or more education disruptions during the student's educational history on the request of the student's parent or guardian or on the request of the student if the student is at least 18 years of age or is a student

experiencing homelessness. Community providers may also assist in the application process. The commissioner may require only information on an application necessary to show that the student has completed the minimum requirements for a high school diploma pursuant to section 4722. The commissioner may not require additional information or an interview with the student. Evidence of student achievement that a student has met these requirements may include, but is not limited to, transcripts, waivers, academic reports and school work recognition plans. The commissioner shall form a review team to review the provided evidence of student achievement and to make a recommendation to the commissioner on the awarding of a diploma under this section. The review team may seek clarification of the evidence provided but may not impose additional requirements beyond those specified in the application. The commissioner shall make the final determination of eligibility for a diploma under this section.

Sec. 2. 20-A MRSA §5161, sub-§1-B is enacted to read:

1-B. Community provider. "Community provider" means a governmental or nongovernmental entity that provides services to students or families, including but not limited to temporary and permanent housing, case management, immigration and language services and social, behavioral health, occupational training and legal services.

Sec. 3. 20-A MRSA §5161, sub-§2-A, as enacted by PL 2013, c. 439, §8, is amended to read:

2-A. Education disruption. "Education disruption" means disruption of the educational program of an elementary or secondary school student as a result of:

- A. Homelessness or foster care placement;
- B. Absence for 10 or more consecutive school days due to placement in an interim program; or
- C. Enrollment in 3 or more schools or educational programs in a single school year; or
- D. The student's being an immigrant student or a migrant student.

"Education disruption" does not include an absence for 10 or more consecutive school days as a result of a planned absence for a reason such as a family event or a medical absence for a planned hospitalization or recovery or pursuant to a superintendent's determination developed in accordance with section 5205, subsection 2.

Sec. 4. 20-A MRSA §5161, sub-§2-B is enacted to read:

2-B. Foster care placement. "Foster care placement" means placement of a child in substitute 24-hour care for children placed away from their parents or guardians and for whom the child placing agency has placement and care responsibility, including, but not

limited to, placement in a family foster home, foster home of a relative, group home, emergency shelter, residential facility, child care institution or preadoptive home. For the purposes of this subsection, a placement is a foster care placement regardless of whether the foster care facility is licensed and payments are made by the State or a tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption or whether there is federal matching of any payments that are made.

Sec. 5. 20-A MRSA §5161, sub-§2-C is enacted to read:

2-C. Immigrant student. "Immigrant student" means a student who was not born in any state or territory of the United States, including the District of Columbia and the Commonwealth of Puerto Rico, and has not attended one or more schools in any one or more states or territories for more than 3 full academic years in the aggregate.

Sec. 6. 20-A MRSA §5161, sub-§4-A is enacted to read:

4-A. Migrant student. "Migrant student" means a student who has been identified as a migratory child by the United States Department of Education's migrant education program with a certificate of eligibility pursuant to the federal Every Student Succeeds Act, 20 United States Code, Chapter 70, Subchapter 1, Part C and related regulations.

Sec. 7. 20-A MRSA §5161, sub-§6, as repealed and replaced by PL 2013, c. 439, §11, is amended to read:

6. School work recognition plan. "School work recognition plan" means a written plan document, developed and updated in collaboration among the responsible school, the student, the student's parents or guardians, previous schools the student attended, interim programs the student attended and other relevant agencies, that outlines how a student who is experiencing, or who has experienced, an education disruption will make is making and demonstrate is demonstrating progress toward achievement of learning results. A school work recognition plan includes but is not limited to:

A. A summary of the student's achievement relative to the appropriate learning results;

B. A compilation of full and partial credits and other achievement recognitions earned;

C. An identification of any gaps between the student's achievement and the achievement typical of the student's same-age peers; and

D. A plan for maximizing the student's progress and closing identified gaps.

Sec. 8. 20-A MRSA §5161, sub-§11 is enacted to read:

11. Student experiencing homelessness. "Student experiencing homelessness" means a student who has been identified by a school administrative unit as a homeless child or youth as defined in the federal McKinney-Vento Homeless Assistance Act, 42 United States Code, Chapter 119.

Sec. 9. 20-A MRSA §5163, sub-§3, as enacted by PL 2013, c. 439, §15, is amended to read:

3. Education disruption due to multiple transfers. The responsible school at the time of a 3rd or subsequent educational enrollment in a school year shall:

A. Within 10 school days of the school's or program's becoming aware that the student is enrolling in the 3rd school or program in a school year or is experiencing education disruption, work with the student, parent or guardian and staff of other schools and programs in which the student participated to develop or update a school work recognition plan; and

~~B. Compile for the student the credits or other recognition received by the student to date, identify gaps between that compilation and the credits or recognition typically earned by the student's peers and identify options for the student to close those gaps, if possible.~~

C. Within 5 school days of the school's or program's becoming aware that a student is experiencing a period of absence due to education disruption or multiple transfers, make available to the student individual educational materials, including but not limited to curricula and assignments designed to enable the student to continue the student's educational programming.

Sec. 10. 20-A MRSA §5163, sub-§4, as enacted by PL 2013, c. 439, §15, is repealed.

Sec. 11. 20-A MRSA §5163, sub-§5, as enacted by PL 2013, c. 439, §15, is amended to read:

5. Staff assistance. For every student who experiences education disruption due to placement in an interim program, professional staff in the responsible school must be assigned to ensure the complete transfer of all records, grades and full and partial credits and all academic material, including an academic programming agreement, if applicable, from the interim program or prior school or program in which the student was placed or that the student attended to the responsible school no later than 5 school days after the student enrolls in the responsible school.

Sec. 12. 20-A MRSA §5163, sub-§5-A is enacted to read:

5-A. Mentorship. For every student experiencing education disruption that leads to enrollment in a new responsible school, the new responsible school shall

provide the student with an adult staff or volunteer mentor to facilitate the student's transition.

Sec. 13. 20-A MRSA §5164, last ¶, as enacted by PL 2013, c. 439, §15, is amended to read:

If it is determined by the responsible school and the student that the student cannot meet the school's requirements for graduation by the end of the student's 4th year of secondary school, the responsible school shall provide the student information about applying for a Department of Education diploma and shall assist the student in making the application. In accordance with section 257-A, subsection 3, the responsible school shall provide support for and assist in the completion and submission of the application on the request of the student's parent or guardian or on the request of the student if the student is at least 18 years of age or is a student experiencing homelessness. Community providers may also assist in the application process.

Sec. 14. 20-A MRSA §5165 is enacted to read:

§5165. Graduation of a student experiencing education disruption who is enrolled in more than one school after the student's 2nd year in high school

1. Course credit or waiver. If a student who is experiencing or has experienced education disruption attends more than one school after the student's 2nd year of high school and is unable to fulfill a diploma course requirement of the responsible school but has completed a similar course elsewhere, the responsible school may award credit for the similar course or waive the requirement. If the responsible school does not award credit for the similar course or waive the requirement, the responsible school shall provide an alternative means for the student to complete the required course for on-time graduation.

2. Award of diploma from previously attended school. If a student experiencing education disruption who attends more than one school after the student's 2nd year in high school cannot meet the graduation requirements of the responsible school but can meet those of the previously attended school, the student must be awarded a diploma by the previously attended school. The responsible school and the previously attended school shall work together to ensure the student is supported in completing any specific remaining requirements.

3. Department of Education diploma. Nothing in this section may be construed to limit a student's eligibility to apply for a Department of Education diploma if the student is unable to complete the diploma requirements of either the responsible school or previously attended school.

Sec. 15. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

School and Student Supports Z270

Initiative: Provides one-time funds for the costs to contract for temporary services to assist with processing the anticipated increase in the number of applications for a diploma.

GENERAL FUND	2021-22	2022-23
All Other	\$19,110	\$0
GENERAL FUND TOTAL	\$19,110	\$0

See title page for effective date.

CHAPTER 446

H.P. 1084 - L.D. 1468

An Act To Support All-terrain Vehicle Trail Improvement

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

Sec. 1. 23 MRSA §4210-B, sub-§7-A, as amended by PL 2017, c. 375, Pt. E, §1, is further amended to read:

7-A. Sales tax revenue. Beginning July 1, 2012 and every July 1st thereafter, except as provided in Title 36, section 1820, the State Controller shall transfer to the Multimodal Transportation Fund an amount, as certified by the State Tax Assessor, that is equivalent to 100% of the revenue from the tax imposed on the value of rental of a pickup truck or van with a gross weight of less than 26,000 pounds rented from a person primarily engaged in the business of renting automobiles and the value of rental for a period of less than one year of an automobile pursuant to Title 36, section 1811 for the first 6 months of the prior fiscal year after the reduction for the transfer to the Local Government Fund as described by Title 30-A, section 5681, subsection 5. Beginning on October 1, 2012 and every October 1st thereafter, except as provided in Title 36, section 1820, the State Controller shall transfer to the Multimodal Transportation Fund an amount, as certified by the State Tax Assessor, that is equivalent to 100% of the revenue from the tax imposed on the value of rental of a pickup truck or van with a gross weight of less than 26,000 pounds rented from a person primarily engaged in the business of renting automobiles and the value of rental for a period of less than one year of an automobile pursuant to Title 36, section 1811 for the last 6 months of the prior fiscal year after the reduction for the transfer to the Local Government Fund as described by Title 30-A, section 5681, subsection 5. The tax amount must be based on actual sales for that fiscal year and may not consider any accruals that may be required by law.

Sec. 2. 36 MRSA §1820 is enacted to read:

§1820. Tax on rental of all-terrain vehicles

By the 20th day of each month beginning January 1, 2022, the assessor shall notify the State Controller and the Treasurer of State of the amount of revenue attributable to the tax collected under this Part on the rental of all-terrain vehicles as defined in Title 12, section 13001, subsection 3. When notified by the assessor, the State Controller shall transfer 90% of that amount to the ATV Recreational Management Fund established in Title 12, section 1893, subsection 2 and 10% to the Multimodal Transportation Fund established in Title 23, section 4210-B.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Off-Road Recreational Vehicles Program Z224

Initiative: Provides allocation for additional revenue from an all-terrain vehicle short-term rental tax.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$3,600	\$45,000
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$3,600</u>	<u>\$45,000</u>

See title page for effective date.

**CHAPTER 447
H.P. 1100 - L.D. 1486**

An Act To Improve Investigations of Child Sexual Abuse

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

Sec. 1. 17-A MRSA §18 is enacted to read:

§18. Crimes involving minors

A person who poses as a minor is deemed a minor for the purposes of a crime under chapter 11, 12 or 35 that has as an element or aggravating factor that the victim or person other than the actor is a minor.

Sec. 2. 17-A MRSA §855, sub-§1, ¶A, as enacted by PL 2005, c. 444, §1, is amended to read:

A. The person, in return for another's prostitution, gives or agrees to give a pecuniary benefit either to the person whose prostitution is sought or to a 3rd person and the person whose prostitution is sought has not in fact attained 18 years of age or the person knows or believes that the person whose prostitution is sought has not attained 18 years of age. Violation of this paragraph is a Class ~~D~~ C crime; or

Sec. 3. 17-A MRSA §855, sub-§1, ¶B, as enacted by PL 2005, c. 444, §1, is repealed.

Sec. 4. 17-A MRSA §1802, sub-§1, ¶B, as enacted by PL 2019, c. 113, Pt. A, §2, is amended by amending subparagraph (7) to read:

(7) A Class D or Class E crime under section 556, section 853, or section 854, excluding subsection 1, paragraph A, subparagraph (1); ~~or section 855;~~

Sec. 5. 34-A MRSA §11273, sub-§15, ¶C, as enacted by PL 2011, c. 663, §3, is amended to read:

C. Title 17-A, section 855, subsection 1, paragraph ~~B~~ A; and

See title page for effective date.

**CHAPTER 448
S.P. 478 - L.D. 1491**

An Act To Ensure Access to and Availability of Violence Intervention Services To Reduce Domestic Violence in Maine

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

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

CORRECTIONS, DEPARTMENT OF

Office of Victim Services 0046

Initiative: Provides funding for partial reimbursement of certified batterers' intervention programs for indigent participant fees.

GENERAL FUND	2021-22	2022-23
All Other	\$200,000	\$200,000
GENERAL FUND TOTAL	<u>\$200,000</u>	<u>\$200,000</u>

Office of Victim Services 0046

Initiative: Provides funding for increased administrative expenses associated with additional funding for certified batterers' intervention program expenses.

GENERAL FUND	2021-22	2022-23
All Other	\$62,500	\$62,500
GENERAL FUND TOTAL	<u>\$62,500</u>	<u>\$62,500</u>

Office of Victim Services 0046

Initiative: Provides funding for training programs to sustain and expand the accessibility of certified batterers' intervention programs.

GENERAL FUND	2021-22	2022-23
All Other	\$25,000	\$25,000
GENERAL FUND TOTAL	<u>\$25,000</u>	<u>\$25,000</u>

CORRECTIONS, DEPARTMENT OF		
DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$287,500	\$287,500
DEPARTMENT TOTAL - ALL FUNDS	\$287,500	\$287,500

See title page for effective date.

**CHAPTER 449
H.P. 1115 - L.D. 1505**

An Act To Restrict the Use of Perfluoroalkyl and Polyfluoroalkyl Substances in Firefighting Foam

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

Sec. 1. 38 MRSA §424-C is enacted to read:

§424-C. Perfluoroalkyl and polyfluoroalkyl substances in firefighting or fire-suppressing foam

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

A. "Discharge" means a release by any means, including, but not limited to, spilling, leaking, pumping, pouring, spraying, emitting, disposing, escaping, emptying or dumping, whether intentional or unintentional.

B. "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" has the same meaning as in Title 32, section 1732, subsection 5-A.

C. "Person" means a natural person, firm, association, partnership, corporation or trust; the State or any agency of the State; a governmental entity or quasi-governmental entity; the United States or any agency of the United States; or any other legal entity.

2. Discharge prohibited. Beginning January 1, 2022, a person may not discharge or cause to be discharged for testing or training purposes a firefighting or fire-suppressing foam to which PFAS have been intentionally added unless the foam is entirely collected by the person for proper disposal.

Nothing in this subsection prohibits a person from discharging or causing to be discharged in an emergency situation to protect life or property a firefighting or fire-suppressing foam to which PFAS have been intentionally added.

3. Discharge reporting. A person that discharges or causes to be discharged firefighting or fire-

suppressing foam to which PFAS have been intentionally added into or upon any coastal waters, estuary, tidal flat, beach or land adjoining the seacoast of the State or into or upon any lake, pond, river, stream, sewer, surface water drainage, groundwater or other waters of the State or any public or private water supply or onto land adjacent to, on or over such waters of the State shall report the discharge to the department as soon as practicable, but no later than 24 hours after the discharge occurs.

4. Manufacture, sale and distribution prohibited. Beginning January 1, 2022, a person may not manufacture, sell, offer for sale, distribute for sale or distribute for use in the State a firefighting or fire-suppressing foam to which PFAS have been intentionally added, except when:

A. Such foam is manufactured, sold or distributed for use at an oil terminal facility in the State. As used in this paragraph, "oil terminal facility" has the same meaning as in section 542, subsection 7.

This paragraph is repealed January 1, 2025; or

B. Such foam is manufactured, sold or distributed for use at an airport in the State, as long as the foam is required by federal law or regulation to be used at airports for firefighting or fire-suppressing purposes, including, but not limited to, as required by 14 Code of Federal Regulations, Section 139.317 as that section existed on January 1, 2021. If, on or after January 1, 2022, no federal law or regulation requires the use of such foam at airports for firefighting or fire-suppressing purposes, the exception in this paragraph to the prohibition in this subsection does not apply.

5. Notice and recall. Except as provided in subsection 4, paragraph A or B, on or before January 1, 2022, a person that manufactures firefighting or fire-suppressing foam to which PFAS have been intentionally added and, prior to January 1, 2022, sold, offered for sale or distributed such foam for sale or use in the State shall:

A. Provide written notification regarding the prohibition in subsection 4 to any person in the State that, prior to January 1, 2022, received such foam from the manufacturer for sale, distribution or use in the State; and

B. Issue a recall of all such foam, which must include a process by which a person in the State that received such foam will be reimbursed by the manufacturer for the recalled foam.

6. Administration and enforcement; rules. The department shall administer and enforce this section and may adopt rules as necessary to implement and administer this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. Framework; report. In collaboration with the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency and interested parties, the Department of Environmental Protection shall develop a framework for the collection and safe storage of firefighting and fire-suppressing foams to which perfluoroalkyl and polyfluoroalkyl substances have been intentionally added that are subject to the manufacturing, sale and distribution prohibition under the Maine Revised Statutes, Title 38, section 424-C, subsection 4 and not returned to the manufacturer of the foam pursuant to a recall issued in accordance with Title 38, section 424-C, subsection 5, paragraph B until the foams can be safely disposed of. On or before March 1, 2022, the department shall submit a report to the Joint Standing Committee on Environment and Natural Resources that includes the proposed framework and any recommended legislation. The joint standing committee may report out a bill based upon the report to the 130th Legislature.

See title page for effective date.

**CHAPTER 450
S.P. 490 - L.D. 1517**

**An Act To Establish the Maine
Workforce, Research,
Development and Student
Achievement Institute**

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

Sec. 1. 5 MRSA §12004-I, sub-§6-I is enacted to read:

6-I.

<u>Economic Development</u>	<u>Maine Workforce, Research, Development and Student Achievement Institute</u>	<u>Not Authorized</u>	<u>5 MRSA §13120-T</u>
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This subsection is repealed September 1, 2024.

Sec. 2. 5 MRSA c. 383, sub-c. 10 is enacted to read:

SUBCHAPTER 10

MAINE WORKFORCE, RESEARCH, DEVELOPMENT AND STUDENT ACHIEVEMENT INSTITUTE

§13120-T. Maine Workforce, Research, Development and Student Achievement Institute

1. Institute established. The Maine Workforce, Research, Development and Student Achievement

Institute, as established in Title 5, section 12004-I, subsection 6-I and referred to in this subchapter as "the institute," is established to collect and analyze information related to workforce training and cost drivers for training, research and development, student debt and economic advancement in the State, to make policy recommendations to the Legislature and to conduct targeted research for the Legislature.

2. Legislature to contract with university. The Legislature, through the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters, shall contract with the University of Maine System to establish and maintain the institute. Personnel coordinating the work of the institute must be appointed by the University of Maine System in consultation with the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters, and those personnel shall consult with and act on behalf of the Legislature, performing such data collection, analysis and research as the Legislature may require.

3. State economic plan. The institute shall align its work with the priorities of the State's economic development strategy developed by the department pursuant to this chapter.

4. Steering committee. The Maine Workforce, Research, Development and Student Achievement Institute Steering Committee, referred to in this section as "the steering committee," is established to advise the Legislature and the University of Maine System on all matters related to the institute. With the exception of ex officio members, steering committee members must be appointed by the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters for a term of 2 years. The steering committee shall meet at least 4 times each year and must include the following:

- A. One member from the Department of Professional and Financial Regulation;
- B. One member from the department;
- C. One member from the Department of Labor or the State Workforce Board, established under Title 26, section 2006;
- D. One member from the University of Maine System;
- E. One member from the Maine Community College System;
- F. One member from a statewide organization representing business interests in the State;
- G. One member from a statewide organization responsible for promotion of individual economic opportunities;

H. One member from a regional development organization serving one or more of the following: Aroostook County, Franklin County, Oxford County, Piscataquis County, Somerset County and Washington County;

I. One member who is involved in career and technical education;

J. One member who is employed in the public sector;

K. One member who is employed in the private sector;

L. The State Economist, who serves ex officio; and

M. The chief executive officer of the Finance Authority of Maine or the chief executive officer's designee, who serves ex officio.

The steering committee shall elect a chair from among its members to serve a term of 2 years.

5. Location and access. The analysis, recommendations and research results gathered pursuant to this subchapter must be maintained by the institute at the University of Maine System and must be available for use by any interested group or individual.

6. Sunset. This section is repealed September 1, 2024.

Sec. 3. Sunset review. During the Second Regular Session of the 131st Legislature, the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters shall examine and review the work of the Maine Workforce, Research, Development and Student Achievement Institute established in the Maine Revised Statutes, Title 5, section 13120-T in order to make a decision regarding the continuation of the institute. The joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters may report out a bill based on that review to the 131st Legislature.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

LEGISLATURE

Legislature 0081

Initiative: Appropriates funds for the costs to the Legislature to contract with the University of Maine System to establish and maintain, for its duration, the Maine Workforce, Research, Development and Student Achievement Institute.

GENERAL FUND	2021-22	2022-23
All Other	\$100,000	\$100,000
GENERAL FUND TOTAL	\$100,000	\$100,000

See title page for effective date.

CHAPTER 451

S.P. 548 - L.D. 1692

An Act To Improve Judicial Branch Facilities in Hancock County

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

Sec. 1. 4 MRSA §1610-I, as reallocated by PL 2017, c. 288, Pt. A, §2, is amended to read:

§1610-I. Additional securities; ~~Judicial Branch~~ judicial branch

Notwithstanding any limitation on the amount of securities that may be issued pursuant to section 1606, subsection 2, the authority may issue additional securities from time to time in an aggregate amount not to exceed \$95,600,000 outstanding at any one time for the purposes of paying the costs associated with the planning, purchasing, financing, acquiring, constructing, renovating, furnishing, equipping, improving, extending, enlarging and consolidating new and existing facilities and projects relating to the ~~Judicial Branch~~ judicial branch in the counties of Oxford, Waldo and York, acquiring and improving property relating to the judicial branch in Hancock County and planning for other court facilities.

See title page for effective date.

CHAPTER 452

H.P. 822 - L.D. 1144

An Act To Amend the Law Regarding Advance Health Care Directives

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

Sec. 1. 18-C MRSA §5-803-A is enacted to read:

§5-803-A. Remote signing of advance health care directives in health care facilities

When a principal in a hospital or a residential health care facility has an infectious disease and is confined to a room or ward where isolation precautions prevent the physical presence of individuals or documents necessary for executing the principal's advance health care directives, staff, employees and agents of a hospital or a residential health care facility where the principal is located may assist and facilitate the execution of advance health care directives using the process provided in this section.

The principal may direct another individual physically located beyond the isolation area but in the same

facility to sign the principal's name to the advance health care directive. If necessary, the principal may employ 2-way audiovisual communication technology to direct the individual to sign and to allow the signing to be witnessed. This audiovisual technology must allow direct contemporaneous interaction between the principal, the individual signing the document and any witness by sight and sound in real time.

The principal must be provided with an unsigned copy of the advance health care directive prior to the signing for the principal to review. The individual signing for the principal must be provided with the original advance health care directive. After it is signed and witnessed, a copy of the original advance health care directive must be given to the principal or the principal's agent if named in the advance health care directive. The signed and witnessed original advance health care directive must be filed with the principal's medical record as soon as possible.

If the principal or the principal's agent identifies any substantive difference between the unsigned copy and the signed and witnessed original advance health care directive, the principal or the agent may revoke the advance health care directive by notifying the primary physician either orally or in writing.

Staff, employees and agents of a hospital or a residential health care facility are immune from suit or legal liability for their good faith actions or omissions arising out of their use of the procedures described in this section.

This section does not apply to any other documents or settings or when advance health care directives are notarized.

See title page for effective date.

CHAPTER 453

H.P. 1007 - L.D. 1373

An Act To Keep All Maine Students Safe by Restricting the Use of Seclusion and Restraint in Schools

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

Sec. 1. 20-A MRSA §4014 is enacted to read:

§4014. Use of seclusion and physical restraint

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

A. "Chemical restraint" means a drug or medication that is not prescribed as the standard treatment of a student's medical or psychiatric condition by a

licensed physician or other qualified health professional acting under the scope of the professional's authority under state law that is used on a student to control behavior or restrict freedom of movement.

B. "Covered entity" means an entity that owns, operates or controls a school or educational program that receives public funds from the department, including, but not limited to, public schools, public regional programs, public charter schools, private schools, private schools approved for tuition purposes, special purpose private schools, career and technical education programs, public prekindergarten programs and providers of services pursuant to the provisions of the federal Individuals with Disabilities Education Act, Parts B and C, 20 United States Code, Section 1401 et seq. (2015).

C. "Mechanical restraint" means the use of a device to restrict a student's freedom of movement.

D. "Physical escort" means the temporary, voluntary touching or holding of the hand, wrist, arm, shoulder or back to induce a student to walk to a safe location.

E. "Physical prompt" means a teaching technique that involves voluntary physical contact with a student that enables the student to learn or model the physical movement necessary for the development of a desired competency.

F. "Physical restraint" means a personal restriction that immobilizes or reduces the ability of a student to move the arms, legs or head freely. "Physical restraint" does not include a physical escort, mechanical restraint, physical prompt or chemical restraint.

G. "Seclusion" means the involuntary isolation or confinement of a student alone in a room or clearly defined area from which the student does not feel free to go or is physically denied exit. "Seclusion" does not include a timeout.

H. "Timeout" means an intervention where a student requests or complies with an adult request for a break. Timeout is not seclusion.

I. "Unlawful restraint or seclusion" means:

- (1) Mechanical restraint;
- (2) Chemical restraint;
- (3) Physical restraint or physical escort that is life-threatening, restricts breathing or restricts blood flow to the brain, including prone restraint; or
- (4) Physical restraint or seclusion that is contraindicated based on Title 34-B, section 3003 or section 15002 or the student's disability or

health care needs or medical or psychiatric condition as documented in:

- (a) A health care directive or medical management plan;
- (b) A behavior intervention plan;
- (c) An individual education plan or an individual family service plan as defined in the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1401 et seq. (2015); or
- (d) A plan developed pursuant to the federal Rehabilitation Act of 1973, 29 United States Code, Section 794 (2015) or the federal Americans with Disabilities Act of 1990, Title II, 42 United States Code, Section 12131 et seq. (2009).

"Unlawful restraint or seclusion" does not include a physical escort except as provided in subparagraph (3), a physical prompt, the use of adaptive devices or mechanical supports to achieve proper body position, balance or alignment to allow greater freedom of movement than would be possible without the use of such devices or supports or the use of vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.

2. Prohibition on unlawful restraint and seclusion; restriction on use of physical restraint and seclusion. A covered entity that receives state or federal assistance may not subject a student to unlawful restraint or seclusion. A covered entity may use physical restraint or seclusion only if:

- A. The student's behavior poses an imminent danger of serious physical injury to the student or another person;
- B. Less restrictive interventions would be ineffective in stopping imminent danger of serious physical injury to the student or another person;
- C. The physical restraint or seclusion ends immediately upon the cessation of imminent danger of serious physical injury to the student or another person; and
- D. The least amount of force necessary is used to protect the student or another person from imminent danger of serious physical injury.

3. Report on data regarding the use of physical restraint and seclusion. Each covered entity shall submit to the department an annual report on incidents of physical restraint and seclusion of students of that covered entity that includes:

- A. The aggregate number of uses of physical restraint;
- B. The aggregate number of uses of seclusion;

C. The aggregate number of students placed in physical restraint;

D. The aggregate number of students placed in seclusion;

E. The aggregate number of students with disabilities and an individualized education program under the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1401 et seq. (2015) or a plan pursuant to the federal Rehabilitation Act of 1973, 29 United States Code, Section 701 et seq. placed in physical restraint;

F. The aggregate number of students with disabilities and an individualized education program under the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1401 et seq. (2015) or a plan pursuant to the federal Rehabilitation Act of 1973, 29 United States Code, Section 701 et seq. placed in seclusion;

G. The aggregate number of serious physical injuries to students related to physical restraint;

H. The aggregate number of serious physical injuries to students related to seclusion;

I. The aggregate number of serious physical injuries to staff related to physical restraint; and

J. The aggregate number of serious physical injuries to staff related to seclusion.

4. Technical assistance. The department shall, using existing resources, provide technical assistance to covered entities by developing, implementing and providing technical assistance to support evidence-based programs that reduce the likelihood of physical restraint or seclusion, and support students in reducing behavior that can result in physical restraint or seclusion, such as developmentally appropriate, positive behavior interventions, functional behavioral interventions, mental health supports, restorative justice programs, trauma-informed care and crisis and de-escalation interventions.

5. Rules. The department shall adopt or amend rules to carry out the purposes of this section. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 454
H.P. 1125 - L.D. 1521

An Act To Strengthen
Protections against Civil Asset
Forfeiture

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

Sec. 1. 15 MRSA §5821, first ¶, as amended by PL 2017, c. 409, Pt. B, §1, is further amended to read:

Except as provided in section 5821-A or 5821-B, the following are subject to forfeiture to the State and no property right may exist in them if the owner of the following is convicted of a crime in which the following was involved:

Sec. 2. 15 MRSA §5821, sub-§3-A, as repealed and replaced by PL 2013, c. 588, Pt. A, §19, is amended to read:

3-A. Firearms and other weapons. Law enforcement officers may seize all firearms and dangerous weapons that they may find in any lawful search for scheduled drugs in which scheduled drugs are found. ~~Except for those seized weapons listed in a petition filed in the Superior Court pursuant to section 5822, all weapons seized~~ weapons declared by a court to be forfeited in accordance with section 5826, subsection 9, if the owner of a seized firearm or dangerous weapon is convicted of a crime in which the firearm or dangerous weapon was involved, after notice and opportunity for hearing, the firearm or dangerous weapon must be forfeited to the State by the District Court 90 days after a list of the weapons and drugs seized is filed in the District Court in the district in which the weapons and drugs were seized. A weapon need may not be forfeited if the owner appears prior to the declaration of forfeiture and unless the State satisfies the court, by a preponderance of evidence, of all of the following: that the owner of the firearm or dangerous weapon was convicted of a crime in which the firearm or dangerous weapon was involved.

~~A. That the owner had a possessory interest in the weapon at the time of the seizure sufficient to exclude every person involved with the seized drugs or every person at the site of the seizure;~~

~~B. That the owner had no knowledge of or involvement with the drugs and was not at the site of the seizure; and~~

~~C. That the owner had not given any involved person permission to possess or use the weapon.~~

Post-hearing procedures are as provided in section 5822.

A confiscated or forfeited firearm that was confiscated or forfeited because it was used to commit a homicide

must be destroyed by the State unless the firearm was stolen and the rightful owner was not the person who committed the homicide, in which case the firearm must be returned to the owner if ascertainable.;

Sec. 3. 15 MRSA §5821, sub-§3-B, as amended by PL 2019, c. 113, Pt. C, §52, is further amended to read:

3-B. Forfeiture of firearms used in the commission of certain acts. In addition to the provisions of subsection 3-A and Title 17-A, section 1504, this subsection controls the forfeiture of firearms used in the commission of certain acts.

A. Except as provided in paragraph B, a firearm is subject to forfeiture to the State if the firearm is used by a person who is the owner of the firearm to commit a criminal act that in fact causes serious bodily injury or death to another human being and, following that act, the person either commits suicide or attempts to commit suicide and the attempt results in the person's becoming incompetent to stand trial or the person is killed or rendered incompetent to stand trial as the result of a justifiable use of deadly force by a law enforcement officer. Except as provided in paragraph B, a property right does not exist in the firearm subject to forfeiture.

B. A firearm that is used in the commission of a criminal act described in paragraph A is exempt from forfeiture under this subsection if the firearm belongs to another person who is the rightful owner from whom the firearm has been stolen and the other person is not a principal or accomplice in the criminal act. In that case, the firearm must be transferred to the other person unless that person is otherwise prohibited from possessing a firearm under applicable law.

A firearm subject to forfeiture pursuant to this subsection that is declared by a court to be forfeited pursuant to section ~~5822~~ 5826, subsection 9 must be promptly destroyed, or caused to be promptly destroyed, by the law enforcement agency that has custody of the firearm.;

Sec. 4. 15 MRSA §5821, sub-§7-A, as amended by PL 2019, c. 97, §1, is further amended to read:

7-A. Computers. ~~Except as provided in paragraph A, all computers~~ Computers, as defined in Title 17-A, section 431, subsection 2, and computer equipment, including, but not limited to, printers and scanners, that are used or are attempted to be used in violation of Title 17-A, section 259-A.;

~~A. Property may not be forfeited under this subsection, to the extent of the interest of an owner, by reason of an act or omission established by that~~

~~owner to have been committed or omitted without the knowledge or consent of the owner;~~

Sec. 5. 15 MRSA §5821, as amended by PL 2019, c. 97, §§1 to 3 and c. 113, Pt. C, §52, is further amended by adding at the end a new paragraph to read:

Unless seized property under this section includes United States currency in excess of \$100,000, a law enforcement agency, prosecuting authority, state agency, county or municipality may not enter into an agreement to transfer or refer property seized under this section to a federal agency directly, indirectly, through adoption, through an intergovernmental joint task force or by other means that circumvent the provisions of this section.

Sec. 6. 15 MRSA §5822, sub-§1, as amended by PL 1987, c. 648, is repealed.

Sec. 7. 15 MRSA §5822, sub-§2, as enacted by PL 1987, c. 420, §2, is repealed.

Sec. 8. 15 MRSA §5822, sub-§3, as amended by PL 1991, c. 461, §1, is repealed.

Sec. 9. 15 MRSA §5822, sub-§4, as amended by PL 1999, c. 408, §1, is repealed.

Sec. 10. 15 MRSA §5822, sub-§5, as enacted by PL 1987, c. 420, §2, is repealed.

Sec. 11. 15 MRSA §5823, sub-§2, as amended by PL 1991, c. 461, §3, is repealed.

Sec. 12. 15 MRSA §5825, as amended by PL 2019, c. 651, §1, is further amended to read:

§5825. Records; reports

1. Records of forfeited property. Any officer to whom or department or agency to which property subject to forfeiture under section 5821 has been ordered forfeited shall maintain records showing:

- A. The name of the court that ordered each item of property to be forfeited to the officer, department or agency;
- D. The date on which each item of property was ordered forfeited to the officer, department or agency; and
- E. A description of each item of property forfeited to the officer, department or agency.

The records must be open to inspection. A copy of each record must be filed with the Department of Public Safety.

2. Department of Public Safety. A report of the transfer of property previously held by the Department of Public Safety and then ordered by a court to be forfeited to another governmental entity must be provided upon request to the Commissioner of Administrative and Financial Services and the Office of Fiscal and Program Review. The report must account for any such

transfer that occurred during the 12 months preceding such a request. The Department of Public Safety shall maintain all records filed with the department pursuant to subsection 1. The Department of Public Safety shall make all records under this subsection available on a publicly accessible website.

Sec. 13. 15 MRSA §5826, sub-§9 is enacted to read:

9. Exceptions to requirement for conviction. A conviction is not required for seizure only as provided in this subsection.

A. Nothing in this chapter prevents property from being forfeited as part of:

- (1) A plea agreement; or
- (2) A grant of immunity or reduced punishment, with or without the filing of a criminal charge, in exchange for testifying or assisting a law enforcement investigation or prosecution.

B. The court may waive the conviction requirement in this section and grant title to the property to the State if the State files a motion no fewer than 90 days after seizure and shows by a preponderance of the evidence that, before conviction, the defendant:

- (1) Died;
- (2) Was deported by the United States Government;
- (3) Abandoned the property; or
- (4) Fled the jurisdiction.

Sec. 14. 15 MRSA §5828 is enacted to read:

§5828. Post-seizure proceedings

1. Prompt post-seizure hearing. This subsection governs post-seizure proceedings for assets seized pursuant to this chapter.

- A. Following the seizure of property, a defendant or any person with an interest in the property has a right to a prompt post-seizure hearing.
- B. A person with an interest in the property may petition the court for a hearing.
- C. At the court's discretion, the court may hold a prompt post-seizure hearing:

- (1) As a separate hearing; or
- (2) At the same time as a probable-cause determination, a post-arraignment hearing or other pretrial hearing.

D. A party, by agreement of all parties or for good cause, may move for one extension of the hearing date of no more than 10 days. Any motion may be supported by affidavits or other submissions.

E. The court shall order the return of seized property if it finds:

- (1) The seizure was invalid;
- (2) A criminal charge has not been filed and no extension of the filing period established under this section is available;
- (3) The property is not reasonably required to be held as evidence; or
- (4) The final judgment likely will be in favor of the claimant.

See title page for effective date.

CHAPTER 455

H.P. 1146 - L.D. 1541

An Act To Support and Improve Municipal Recycling Programs and Save Taxpayer Money

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

Sec. 1. 38 MRSA §1776, sub-§11, as enacted by PL 2013, c. 315, §7, is amended to read:

11. Exceptions. This section does not apply to products subject to section 1610, 1665-A, 1665-B, 1672, 2146, 2165 or 2166.

Sec. 2. 38 MRSA §2146 is enacted to read:

§2146. Stewardship program for packaging

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

A. "Alternative collection program" means a program for the management of packaging material that is operated by an individual producer or group of producers and that has been approved by the department in accordance with subsection 8.

B. "Brand" has the same meaning as in section 1771, subsection 1.

C. "Collection" means the gathering of waste, including the preliminary sorting and storage of waste for the purposes of transport to a recycling establishment.

D. "European article number" or "EAN" means a 13-digit barcode used for product identification purposes, also referred to as an international article number.

E. "Franchisee" means a person that is granted a franchise by a franchisor authorizing the use of the franchisor's trade name, service mark or related characteristic and the sharing of the franchisor's

proprietary knowledge or processes pursuant to an oral or written arrangement for a definite or indefinite period.

F. "Franchisor" means a person that grants to a franchisee a franchise authorizing the use of the person's trade name, service mark or related characteristic and the sharing of the person's proprietary knowledge or processes pursuant to an oral or written arrangement for a definite or indefinite period.

G. "Low-volume producer" means a producer that sold, offered for sale or distributed for sale in or into the State during the prior calendar year products contained, protected, delivered, presented or distributed in or using more than one ton but less than 15 tons of packaging material in total.

H. "Municipality" means a city, town, county, township, village or plantation; a refuse disposal district under chapter 17; or a regional association.

I. "Packaging material" means a discrete type of material, or a category of material that includes multiple discrete types of material with similar management requirements and similar commodity values, used for the containment, protection, delivery, presentation or distribution of a product, including a product sold over the Internet, at the time that the product leaves a point of sale with or is received by the consumer of the product. "Packaging material" does not include a discrete type of material, or a category of material that includes multiple discrete types of material, that is:

(1) Intended to be used for the long-term storage or protection of a durable product and that can be expected to be usable for that purpose for a period of at least 5 years;

(2) A beverage container, as defined in section 3102, subsection 2, subject to the requirements of chapter 33;

(3) A container for architectural paint, as defined in section 2144, subsection 1, paragraph A, as long as a paint stewardship program is in operation, has been approved by the department pursuant to section 2144 and the stewardship organization operating that program:

(a) Has demonstrated to the department's satisfaction that it recycles at least 90% of the containers of architectural paint collected under the program; or

(b) Subject to the approval of the department, if unable to satisfy the requirements of division (a), has demonstrated to the department's satisfaction that it recycles at least 80% of the containers of architectural paint collected under the program; or

(4) Excluded from the definition of "packaging material" by the department by rule adopted pursuant to subsection 13, paragraph D.

J. "Packaging stewardship fund" or "fund" means a privately held account established and managed by the stewardship organization pursuant to subsection 12.

K. "Packaging stewardship organization" or "stewardship organization" means the entity contracted by the department under subsection 3 to operate the packaging stewardship program.

L. "Packaging stewardship program" or "program" means the program implemented under this section by the stewardship organization to assess and collect payments from producers based on the amount, whether by weight or volume, of packaging material sold, offered for sale or distributed for sale in or into the State by each producer and to reimburse participating municipalities for certain municipal recycling and waste management costs.

M. "Participating municipality" means a municipality that has complied with the requirements of subsection 9 and is eligible for reimbursement of certain costs in accordance with subsection 10.

N. "Post-consumer recycled material" means new material produced using material resulting from the recovery, separation, collection and reprocessing of material that would otherwise be disposed of or processed as waste and that was originally sold for consumption. "Post-consumer recycled material" does not include post-industrial material or pre-consumer material.

O. "Producer" means a person that:

(1) Has legal ownership of the brand of a product sold, offered for sale or distributed for sale in or into the State contained, protected, delivered, presented or distributed in or using packaging material; or

(2) Is the sole entity that imports into the State for sale, offer for sale or distribution for sale in or into the State a product contained, protected, delivered, presented or distributed in or using packaging material that is branded by a person that meets the requirements of subparagraph (1) and has no physical presence in the United States.

"Producer" includes a low-volume producer and a franchisor of a franchise located in the State, but does not include the franchisee operating that franchise. "Producer" does not include a nonprofit organization exempt from taxation under the United States Internal Revenue Code of 1986, Section 501(c)(3).

P. "Proprietary information" has the same meaning as in section 1771, subsection 6-A.

Q. "Readily recyclable" means, with respect to a type of packaging material, that the type of packaging material meets the criteria and standards for recyclability as determined by the department by rule pursuant to subsection 13, paragraph A, subparagraph (2).

R. "Recycling" has the same meaning as in section 1771, subsection 7.

S. "Reuse" has the same meaning as in section 1771, subsection 8.

T. "Similar municipalities" means 2 or more municipalities that, as determined by the department by rule pursuant to subsection 13, paragraph A, subparagraph (3), have similar population sizes and similar geographic locations and share other department-specified criteria.

U. "Toxicity" means, with respect to packaging material, the presence in packaging material or the use in the manufacturing, recycling or disposal of packaging material of intentionally introduced metals or chemicals regulated pursuant to Title 32, chapter 26-A; food contact chemicals of high concern or priority food contact chemicals regulated pursuant to Title 32, chapter 26-B; or chemicals of concern, chemicals of high concern or priority chemicals identified pursuant to chapter 16-D.

V. "Universal product code" or "UPC" means a standard for encoding a set of lines and spaces that can be scanned and interpreted into numbers for product identification purposes. "Universal product code" includes any industry-accepted barcode used for product identification purposes in a manner similar to a UPC, including, but not limited to, an EAN.

2. **Producer exemptions.** Notwithstanding any provision of this section to the contrary, a producer is exempt from the requirements and prohibitions of this section in any calendar year in which:

A. The producer realized less than \$2,000,000 in total gross revenue during the prior calendar year, except that, for the period beginning one calendar year following the effective date of the contract entered into by the department and the stewardship organization pursuant to subsection 3 and ending 3 years after that effective date, a producer that realized less than \$5,000,000 in total gross revenue during the prior calendar year is exempt from the requirements and prohibitions of this section;

B. The producer sold, offered for sale or distributed for sale in or into the State during the prior calendar year products contained, protected, delivered, presented or distributed in or using less than one ton of packaging material in total;

C. The producer realized more than 50% of its total gross revenue in the prior calendar year from the sale of goods it acquired through insurance salvages, closeouts, bankruptcies and liquidations; or

D. The producer sold, offered for sale or distributed for sale in or into the State during the prior calendar year to retailers or direct to consumers products that were perishable food and that were contained, protected, delivered, presented or distributed in or using less than 15 tons of packaging material in total.

As used in this paragraph, "perishable food" means any food that may spoil or otherwise become unfit for human consumption because of its nature, type or physical conditions, including, but not limited to, fresh and processed meats, poultry, seafood, dairy products, bakery products, eggs in the shells and fresh fruits and vegetables. "Perishable food" does not include any such food that is sold, offered for sale or distributed for sale frozen except for frozen wild blueberries.

A producer claiming an exemption under this subsection shall provide to the department sufficient information to demonstrate that the producer meets the requirements for an exemption under this subsection within 30 days of receiving a request from the department to provide such information.

3. Selection of stewardship organization; contract. Consistent with the requirements of this subsection, the department shall select and enter into a contract with a packaging stewardship organization to operate the packaging stewardship program under this section.

A. Consistent with applicable competitive bidding requirements under state purchasing laws and following the initial adoption of rules by the department pursuant to subsection 13 to implement this section, the department shall issue a request for proposals for the operation of the packaging stewardship program by a packaging stewardship organization. The proposals must be required to cover a 10-year operation of the packaging stewardship program by the successful bidder and must be required to include, at a minimum:

(1) A description of how the bidder will administer the stewardship organization, including:

(a) The mechanism or process, to be developed with input from producers, by which a producer may request and receive assistance from the stewardship organization in the reporting of required information and regarding methods by which the packaging material used by a producer may be modified so as to reduce the producer's payment obligations under subsection 6; and

(b) The mechanism or process, to be developed with input from municipalities, by which a participating municipality may request and receive assistance from the stewardship organization in the reporting of required information and regarding methods by which a municipality's recycling program may be modified so as to increase access to and participation in the program;

(2) A description of how the bidder intends to solicit and consider input from interested persons, including, but not limited to, producers, municipalities, environmental organizations and waste management and recycling establishments, regarding the bidder's operation of the packaging stewardship program, if selected;

(3) A description of how the bidder intends to establish and manage the packaging stewardship fund consistent with subsection 12, including, but not limited to: the staffing the bidder intends to use for management of the fund; a plan to ensure equity of access to the fund for participating municipalities; a plan for providing technical support to producers and municipalities regarding program requirements; and a plan for administering payments to and reimbursements from the fund and the financial mechanisms, including investment types, if any, the bidder intends to use in managing the fund;

(4) A proposed financial assurance plan that ensures all funds held in the packaging stewardship fund are immediately and exclusively forfeited and transferred to or otherwise made immediately available to the department to support waste diversion, reuse or recycling programs when the stewardship organization's contract with the department is terminated by the department or expires, unless the stewardship organization enters into a new contract with the department in accordance with paragraph B prior to the expiration of the stewardship organization's existing contract;

(5) A proposed budget outlining the anticipated costs of operating the packaging stewardship program, including identification of any start-up costs that will not be ongoing and a description of the method by which the bidder intends to determine and collect producer payments during the initial start-up period of program operation to fund the program's operational costs during that initial start-up period and to reimburse or require additional payments by those producers subsequent to that initial start-up period based on producer

reporting of the actual amount of packaging material sold, offered for sale or distributed for sale in or into the State by each producer during that initial start-up period. The proposed budget under this subparagraph may overestimate the cost of operating the program during its initial start-up period of operation but must describe the method and basis for any overestimate;

(6) A certification that the bidder will not share, except with the department, information provided to the bidder by a producer that is proprietary information and that is identified by the producer as proprietary information. The certification must include a description of the methods by which the bidder intends to ensure the confidentiality of such information;

(7) A description of how the bidder will conduct a statewide recycling needs assessment that, at a minimum, includes an evaluation of:

(a) Current funding needs affecting recycling access and availability in the State;

(b) The capacity, costs and needs associated with the collection and transportation of recyclable material in the State;

(c) The processing capacity, market conditions and opportunities in the State and regionally for recyclable material; and

(d) Consumer education needs in the State with respect to recycling and reducing contamination in collected recyclable material; and

(8) Any additional information required by the department.

B. In accordance with applicable requirements of state purchasing laws, the department shall enter into a contract with a bidder that has submitted a proposal in accordance with the requirements of this subsection, the term of which must cover 10 years of operation of the packaging stewardship program by the stewardship organization. The contract must, at a minimum, include provisions to ensure that the stewardship organization will conduct the statewide recycling needs assessment described in paragraph A, subparagraph (7) and report the results of that assessment to the department within a reasonable time frame and operate the program in accordance with all applicable statutory requirements and the rules adopted by the department under this section.

If, at the close of the competitive bidding process under this subsection, the department determines that no bidder has submitted, in accordance with this subsection, a proposal that meets the requirements of this subsection,

the department may reopen a new competitive bidding process under this subsection.

4. Prohibition; producer compliance information. This subsection governs the sale or distribution in the State of products with packaging not in compliance with the requirements of this section and sets forth requirements for the collection and publication of compliance information.

A. Except as provided in paragraph D, beginning one calendar year following the effective date of the contract entered into by the department and the stewardship organization pursuant to subsection 3, a producer may not sell, offer for sale or distribute for sale in or into the State a product contained, protected, delivered, presented or distributed in or using packaging material for which the producer has not complied with all applicable requirements of this section.

B. The stewardship organization shall provide to the department a list of producers that are participating in the program and a list of the UPCs of products for which the producer has complied with the program's requirements and, if known to the stewardship organization, a list of producers that are not participating in the program and are not compliant with the program's requirements. The stewardship organization shall provide to the department regularly updated producer compliance information described in this paragraph.

C. Based on information provided to the department under paragraph B and any other information considered by the department, the department shall make available on its publicly accessible website a regularly updated list of UPCs of products for which the department has determined the producer has complied with all applicable requirements of this section and a list of producers and, where applicable, specific products and the UPCs of those products for which the department has determined the producer has not complied with all applicable requirements of this section.

D. Notwithstanding a producer's failure to comply with all applicable requirements of this section for a type or types of packaging material used to contain, protect, deliver, present or distribute a product, the department may authorize the sale or distribution for sale in or into the State of another product or products of the producer that are contained, protected, delivered, presented or distributed in or using a different type or types of packaging material for which that producer has complied with all applicable requirements of this section. In the event that the department provides such an authorization, the department shall ensure that such information is included in the information made available pursuant to paragraph C.

5. Annual reporting by stewardship organization. In accordance with rules adopted by the department, the stewardship organization shall annually submit to the department and make available on its publicly accessible website a report that includes, at a minimum, the following information:

A. Contact information for the stewardship organization;

B. A list of participating producers and the brands and the UPCs of products associated with those producers;

C. The total amount, whether by weight or volume, of each type of packaging material sold, offered for sale or distributed for sale in or into the State by each participating producer as reported in accordance with subsection 7;

D. As applicable, the total amount, whether by weight or volume, of each type of packaging material collected and managed by each participating producer through alternative collection programs approved by the department under subsection 8;

E. A complete accounting of payments made to and by the stewardship organization during the prior calendar year, including information on how the stewardship organization determined the amount of such payments in accordance with subsections 6 and 10 and the rules adopted under subsection 13, paragraph A, subparagraphs (1) and (4);

F. A list of producers that are not participating in the program that are required to participate in the program and any product-specific noncompliance, if known by the stewardship organization;

G. A description of education and infrastructure investments made by the stewardship organization in prior calendar years and an evaluation of how those investments were designed to increase access to recycling in the State and to encourage the reuse of packaging material;

H. A description of the results of the representative audits required pursuant to subsection 13, paragraph A, subparagraph (6);

I. An assessment of the progress made toward the achievement of any program goals required by the department by rule pursuant to subsection 13, paragraph A, subparagraph (5);

J. An assessment of whether the payment schedule for producer payments adopted by the department by rule pursuant to subsection 13, paragraph A, subparagraph (1) has been successful in incentivizing improvements to the design of packaging material as encouraged through the allowance of payment adjustments in accordance with subsection 13, paragraph A, subparagraph (1), division (c);

K. Any proposals for changes to the packaging stewardship program or investments in education and infrastructure designed to reduce the amount of packaging material used, increase access to recycling, increase the recycling of or recyclability of packaging material, reduce program costs or otherwise increase program efficiency, which may include an analysis of best practices for municipal recycling programs;

L. The results of a 3rd-party financial audit of the stewardship organization;

M. An estimate of the annual greenhouse gas emissions effects in the State associated with the operation of the stewardship program. As used in this paragraph, "greenhouse gas" has the same meaning as in section 574, subsection 1; and

N. Any additional information required by the department.

6. Producer payments. In accordance with the provisions of this subsection and the rules adopted by the department, no later than 180 days after the effective date of the contract entered into by the department and the stewardship organization pursuant to subsection 3, and annually thereafter, a producer shall make payments to the stewardship organization to be deposited into the packaging stewardship fund under subsection 12 based on the net amount, whether by weight or volume, of each type of packaging material sold, offered for sale or distributed for sale in or into the State by the producer and not managed by the producer under an approved alternative collection program. The department shall adopt rules setting forth the manner in which such payments must be calculated for packaging material that is readily recyclable and packaging material that is not readily recyclable, which must be designed to incentivize the use by producers of packaging material that is readily recyclable and disincentivize the use by producers of packaging material that is not readily recyclable.

7. Annual reporting by producers. In accordance with rules adopted by the department, a producer shall annually report to the stewardship organization the total amount, whether by weight or volume, of each type of packaging material sold, offered for sale or distributed for sale in or into the State by the producer in the prior calendar year.

8. Alternative collection programs. In accordance with the requirements of this subsection and the rules adopted by the department, a producer or group of producers may develop and operate an alternative collection program to collect and manage a type or types of packaging material sold, offered for sale or distributed for sale in or into the State by the producer or producers. A producer that manages a type of packaging material under an approved alternative collection program through reuse, recycling and, where approved by

the department, management of that packaging material through incineration may wholly or partially offset the producer's payment obligations under the packaging stewardship program with respect to that same type of packaging material only.

A. Beginning on the effective date of the contract entered into by the department and the stewardship organization pursuant to subsection 3, a producer or group of producers seeking to implement an alternative collection program shall submit a proposal for the establishment of that program to the department for approval. The department shall approve or deny the proposal within 120 days of receipt and shall provide an opportunity for public review and comment on the proposal prior to its approval or denial. The department may approve an alternative collection program for a term of 5 years and, at the expiration of such term, the producer or group of producers operating the program may submit an updated proposal to the department for approval.

B. In determining whether to approve a proposed alternative collection program, the department shall consider:

(1) Whether the alternative collection program will provide year-round, convenient, free, statewide collection opportunities for the types of packaging material to be collected under that program;

(2) To what extent the alternative collection program intends to manage those types of packaging material to be collected under the program through reuse for an original purpose, through recycling or through disposal at an incineration facility. The department may not approve an alternative collection program that proposes management of a packaging material type through disposal at an incineration facility unless that packaging material is not readily recyclable and the program proposes a process to begin reuse or recycling of that type of packaging material within a period of 3 years or less;

(3) Whether the education and outreach strategies proposed for the alternative collection program can be expected to significantly increase consumer awareness of the program throughout the State;

(4) How the alternative collection program intends to accurately measure the amount, whether by weight or volume, of each packaging material type collected, reused, recycled, disposed of at an incineration facility or otherwise managed under the program; and

(5) To what extent approval of the alternative collection program may disproportionately impact any community in the State.

C. A proposed modification to an approved alternative collection program must be submitted to the department for written approval. The department shall approve or deny a proposed modification based on application of the criteria described in paragraph B. The department may waive payment of any fees associated with review and approval of a proposed modification to an approved alternative collection program if the review of the proposed modification does not require significant department staff time.

D. In accordance with rules adopted by the department, a producer or producers managing an approved alternative collection program shall report annually to the stewardship organization and to the department the following information:

(1) The total tons of each type of packaging material collected, reused, recycled, disposed of at an incineration facility or otherwise managed under the alternative collection program in the prior calendar year, including a breakdown of the total tons of each type of material to be credited to each producer participating in the alternative collection program;

(2) A list of the collection opportunities in the State for the types of packaging material managed under the alternative collection program that were made available in the prior calendar year;

(3) A description of the education and outreach strategies implemented by the alternative collection program in the prior calendar year to increase consumer awareness of the program throughout the State; and

(4) Any additional information required by the department.

E. If the department determines that an approved alternative collection program is not operating in a manner consistent with the proposal approved under this subsection or the provisions of this subsection, the department shall provide written notice to the producer or producers operating the alternative collection program regarding the nature of the deficiency, the actions necessary to correct the deficiency and the time by which such actions must be implemented. If the department determines that the producer or group of producers have failed to implement the actions described in the written notice within the required time frame, the department shall notify the producers or group of producers as well as the stewardship organization in writing that the producer or group of producers are ineligible to offset payment obligations under the

packaging stewardship program based on packaging material managed under the alternative collection program.

9. Requirements for participating municipalities. In accordance with the provisions of this subsection and the rules adopted by the department, a municipality may elect to, but is not required to, participate in the packaging stewardship program under this section. To be eligible for reimbursement of costs under subsection 10 as a participating municipality, a municipality must, at a minimum:

A. Provide for the collection and recycling of packaging material that is generated in the municipality and is readily recyclable; and

B. Annually report to the stewardship organization, on a form provided and approved by the department, all information necessary for the stewardship organization to determine the municipality's incurred costs associated with its collection, processing, transportation and recycling or other management of recyclable material and of municipal solid waste.

Two or more municipalities, municipally owned solid waste processing facilities or quasi-municipal entities that manage waste materials on behalf of a municipality may elect to jointly report to the stewardship organization as required by paragraph B and to jointly receive reimbursement payments pursuant to subsection 10 from the stewardship organization.

10. Municipal reimbursements. In accordance with the rules adopted by the department pursuant to subsection 13, paragraph A, subparagraph (4), the stewardship organization shall annually disburse to participating municipalities from the packaging stewardship fund established under subsection 12 reimbursement payments for the median per-ton cost of managing packaging material that is readily recyclable and reimbursement payments for the median per-ton cost of managing packaging material that is not readily recyclable. For the purposes of this subsection, the cost to a municipality of managing packaging material may include, but is not limited to, the costs associated with the collection, transportation and processing of packaging material, whether readily recyclable or not readily recyclable.

A. In accordance with rules adopted by the department, the stewardship organization shall determine the amount of payments to participating municipalities under this subsection based on the following information:

(1) Information provided by participating municipalities to the stewardship organization in accordance with subsection 9, paragraph B regarding the costs incurred by those municipalities in managing packaging material that is readily recyclable and packaging material that

is not readily recyclable, which may include costs associated with the management of packaging material collected in public spaces and schools;

(2) Information provided to the department by recycling establishments pursuant to section 2145 and made available by the department to the stewardship organization, including the tons of recyclable material received by each recycling establishment from each municipality and the tons of processed recyclable material sold by each recycling establishment;

(3) Information provided to the department by recycling establishments not located in the State or by participating municipalities and made available by the department to the stewardship organization regarding the tons of recyclable material brokered by those municipalities to those recycling establishments and processed and sold by those recycling establishments;

(4) Information obtained by the stewardship organization through the audits of facilities that process recyclable material generated in the State as required by subsection 13, paragraph A, subparagraph (6); and

(5) Any other information specified by the department by rule.

B. In accordance with procedures and requirements adopted by the department by rule, the stewardship organization shall use the information described in paragraph A to determine the total tons of each packaging material type recycled by all municipalities at each recycling establishment and the percentage of those total tons attributable to each participating municipality. In the case of 2 or more municipalities that jointly send recyclable material to a recycling establishment, the stewardship organization shall assume that an equal amount of the jointly sent material is attributable to each resident of each municipality unless those municipalities by agreement identify an unequal per capita division of that jointly sent material for the purposes of this subsection.

11. Investments in education and infrastructure. In accordance with the provisions of this subsection and the rules adopted by the department, the stewardship organization shall make investments in education and infrastructure that support the recycling of packaging material in the State.

A. The stewardship organization shall submit any proposed investment in education or infrastructure to the department for approval prior to making any expenditure for such investment. The proposal must incorporate any input received by the stew-

ardship organization regarding the proposed investment from producers, recycling establishments and participating municipalities.

B. The department shall adopt rules setting forth the criteria for evaluation and approval or denial of investments in education and infrastructure proposed by the stewardship organization. The department shall approve or deny a proposed investment within 90 days of receipt of the proposal from the stewardship organization.

C. The department shall ensure that preference for funding is given to proposals that support the State's solid waste management hierarchy under section 2101, promote a circular economy for packaging material types for which producers were required to make payments under subsection 6, increase the recyclability of packaging material that is not readily recyclable, increase access to recycling infrastructure in the State, improve consumer education in the State regarding recycling and recyclability and equitably support recycling and education efforts in participating municipalities, particularly in those participating municipalities that have received minimal or no prior funding pursuant to this paragraph.

12. Packaging stewardship fund; authorized expenditures. In accordance with the provisions of this subsection and the rules adopted by the department, the stewardship organization shall establish and manage a packaging stewardship fund. The stewardship organization shall deposit into the fund all payments received from producers in accordance with subsection 6 and shall expend those funds for the following purposes:

A. To reimburse participating municipalities in accordance with applicable provisions in subsections 9, 10 and 13 and the applicable rules adopted by the department pursuant to those subsections;

B. To cover the operating costs of the stewardship organization, which must be annually verified by a 3rd-party financial audit paid for by the stewardship organization as required by subsection 5, paragraph L;

C. To pay to the department all applicable fees required under subsection 13, paragraph B, including reimbursement of any costs incurred by the department in adopting rules and in administering and enforcing this section prior to the effective date of the contract entered into by the department and the stewardship organization pursuant to subsection 3; and

D. To support investments in education and infrastructure made in accordance with subsection 11.

13. Administration and enforcement; rulemaking; fees; department report. The department shall administer and enforce this section and shall adopt rules

as necessary to implement, administer and enforce this section. The department shall solicit input from interested parties in the development of any draft rules to implement this section, solicit public comment on the draft rules for a period of at least 30 days and hold a public hearing on the draft rules in the same manner as a public hearing must be conducted under Title 5, section 8052. Except as provided in paragraph D, rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

A. Rules adopted by the department pursuant to this section must include, at a minimum:

(1) A process for annually determining a schedule of producer payments required under subsection 6, which must include, but is not limited to, provisions regarding the timing of producer payments and the timing of and information required to be provided in the annual producer report required by subsection 7.

(a) The payment schedule adopted under this subparagraph must provide for a flat fee option to be assessed on a tiered basis such that a low-volume producer is required to pay no more than \$500 per ton of packaging material and no more than \$7,500 in total annual fees to the stewardship organization under this section.

(b) For producers other than low-volume producers, the payment schedule adopted under this subparagraph must be based on and cover the cost of managing the amount of each type of packaging material sold, offered for sale or distributed for sale in or into the State by a producer and not managed under an approved alternative collection program, adjusted as applicable in accordance with the adjustment criteria adopted pursuant to division (c).

(c) For producers other than low-volume producers, the payment schedule adopted under this subparagraph must delineate criteria to be used to adjust producer payments in a manner that incentivizes: the use of recycled content in and increased recyclability of packaging material, lower toxicity in packaging material, a reduction of the amount of packaging material used, a reduction of litter from packaging material, increased reuse of packaging material and labeling of packaging material to reduce consumer confusion and creates other incentives consistent with generally accepted industry standards.

(d) The rule must require as part of the annual producer reporting under subsection 7 the provision by a producer of all information necessary for the determination of the producer's payment obligation and the determination of the producer's compliance with respect to its products.

(i) For producers other than low-volume producers, the rule must require the producer to provide a description of the methods it used to determine the amount reported for each type of packaging material associated with its products, a description of the characteristics of each type of packaging material that are relevant to the adjustment criteria adopted pursuant to division (c) and a list of the producer's brands and the UPCs of the products associated with each type of packaging material.

(ii) For low-volume producers, the rule must require the reporting of only the information necessary for a calculation of the flat fee described in division (a) and a determination of the producer's compliance with the requirements of this section.

(iii) The rule must authorize a producer that is unable to fully satisfy the reporting requirements due to a failure to obtain sufficient information regarding the characteristics of the packaging material of products of the producer that are sold, offered for sale or distributed for sale in or into the State to alternatively report to the stewardship organization an estimate of the total amount of that packaging material based on unit quantities as long as such alternative reporting includes a description of the methods used by the producer to calculate the estimate. When a producer alternatively reports an estimate in accordance with this subdivision, unless otherwise determined by the department, the estimate must be adjusted using the least favorable adjustment criteria adopted pursuant to division (c);

(2) A process for determining on an annual basis those types of packaging material that are readily recyclable, which must involve consultation with the stewardship organization and recycling establishments and must include a transitional period between the time that a type

of packaging material is determined to be readily recyclable or to not be readily recyclable and the time that such determinations will be effective for the purposes of calculating producer payments and municipal reimbursements in accordance with this section;

(3) A process for determining on an annual basis which municipalities are similar municipalities, which must involve consultation with participating municipalities;

(4) A process for determining municipal reimbursements, including a description of the information required from participating municipalities under subsection 9, a method for calculating the reimbursements required under subsection 10 and the timing for participating municipality reporting and payments to participating municipalities. The method for calculating reimbursements must include the median per-ton cost of managing packaging material that is readily recyclable and the median per-ton cost of managing packaging material that is not readily recyclable. The method for calculating reimbursements must involve consultation with participating municipalities and be designed to incentivize municipal waste management activities that represent higher priorities on the solid waste management hierarchy;

(5) Requirements for the assessment of program performance, including the setting of program goals used to inform the producer payment schedule determined pursuant to subparagraph (1) and the investments in infrastructure and education made pursuant to subsection 11, which must include, but are not limited to, program goals supporting an overall reduction by producers in the amount of packaging material used, an increased reuse by producers of packaging material and an increased amount of post-consumer recycled content in packaging material used by producers; packaging material litter reduction goals; recycling access and collection rate goals for municipalities; and overall program and material-specific recycling rate goals.

To the maximum extent practicable, material-specific recycling rate goals adopted pursuant to this subparagraph must reflect the following recycling standards:

(a) Sorted glass is considered recycled if it does not require further processing before entering a glass furnace or before use in the production of filtration media, abrasive materials, glass fiber insulation or construction materials;

(b) Sorted metal is considered recycled if it does not require further processing before entering a smelter or furnace;

(c) Sorted paper is considered recycled if it does not require further processing before entering a pulping operation; and

(d) Plastic separated by polymer is considered recycled if it does not require further processing before entering a pelletization, extrusion or molding operation or, in the case of plastic flakes, does not require further processing before use in a final product;

(6) Requirements for the stewardship organization to conduct representative audits of recyclable material processed and sold by facilities that process recyclable material generated in the State, of municipal solid waste disposed of in the State and of waste littered in the State, which must include, but are not limited to:

(a) Provisions regarding the sampling techniques to be used in those audits, which must include random sampling;

(b) For audits of recyclable material, provisions regarding:

(i) How those audits must be designed to collect information regarding the extent to which recyclable material processed and sold by those facilities reflects the tons of each type of packaging material collected in the State for recycling and the tons of each type of packaging material recycled in the State, as well as the ultimate destination of and intended use for that recycled material;

(ii) How those audits must be designed so that information collected through the audit of one facility will not be used to infer information about a different facility that uses different processing equipment, different sorting processes or different staffing levels to conduct processing; and

(iii) The process by which a facility will be allowed to request and receive an audit if it can credibly demonstrate that an audit result being applied to its material output is not representative of its current operations;

(c) For audits of municipal solid waste, provisions regarding how the audits will be designed to collect information regarding the types and amount, whether by weight or volume, of packaging material

in the waste stream and the percentage by weight and volume of the waste stream that is composed of packaging material; and

(d) For audits of waste littered in the State, provisions regarding how the audits will be designed to collect information regarding the packaging material type by amount, whether by weight or volume, in sampled litter, identification of the producer or producers of the packaging material in sampled litter, if identifiable, and an evaluation based on those audits regarding the areas of the State in which litter accumulation is greatest;

(7) A schedule by which the stewardship organization must annually report to the department pursuant to subsection 5 and a schedule by which a producer or group of producers operating an approved alternative collection program must annually report to the stewardship organization and to the department pursuant to subsection 8, paragraph D; and

(8) A process by which the stewardship organization will develop and submit for department review and a process by which the department shall review and approve or deny a proposed investment in education and infrastructure pursuant to subsection 11. The process must set forth the manner in which the stewardship organization is required to solicit and incorporate input in the development of proposed investments from producers, recycling establishments and participating municipalities.

B. At the time that the stewardship organization submits its annual report to the department pursuant to subsection 5, the stewardship organization shall pay to the department a reasonable annual fee established by the department, not to exceed \$300,000, to cover the department's costs for review of the stewardship organization's annual report and the department's costs in the prior fiscal year for its oversight, administration and enforcement of the packaging stewardship program. In accordance with subsection 12, paragraph C, the annual fee required under this paragraph may include reimbursement of any costs incurred by the department in adopting rules and in administering and enforcing this section prior to the effective date of the contract entered into by the department and the stewardship organization pursuant to subsection 3.

C. A producer or group of producers, when submitting a proposal to the department for the establishment of an alternative collection program or submitting a proposal to the department for modi-

fications to an approved alternative collection program under subsection 8, shall pay to the department a reasonable fee established by the department to cover the department's actual costs for review of the proposal or proposed modifications. A producer or group of producers operating an approved alternative collection program under subsection 8 shall pay to the department a reasonable annual fee established by the department, not to exceed \$10,000 per participating producer, to cover the department's costs for review of the producer's or group's annual report and the department's costs for the oversight, administration and enforcement of the alternative collection program, which may be waived by the department if those activities by the department do not require significant department staff time.

D. The department shall review packaging material associated with certain federally regulated products to determine whether that packaging material should be excluded from the definition of "packaging material" under subsection 1, paragraph 1. In making such a determination, the department shall, at a minimum, consider whether the packaging material for such products is required by federal law or regulation to meet specific content or construction standards that may preclude or significantly diminish the producer's ability to increase the recyclability or reduce the volume of the packaging material. If the department determines that any such product or its associated packaging material should be excluded from the definition of "packaging material," the department shall adopt an exclusion by rule. At a minimum, the department shall conduct a review in accordance with this paragraph of the packaging material associated with the following federally regulated products:

(1) Material that is used for the containment, protection, delivery, presentation or distribution of a drug, as that term is defined under Section 321 of the federal Food, Drug, and Cosmetic Act, as regulated by the United States Food and Drug Administration under the federal Food, Drug, and Cosmetic Act or as collected under a stewardship program in the State that has been approved for operation by the department and has been established to collect and dispose of such drugs, including, but not limited to, prescription and nonprescription drugs, drugs in medical devices and combination products, branded and generic drugs and drugs for veterinary use;

(2) Material that is a medical device or a biological product, or is used for the containment, protection, delivery, presentation or distribution of a medical device or a biological product, as regulated by the United States Food and

Drug Administration under 21 Code of Federal Regulations, Parts 200, 300 and 800;

(3) Material that is used for the containment, protection, delivery, presentation or distribution of an over-the-counter human drug product for which tamper-evident packaging is required, as regulated by the United States Food and Drug Administration under 21 Code of Federal Regulations, Section 211.132; and

(4) Material that is used for the containment, protection, delivery, presentation or distribution of a substance regulated by the United States Consumer Product Safety Commission pursuant to the federal Poison Prevention Packaging Act of 1970 for which special packaging is required under 16 Code of Federal Regulations, Part 1700.

Rules adopted pursuant to this paragraph are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

E. Beginning February 15, 2025, and annually thereafter, the department shall submit a report to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters regarding the packaging stewardship program and alternative collection programs implemented pursuant to this section.

(1) The report must include, at a minimum, data on the amount and type of packaging material associated with products sold, offered for sale or distributed for sale in or into the State; data regarding how that packaging material was managed; and any recommendations for amendments to the programs implemented under this section, including, but not limited to, the establishment of new program goals or the imposition of a prohibition on the sale, offer for sale or distribution for sale in or into the State of products associated with packaging material that the department has determined is nonessential, is contaminating collected recyclable material, is a common source of litter or exhibits toxicity, particularly if that toxicity is demonstrated to have a disproportionate impact on any community in the State.

(2) Beginning February 15, 2028, and every 5 years thereafter, the report under this paragraph must describe the results of a comprehensive review of the rules adopted by the department pursuant to this section and must include recommendations by the department for any legislative changes to this section determined necessary as a result of that review, including, but not limited to, changes to the flat fee that may be paid by a low-volume producer

pursuant to subsection 13, paragraph A, subparagraph (1), division (a), as well as a description of any changes to those rules that the department intends to propose in future rule-making.

(3) The report required under this paragraph may be included in the report required pursuant to section 1772, subsection 1.

14. Antitrust exclusions. A producer or stewardship organization, including a producer's or stewardship organization's officers, members, employees and agents that organize a packaging stewardship program or an alternative collection program under this section, is immune from liability for the producer's or stewardship organization's conduct under state laws relating to anti-trust, restraint of trade, unfair trade practices and other regulation of trade or commerce only to the extent necessary to plan and implement the producer's or stewardship organization's packaging stewardship program or alternative collection program consistent with the provisions of this section.

15. Proprietary information. Proprietary information submitted to the department pursuant to the requirements of this section or the rules adopted pursuant to this section that is identified by the submitter as proprietary information is confidential and must be handled by the department in the same manner as confidential information is handled under section 1310-B.

Sec. 3. Department of Environmental Protection; stewardship program for packaging; rulemaking. On or before December 31, 2023, the Department of Environmental Protection shall initiate rulemaking consistent with the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A to adopt rules necessary for the implementation, administration and enforcement of a stewardship program for packaging pursuant to Title 38, section 2146. Notwithstanding any provision of law to the contrary, the department may use funds within the Maine Solid Waste Management Fund established pursuant to Title 38, section 2201 to support its activities required by this section except that, if the department uses funds within the Maine Solid Waste Management Fund as authorized under this section, the department shall deposit back into that fund the same amount of funds withdrawn once reimbursed pursuant to Title 38, section 2146, subsection 13, paragraph B.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Maine Environmental Protection Fund 0421

Initiative: Provides funding for 2 Environmental Specialist III positions and related All Other costs.

GENERAL FUND	2021-22	2022-23	
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POSITIONS - LEGISLATIVE	0.000	2.000
COUNT		
Personal Services	\$0	\$126,006
All Other	\$0	\$5,286
GENERAL FUND TOTAL	\$0	\$131,292

See title page for effective date.

CHAPTER 456

S.P. 507 - L.D. 1564

**An Act To Amend the Laws
Governing Unemployment
Compensation**

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

Sec. 1. 26 MRSA §1043, sub-§17, ¶B, as amended by PL 1991, c. 548, Pt. D, §2, is further amended to read:

B. An individual, including corporate officers, is considered "partially unemployed" in any week of less than full-time work if the individual's wages payable from any source for such week are not \$5 \$100 or more in excess of the weekly benefit amount the individual would be entitled to receive if totally unemployed and eligible, except that remuneration payable or received as holiday pay is not considered wages for the purpose of this subsection and except that any amounts received from the Federal Government by members of the National Guard and organized reserve, including base pay and allowances, or any amounts received as a volunteer firefighter, a volunteer emergency medical services person or as an elected member of the Legislature, are not considered wages for the purpose of this subsection. On the first Sunday of June 2022 and each first Sunday of June thereafter, the excess earnings cap then in effect must be increased by the increase, if any, in the cost of living. The increase in the cost of living must be measured by the percentage increase, if any, as of December of the previous year over the level as of December of the year preceding that year in the Consumer Price Index for Urban Wage Earners and Clerical Workers, CPI-W, for the Northeast Region, or its successor index, as published by the United States Department of Labor, Bureau of Labor Statistics or its successor agency, with the amount of the excess earnings cap rounded up to the nearest dollar.

Sec. 2. 26 MRSA §1043, sub-§17, ¶C, as amended by PL 1979, c. 515, §5, is further amended to read:

C. An individual's week of unemployment ~~shall be deemed to commence~~ commences only after his the individual's registration at an employment office,

except as the ~~commissioner~~ commissioner may by ~~regulation~~ rule otherwise prescribe.

Sec. 3. 26 MRSA §1043, sub-§19, as amended by PL 2017, c. 117, §3, is further amended to read:

19. Wages. "Wages" means all remuneration for personal services, including commissions, bonuses, severance or terminal pay, gratuities and the cash value of all remuneration in any medium other than cash. The reasonable cash value of remuneration in any medium other than cash must be estimated and determined in accordance with ~~regulations~~ rules prescribed by the ~~commissioner~~ commissioner, except that:

A. For purposes of section 1221, the term "wages" does not include remuneration that exceeds the first \$12,000 that is paid in a calendar year to an individual by an employer or the employer's predecessor for employment during any calendar year, unless that remuneration is subject to a tax under a federal law imposing a tax against which credit may be taken for contributions required to be paid into a state unemployment fund. The wages of an individual for employment with an employer are subject to this exception whether earned in this State or any other state when the employer-employee relationship is between the same legal entities;

B. For purposes of section 1191, subsection 2, section 1192, subsection 5 and section 1221, the term "wages" does not include:

(1) The amount of any payment, including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment, made to, or on behalf of, an employee or any of the employee's dependents under a plan or system established by an employer that makes provision for the employer's employees generally, or for the employer's employees generally and their dependents, or for a class or classes of the employer's employees, or for a class or classes of the employer's employees and their dependents, on account of:

(a) Sickness or accident disability, but, in the case of payments made to an employee or any of the employee's dependents, this subparagraph excludes from the term "wages" only payments that are received under a workers' compensation law;

(b) Medical or hospitalization expenses in connection with sickness or accident disability; or

(c) Death;

(1-A) Any payment on account of sickness or accident disability, or medical or hospitalization expenses in connection with sickness or

accident disability, made by an employer or a 3rd party to, or on behalf of, an employee after the expiration of 6 calendar months following the last calendar month in which the employee worked for that employer;

(2) The payment by an employing unit, without deduction from the remuneration of the employee, of the tax imposed upon an employee under section 3101 of the Federal Insurance Contributions Act, as amended, with respect to service performed after July 26, 1940, with respect to remuneration paid to an employee for domestic service in a private home of the employer or for agricultural labor;

(3) The amount of any payment, other than vacation or sick pay, to an individual after the month in which the individual attains the age of 62, if the individual did not perform services for the employing unit in the period for which such payment is made and is not expected to perform service in the future for the payment; or

(4) The amount of any nominal fee or stipend to a volunteer whose service is excluded from the definition of employment pursuant to subsection 11, paragraph F, subparagraph (35);

C. With respect to weeks of unemployment beginning on or after January 1, 1978, wages for insured work includes wages paid for previously uncovered services. For the purposes of this paragraph, the term "previously uncovered services" means services:

(1) That were not employment as defined in subsection 11, and were not services covered pursuant to section 1222, at any time during the one-year period ending December 31, 1975; and

(2) That:

(a) Are agricultural labor, as defined in subsection 11, paragraph A-2 or domestic service as defined in subsection 11, paragraph A-3; or

(b) Are services performed by an employee of this State or a political subdivision thereof, or any of their instrumentalities as provided in subsection 11, paragraph A-1, subparagraph (1), or by an employee of a nonprofit educational institution that is not an institution of higher education, as provided in subsection 11, paragraph F, subparagraph (17), division (i);

except to the extent that assistance under Title II of the Emergency Jobs and Unemployment Assistance Act of 1974 was paid on the basis of such services;

D. Nothing in this subsection may be construed to include as wages any payment that is not included as wages under the Federal Unemployment Tax Act, 26 United States Code, Section 3306(b)(5) and (r), as amended, as of January 1, 1985; and

E. Nothing in this subsection may be construed to exclude from wages any remuneration that is:

(1) Taxable under any federal law that imposes a tax against which credit may be taken for contributions required to be paid into a state unemployment fund; or

(2) Required to be covered under this chapter as a condition for full tax credit against the tax imposed by the Federal Unemployment Tax Act.

Sec. 4. 26 MRSA §1043, sub-§20 is amended to read:

20. Week. "Week" means such period or periods of 7 calendar days as the ~~commissioner~~ commissioner may by ~~regulation~~ rule prescribe. The ~~commissioner~~ commissioner may, by ~~regulation~~ rule, prescribe that a week ~~shall be~~ is deemed to be "in," "within" or "during" a benefit year ~~which that~~ includes any part of such week.

Sec. 5. 26 MRSA §1050, as amended by PL 1979, c. 579, §8 and c. 651, §§9 and 47, is further amended to read:

§1050. Constitutionality

If at any time the provisions of this chapter requiring the payment of contributions and benefits have been held invalid under the Constitution of ~~this State~~ Maine by the Supreme Judicial Court of this State or under the United States Constitution by the Supreme Court of the United States in such manner that any person or concern required to pay contributions under this chapter might secure a similar decision, or that the tax imposed by Title IX of the federal Social Security Act, as amended, or any other federal tax against which contributions under this chapter may be credited has been amended or repealed by Congress or has been held unconstitutional by the Supreme Court of the United States, with the result that no portion of the contributions required by this chapter may be credited against such federal tax, the Governor shall forthwith publicly so proclaim and upon the date of such proclamation the provisions of this chapter requiring the payment of contributions and benefits ~~shall~~ must be suspended. The commissioner shall thereupon requisition from the Unemployment Trust Fund all moneys therein standing to ~~his~~ the commissioner's credit and shall direct the Treasurer of State to deposit such moneys, together with any other moneys

in the fund, as a special fund in any banks or public depositories in this State in which general funds of the State may be deposited, and to hold such moneys for such disposition as the Legislature ~~shall~~ may prescribe. The commissioner shall thereupon refund, as the Legislature ~~shall~~ may prescribe, without interest and in accordance with ~~regulations~~ rules prescribed by the ~~commissioner~~ commissioner, to each person or concern by whom contributions have been paid, their pro rata share of the total contributions paid under this chapter. Any interest or earnings of the fund ~~shall~~ must be available to the commissioner to pay for the costs of making such refunds. When the commissioner ~~shall~~ have ~~has~~ executed the duties prescribed and performed such other acts as are incidental to the termination of ~~his~~ the commissioner's duties under this chapter, the Governor shall by proclamation declare that this chapter ~~shall~~ cease ~~ceases~~ to be operative.

Sec. 6. 26 MRSA §1051, sub-§5, as amended by PL 1997, c. 293, §4, is further amended to read:

5. Refusal to repay erroneous payments; waiver of repayment. If, after due notice, any person refuses to repay amounts erroneously paid to that person as unemployment benefits, the amounts due from that person are collectible in the manner provided in subsection 6 or in the discretion of the ~~commissioner~~ commissioner or the ~~commissioner's~~ designee, the amount erroneously paid to such person may be deducted from any future benefits payable to that person under this chapter; ~~provided~~ except that there is no recovery of payments from any person who, in the judgment of ~~at least 2 commissioner members~~ the commissioner or the commissioner's designee, is without fault and ~~where~~ when, in the judgment of the ~~commissioner~~ commissioner or the ~~commissioner's~~ designee, such recovery would defeat the purpose of benefits otherwise authorized or would be against equity and good conscience. No recovery may be attempted until the determination of an erroneous payment is final as to law and fact and the individual has been notified of the opportunity for a waiver under this subsection.

Sec. 7. 26 MRSA §1051, sub-§9, as enacted by PL 1999, c. 464, §4, is amended to read:

9. Interest on overpayments. ~~Benefit payments owed to the commissioner bear interest at the rate of 1.0% per month or per fraction of a month. Except as provided in this subsection, interest accrues on any balance that remains unpaid one year after the first of the month following the date the determination establishing the benefit overpayment becomes final until payment plus accrued interest is received by the bureau. If the~~ A ~~benefit overpayment was established in a determination rendered under section 1193, subsection 6,~~ accrues ~~interest accrues at the rate of 1.0% per month or per fraction of a month from the first of the month following the date the determination establishing the benefit~~

overpayment becomes final until payment plus accrued interest is received by the bureau.

Sec. 8. 26 MRSA §1082, sub-§1, as amended by PL 1995, c. 560, Pt. G, §11, is further amended to read:

1. Powers and duties of the commissioner. Except as otherwise provided, it is the duty of the ~~Commissioner of Labor~~ commissioner to administer this chapter, through an organization to be known as the Bureau of Unemployment Compensation. The commissioner may employ persons, make expenditures, require reports, make investigations and take other actions the commissioner determines necessary or suitable to that end. The commissioner is responsible and possesses the necessary authority for the operation and management of the Bureau of Unemployment Compensation. The commissioner shall determine methods of operational procedures in accordance with the provisions of this chapter. The commissioner may adopt rules in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, to achieve this purpose, ~~except rules pertaining to unemployment insurance as provided in subsection 2.~~ The commissioner may adopt rules with respect to a self-employment assistance program as provided in section 1197. The commissioner shall determine methods of operational procedures in accordance with the provisions of this chapter and by the Maine Administrative Procedure Act, Title 5, chapter 375. The commissioner shall make recommendations for amendments to this chapter that the commissioner determines proper. When the commissioner believes that a change in contribution or benefit rates is necessary to protect the solvency of the fund, the commissioner shall promptly inform the Governor and the Legislature and make recommendations with respect to the change in rates.

Sec. 9. 26 MRSA §1082, sub-§2, as amended by PL 2003, c. 452, Pt. O, §3 and affected by Pt. X, §2, is further amended to read:

2. Powers and duties. In addition to other powers and duties provided in this chapter, the ~~commission, by majority vote and with the advice of the commissioner, may adopt or rescind rules with respect to unemployment insurance in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375.~~ The commission may require reports, make investigations and undertake other activities necessary to carry out the duties of the commission. Each member of the commission is entitled to access to any information, memoranda, reports or statistical data that is in the possession of or that has been prepared by a division of the Department of Labor and that relates to the administration of this chapter.

Sec. 10. 26 MRSA §1082, sub-§13, as amended by PL 2015, c. 39, §1, is further amended to read:

13. Filing payroll reports; penalty. The ~~commission~~ commissioner may prescribe rules for the filing of payroll reports for the employing units in the State. Each employing unit shall submit a quarterly payroll report by electronic submission or on forms prescribed by the bureau. These quarterly reports are due in the office of the bureau, or of any duly constituted agent of the bureau, on or before the last day of the month following the close of the calendar quarter for which the reports relate. The failure on the part of any employing unit to file the payroll reports within this time frame renders the employing unit liable for a penalty of \$25 or 10% of the tax due, whichever is greater.

In the case of executive, administrative and professional employees, and outside sales representatives, as defined in Part 541 of the Rules and Regulations promulgated under the federal Fair Labor Standards Act of 1938, as amended as of June 30, 1971, the commissioner, upon the request of an employer of those individuals, may approve an alternative method for obtaining from that employer necessary wage information relative to those employees.

Sec. 11. 26 MRSA §1162, as repealed and replaced by PL 1979, c. 579, §19 and c. 651, §§20 and 47, is amended to read:

§1162. Withdrawals

Moneys ~~shall~~ must be requisitioned from the ~~state's~~ State's account in the Unemployment Trust Fund solely for the payment of benefits and for the payment of refunds pursuant to section 1043, subsection 11, paragraph F, subparagraph (2) and section 1225 in accordance with ~~regulations~~ rules prescribed by the ~~commission~~ commissioner. The commissioner shall from time to time requisition from the Unemployment Trust Fund the amounts, not exceeding the amounts standing to this ~~state's~~ State's account therein, as ~~he deems~~ the commissioner considers necessary for the payment of the benefits and refunds for a reasonable future period. Upon receipt thereof the Treasurer of State shall deposit the moneys in the benefit account and warrants ~~shall~~ must be issued for the payment of benefits and refunds solely from the benefit account. All warrants issued for the payment of benefits and refunds ~~shall~~ must bear the signature of the commissioner or ~~his~~ the commissioner's duly authorized agent for that purpose. When so signed and delivered to the payee, the warrants ~~shall~~ become a check against a designated bank or trust company acting as a depository of the State Government. The ~~commission~~ commissioner is the final judge of the legality or propriety of any award of benefits, or the amount thereof, appearing in any such warrant prepared by the commissioner, subject only to the right of appeal as provided in section 1194, subsections 8 and 9. Any balance of moneys requisitioned from the Unemployment Trust Fund ~~which~~ that remains unclaimed or unpaid in the benefit account after the expiration of the period for which the sums were requisitioned ~~shall~~

must either be deducted from estimates for, and may be utilized for the payment of, benefits and refunds during succeeding periods; or, in the discretion of the commissioner, shall be redeposited with the United States Secretary of the Treasury of the United States of America, to the credit of this state's State's account in the Unemployment Trust Fund, as provided in section 1161.

Sec. 12. 26 MRSA §1190, sub-§2, ¶C, as enacted by PL 1999, c. 740, §1, is amended to read:

C. Review of the impact of a proposed benefit change on recipient groups, including an analysis by gender, income levels and geographic distribution; and

Sec. 13. 26 MRSA §1190, sub-§2, ¶C-1 is enacted to read:

C-1. The projected impact of the proposed change on the State's unemployment insurance reciprocity rate. For purposes of this paragraph, "reciprocity rate" means the number of insured unemployed persons in regular unemployment insurance programs as a percent of total unemployed persons; and

Sec. 14. 26 MRSA §1191, sub-§1 is amended to read:

1. Payment of benefits. Benefits shall must be paid from the Unemployment Compensation Fund through public employment offices or such other agencies as the ~~commissioner~~ commissioner may by ~~regulation~~ rule prescribe, and in accordance with such ~~regulations~~ rules as the ~~commissioner~~ commissioner may prescribe.

Sec. 15. 26 MRSA §1191, sub-§3, as amended by PL 2017, c. 284, Pt. CCCC, §1, is further amended to read:

3. Weekly benefit for partial unemployment. Each eligible individual who is partially unemployed in any week must be paid a partial benefit for that week. The partial benefit is equal to the weekly benefit amount less the individual's weekly earnings in excess of \$25, except that, beginning the first full benefit week beginning on or after January 1, 2018, the partial benefit is equal to the weekly benefit amount less the individual's weekly earnings in excess of \$100. On the first Sunday of June 2022 and each first Sunday of June thereafter, the individual's earnings disregard then in effect must be increased by the increase, if any, in the cost of living. The increase in the cost of living must be measured by the percentage increase, if any, as of December of the previous year over the level as of December of the year preceding that year in the Consumer Price Index for Urban Wage Earners and Clerical Workers, CPI-W, for the Northeast Region, or its successor index, as published by the United States Department of Labor, Bureau of Labor Statistics or its successor agency, with the amount of the individual's earnings disregard

rounded up to the nearest dollar. The following amounts are not considered wages for purposes of this subsection:

- A. Amounts received from the Federal Government by a member of the National Guard and organized reserve, including base pay and allowances;
- B. Amounts received as a volunteer firefighter or as a volunteer emergency medical services person;
- C. Amounts received as an elected member of the Legislature; and
- D. Earnings for the week received as a result of participation in full-time training under the United States Trade Act of 1974 as amended by the United States Trade and Globalization Adjustment Assistance Act of 2009 up to an amount equal to the individual's most recent weekly benefit amount.

Sec. 16. 26 MRSA §1191, sub-§6, as corrected by RR 2009, c. 2, §77, is amended to read:

6. Supplemental benefit for dependents. An individual in total or partial unemployment and otherwise eligible for benefits must be paid for each week of that unemployment, in addition to the amounts payable under subsections 2 and 3, the sum of ~~\$40~~ \$25 for each unemancipated child of the individual who in any part of the benefit year and during any part of the individual's period of eligibility is, in fact, dependent upon and is being ~~wholly or mainly~~ supported by the individual, and who is under the age of 18, or who is 18 years of age or over and incapable of earning wages because of mental or physical incapacity, or who is a full-time student as defined in Title 39-A, section 102, subsection 8, paragraph C, or who is in that individual's custody pending the adjudication of a petition filed by the individual for the adoption of the child in a court of competent jurisdiction and for each such child for whom that individual is under a decree or order from a court of competent jurisdiction to contribute to that child's support and for whom no other person is receiving allowances hereunder. In no instance may the dependency benefits as provided in this subsection be more than ~~50%~~ 75% of the individual's weekly benefit amount.

Only one individual is entitled to a dependency allowance for the same dependent with respect to any week. The ~~commissioner~~ commissioner shall prescribe ~~regulations~~ rules as to who may receive a dependency allowance when both spouses are eligible to receive unemployment compensation benefits.

No individual may be eligible to receive dependency allowances as provided in this subsection for any week during which that individual's spouse is employed full time provided that the spouse is contributing some support to their dependent or dependents. For purposes of this subsection, "employed full time" means the receipt

of any wages, earnings, salary or other income equivalent to that amount that would be received for a 40-hour work week.

Sec. 17. 26 MRSA §1192, sub-§1, as amended by PL 1975, c. 344, §1, is further amended to read:

1. Has claim for benefits. ~~He~~ The individual has made a claim for benefits with respect to such week or part thereof in accordance with such ~~regulations~~ rules as the ~~commissioner~~ commissioner may prescribe;

Sec. 18. 26 MRSA §1192, sub-§2, as amended by PL 2013, c. 314, §1, is further amended to read:

2. Has registered for work. The individual has registered for work at, and continued to report at, an employment office in accordance with rules the ~~commissioner~~ commissioner adopts, except that the ~~commissioner~~ commissioner may, by rule, waive or alter either or both of the requirements of this subsection as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which the ~~commissioner~~ commissioner finds that compliance with the requirements would be oppressive, or would be inconsistent with the purposes of this chapter. A rule under this subsection may not conflict with section 1191, subsection 1.

The individual must actively seek work each week in which a claim for benefits is filed unless the individual is participating in approved training under subsection 6 or work search has been waived in accordance with rules adopted by the ~~commissioner~~ commissioner and provide evidence of work search efforts in a manner and form as prescribed by the Department of Labor. Failure to provide required work search documentation results in a denial of benefits in accordance with section 1194, subsection 2 for the week or weeks for which no documentation was provided unless the department determines there is good cause for the individual's failure to comply with this requirement;

Sec. 19. 26 MRSA §1192, sub-§3, as amended by PL 2017, c. 453, §1, is further amended to read:

3. Is able and available for work. The individual is able to work and is available for full-time work at the individual's usual or customary trade, occupation, profession or business or in such other trade, occupation, profession or business for which the individual's prior training or experience shows the individual to be fitted or qualified, as long as the geographic region in which the work will take place is not greater than 35 miles from the individual's primary residence; and in addition to having complied with subsection 2 is actively seeking work in accordance with the ~~regulations~~ rules of the ~~commissioner~~ commissioner; ~~provided~~ except that no ineligibility may be found solely because the claimant is unable to accept employment on a shift, the greater part of which falls between the hours of midnight to 5 a.m., and is unavailable for that employment because of parental obligation, the need to care for an immediate

family member or the unavailability of a personal care attendant required to assist the unemployed individual who is a ~~handicapped~~ person with a disability; and ~~provided~~ except that an unemployed individual who is neither able nor available for work due to good cause as determined by the deputy is eligible to receive prorated benefits for that portion of the week during which the individual was able and available.

A. Notwithstanding this subsection, beginning January 1, 2004, an individual who is not available for full-time work as required in this subsection is not disqualified from receiving benefits if:

(1) The individual worked less than full time for a majority of the weeks during that individual's base period and the individual is able and available for and actively seeking part-time work for at least the number of hours in a week comparable to those customarily worked in part-time employment during that individual's base period; or

(2) The individual worked full time for a majority of the weeks during that individual's base period, but is able and available for and actively seeking only part-time work because of the illness or disability of an immediate family member or because of limitations necessary for the safety or protection of the individual or individual's immediate family member.

Sec. 20. 26 MRSA §1192, sub-§6, as amended by PL 2013, c. 474, §1, is further amended to read:

6. Approved training. Notwithstanding any other provisions of this chapter ~~to the contrary~~, any otherwise eligible claimant in training, as approved for the claimant by the deputy, under rules adopted by the ~~commissioner~~ commissioner ~~with the advice and consent of the commissioner~~, may not be denied benefits for any week with respect to subsection 3, relating to availability and the work search requirement or the provisions of section 1193, subsection 3. Enrollment in a degree-granting program may not be the sole cause for denial of approved training status for an otherwise eligible claimant. Benefits paid to any eligible claimant while in approved training, for which, except for this subsection, the claimant could be disqualified under section 1193, subsection 3, may not be charged against the experience rating record of any employer but must be charged to the General Fund. For purposes of this subsection, "the deputy" means a representative from the bureau designated by the commissioner.

Sec. 21. 26 MRSA §1192, sub-§6-C, as amended by PL 2013, c. 474, §2, is further amended to read:

6-C. Prohibition against disqualification of individuals in approved training under section 1196. Notwithstanding any other provision of this chapter to

~~the contrary~~, no otherwise eligible individual may be denied benefits for any week because that individual is in training as approved by the deputy, under rules adopted by the ~~commission with the advice and consent of the commissioner~~, nor may that individual be denied benefits by reason of leaving work to enter that training, as long as the work left is not suitable employment.

For purposes of this subsection, "suitable employment" means, with respect to an individual, work of a substantially equal or higher skill level than the individual's past adversely affected employment, and "the deputy" means a representative from the bureau designated by the commissioner.

Sec. 22. 26 MRSA §1193, sub-§1, ¶A, as amended by PL 2017, c. 117, §6, is further amended to read:

A. For the week in which the claimant left regular employment voluntarily without good cause attributable to that employment. The disqualification continues until the claimant has earned 4 times the claimant's weekly benefit amount in employment by an employer. A claimant may not be disqualified under this paragraph if:

- (1) The leaving was caused by the illness or disability of the claimant or an immediate family member and the claimant took all reasonable precautions to protect the claimant's employment status by promptly notifying the employer of the need for time off, a change or reduction in hours or a shift change and being advised by the employer that the time off or change or reduction in hours or shift change cannot or will not be accommodated;
- (2) The leaving was necessary to accompany, follow or join the claimant's spouse in a new place of residence;
- (3) The leaving was in good faith in order to accept new employment on a permanent full-time basis and the new employment did not materialize for reasons attributable to the new employing unit;
- (4) The leaving was necessary to protect the claimant or any member of the claimant's immediate family from domestic abuse or the leaving was due to domestic violence that caused the claimant reasonably to believe that the claimant's continued employment would jeopardize the safety of the claimant or any member of the claimant's immediate family and the claimant made all reasonable efforts to preserve the employment; ~~or~~
- (5) The claimant's employer announced in writing to employees that it planned to reduce the work force through a layoff or reduction in force and that employees may offer to be

among those included in the layoff or reduction in force, at which time the claimant offered to be one of the employees included in the layoff or reduction in force and the claimant's employer accepted the claimant's offer, thereby ending the employment relationship; or

(6) The leaving was due to the unexpected loss of child or elder care for which the claimant was not at fault and for which no work alternatives such as changes in hours or a leave of absence or alternate child or elder care options were available despite good faith efforts made by the claimant to resolve the issue and continue working.

Separation from employment based on the compelling family reasons in subparagraphs (1), (2) ~~and~~, (4) ~~and~~ (6) does not result in disqualification.

Sec. 23. 26 MRSA §1194, sub-§1 is amended to read:

1. Filing. Claims for benefits ~~shall~~ must be made in accordance with such ~~regulations~~ rules as the ~~commission~~ commissioner may prescribe. Each employer shall post and maintain printed statements of the ~~regulations~~ rules in places readily accessible to individuals in ~~his~~ the employer's service and shall make available to each such individual at the time ~~he~~ the individual becomes unemployed a printed statement of those ~~regulations~~ rules. The printed statements ~~shall~~ must be supplied by the commissioner to each employer without cost to ~~him~~ the employer.

Sec. 24. 26 MRSA §1194, sub-§2, as amended by PL 2003, c. 163, §1, is further amended by amending the 6th blocked paragraph to read:

If, during the period a claimant is receiving benefits, new information or a new issue arises concerning the claimant's eligibility for benefits or which affects the claimant's weekly benefit amount, benefits may not be withheld until a determination is made on the issue. Before a determination is made, written notice ~~shall~~ must be mailed to the claimant and other interested parties, which must include the issue to be decided, the law upon which it is based, any factual allegations known to the bureau, the right to a fact-finding interview, the date and location of the scheduled interview and the conduct of the interview and appeal. The fact-finding interview must be scheduled not less than 5 days nor more than 14 days after the notice is mailed. The bureau shall include in the notice a statement notifying the claimant that any benefits paid prior to the determination may be an overpayment under applicable law and recoverable by the bureau if it is later determined that the claimant was not entitled to the benefits. If the claimant does not appear for the scheduled interview, the deputy shall make a determination on the basis of available evidence. The deputy shall make a prompt determination

of the issue based solely on any written statements of interested parties filed with the bureau before the interview, together with the evidence presented by interested parties who personally ~~appeared at~~ participated in the interview by telephone or e-mail or other electronic means. Upon request and notice to all parties at the interview, the deputy may accept corroborative documentary evidence after the interview. In no other case may the deputy base a decision on evidence received after the interview has been held.

Sec. 25. 26 MRSA §1194, sub-§3, as amended by PL 1987, c. 641, §8, is further amended to read:

3. Appeals. Unless such appeal is withdrawn, the Division of Administrative Hearings after affording the parties reasonable opportunity for fair hearing, shall affirm, modify or set aside the findings of fact and decision of the deputy. The parties ~~shall must~~ be then duly notified of the division's decision, together with its reasons therefor, which subject to subsection 11 ~~shall be~~ is deemed to be the final decision of the commission unless, within 15 calendar days after that notification was mailed to ~~his~~ the claimant's and employer's last known address, the claimant ~~and or~~ employer ~~may~~ appeal ~~appeals~~ to the commission by filing an appeal in accordance with such rules as the ~~commission shall prescribe~~ commissioner prescribes, ~~provided that~~ as long as the appealing party appeared at the hearing and was given notice of the effect of the failure to appear in writing prior to the hearing.

Sec. 26. 26 MRSA §1194, sub-§6, as repealed and replaced by PL 1977, c. 694, §474, is amended to read:

6. Procedure. The manner in which disputed claims ~~shall must~~ be presented, and the reports thereon required from the claimant and from employers ~~shall must~~ be in accordance with ~~regulations~~ rules prescribed by the ~~commission~~ commissioner. The conduct of hearings and appeals ~~shall must~~ be in accordance with Title 5, ~~section 8001 et seq~~ chapter 375.

Sec. 27. 26 MRSA §1195, sub-§1-A is enacted to read:

1-A. Alternate trigger. In addition to the conditions provided in subsection 1, paragraphs H and I with respect to weeks of unemployment beginning on or after January 1, 2022, the determination of whether there has been a state "on" indicator or a state "off" indicator beginning or ending any extended benefit period must be made under this subsection if:

A. The average rate of seasonally adjusted total unemployment in this State, as determined by the United States Secretary of Labor, for the period consisting of the most recent 3 months for which data for all states are published before the close of that week equals or exceeds 6.5%; and

B. The average rate of seasonally adjusted total unemployment in this State, as determined by the United States Secretary of Labor, for the 3-month period referred to in paragraph A equals or exceeds 110% of the average rate for either or both of the corresponding 3-month periods ending in the 2 preceding calendar years.

There is a state "off" indicator for a week based on the rate of seasonally adjusted total unemployment in this State, as determined by the United States Secretary of Labor, only if the period consisting of the most recent 3 months for which data for all states are published before the close of such week does not result in a state "on" indicator.

Sec. 28. 26 MRSA §1195, sub-§2, as enacted by PL 1971, c. 119, is amended to read:

2. Effect of state law provisions relating to regular benefits on claims for, and the payment of, extended benefits. Except when the result would be inconsistent with the other provisions of this subchapter, as provided in the ~~regulations~~ rules of the ~~commission~~ commissioner, the provisions of this chapter ~~which~~ that apply to claims for, or the payment of, regular benefits ~~shall~~ apply to claims for, and the payment of, extended benefits.

Sec. 29. 26 MRSA §1195, sub-§5-A is enacted to read:

5-A. Total extended benefit amount in high unemployment period. With respect to weeks of unemployment beginning on or after January 1, 2022, effective with respect to weeks beginning in a high unemployment period, subsection 5 must be applied by substituting:

A. "Eighty percent" for "50%" in paragraph A;

B. "Twenty" for "13" in paragraph B; and

C. "Forty-six" for "39" in paragraph C.

For purposes of this subsection, "high unemployment period" means any period during which an extended benefit period would be in effect if subsection 1-A, paragraph A were applied by substituting "8%" for "6.5%."

Sec. 30. 26 MRSA §1197, sub-§8-B, ¶B-1, as enacted by PL 2005, c. 39, §1, is amended to read:

B-1. A person aggrieved by the decision of the hearing officer may appeal to the commission by filing an appeal in accordance with rules established by the ~~commission~~ commissioner as long as the appealing party participated in the hearing by that hearing officer and was given notice of the effect of the failure to participate in writing prior to the hearing.

Sec. 31. 26 MRSA §1221, sub-§10, ¶E, as amended by PL 1981, c. 168, §25, is further amended to read:

E. The ~~Commissioner of Labor~~ commissioner, in accordance with such ~~regulations~~ rules as the ~~commission~~ commissioner may prescribe, shall notify each such employer of any determination ~~which~~ that is made of its status as an employer and of the effective date of any election ~~which~~ that it makes and any termination of such election. Such determination ~~shall be~~ is subject to reconsideration, appeal and review in accordance with section 1082, subsection 14.

Sec. 32. 26 MRSA §1221, sub-§15, as amended by PL 1981, c. 286, §4, is further amended to read:

15. Group accounts. Two or more nonprofit organizations or 2 or more governmental entities that have become liable for payments in lieu of contributions, in accordance with subsections 10 and 13, may file a joint application to the commissioner for the establishment of a group account for the purpose of sharing the cost of benefits paid that are attributable to service in the employ of such employers or governmental entities. Each such application ~~shall~~ must identify and authorize a group representative to act as the group's agent for the purposes of this subsection. Upon approval of the application, the commissioner shall establish a group account for such employers or governmental entities effective as of the beginning of the calendar quarter in which ~~it~~ the commissioner receives the application and shall notify the group's representative of the effective date of the account. Such account ~~shall remain~~ remains in effect for not less than 2 years and thereafter until terminated at the discretion of the commissioner or upon application by the group. Upon establishment of the account, each member of the group ~~shall be~~ is liable for payments in lieu of contributions with respect to each calendar quarter in the amount that bears the same ratio to the total benefits paid in such quarter that are attributable to service performed in the employ of all members of the group as the total wages paid for service in employment by such member in such quarter bear to the total wages paid during such quarter for service performed in the employ of all members of the group. The ~~commission~~ commissioner shall prescribe such ~~regulations as it deems~~ rules the commissioner considers necessary with respect to applications for establishment, maintenance and termination of group accounts that are authorized by this subsection, for addition of new members to, and withdrawal of active members from, such accounts, and for the determination of the amounts that are payable under this subsection by members of the group and the time and manner of such payments.

Sec. 33. 26 MRSA §1226, sub-§1, ¶A, as amended by PL 2017, c. 284, Pt. AAAAA, §4, is further amended to read:

A. An employer may appeal determinations by the commissioner or the commissioner's designated

representatives made under sections 1082, subsection 14, 1221, 1222, 1225 and 1228, or an assessment made under section 1225, to the Division of Administrative Hearings by filing an appeal, in accordance with rules that the ~~commission~~ commissioner prescribes, within 30 days after notification is mailed to the employer's last known address as it appears in the records of the bureau or, in the absence of such mailing, within 30 days after the notification is delivered. If the employer fails to perfect this appeal, the assessment or determination is final as to law and fact.

Sec. 34. 26 MRSA §1251, sub-§2, as amended by PL 1977, c. 694, §483, is further amended to read:

2. Regulations Rules. The ~~commission~~ commissioner shall prescribe fair and reasonable ~~regulations~~ rules, pursuant to Title 5, section 8051 et seq., applicable to the payment of benefits to individuals whose qualifying wages in whole or in part were earned in seasonal industries, to the period during which benefits ~~shall be~~ are payable to ~~them~~ the individuals and to charges to be made to experience rating records or general funds as a result of benefits so paid.

Sec. 35. 26 MRSA c. 26-A, as amended, is amended by amending the chapter headnote to read:

CHAPTER 26-A

PEER SUPPORT PROGRAM FOR DISPLACED WORKERS PROGRAMS

Sec. 36. 26 MRSA c. 26-A, sub-c. 1, headnote is enacted by adding before section 2061 the following to read:

SUBCHAPTER 1

PEER SUPPORT PROGRAM FOR DISPLACED WORKERS

Sec. 37. 26 MRSA c. 26-A, sub-c. 2 is enacted to read:

SUBCHAPTER 2

PEER WORKFORCE NAVIGATOR PILOT PROGRAM

§2065. Peer workforce navigator pilot program

1. Peer workforce navigator pilot program. No later than January 1, 2022, the Commissioner of Labor, referred to in this subchapter as "the commissioner," shall adopt a peer workforce navigator pilot program to support the Governor's Maine Jobs and Recovery Plan dated May 4, 2021. The Department of Labor, referred to in this subchapter as "the department," shall contract with qualified entities to operate the pilot program for a period of 2 years. The pilot program must:

A. Target underserved populations as described in subsection 2, paragraph A to expand opportunities for employment through reemployment services,

education or training opportunities, apprenticeships and other models that result in skill development and family-supporting careers;

B. Assist individuals with meeting basic needs in order to help them persist in education and work;

C. Connect individuals with services and job training programs provided by career centers operated by the department or its workforce partners, including the Maine Community College System and the University of Maine System;

D. Conduct outreach and provide individual assistance and education to individuals applying for and making ongoing claims for unemployment compensation benefits, including partial unemployment benefits and assistance for dislocated or marginalized workers; and

E. Identify systemic issues creating barriers to successful reemployment for individuals seeking jobs, including improvements to the unemployment compensation system in chapter 13 to reduce those barriers.

2. Qualified entities. To be eligible to receive a navigator contract under this section, an entity must:

A. Demonstrate that it has existing peer relationships with underserved populations, including immigrants, individuals with limited English proficiency, inexperienced and untrained individuals, low-income and homeless individuals, individuals who have been out of the workforce for an extended period, individuals with low literacy and individuals with disabilities;

B. Have the capability to carry out the duties of this section, including knowledge of eligibility requirements and application processes related to the unemployment compensation system in chapter 13, reemployment services, education and training services and other resources necessary to help underserved populations increase their economic security;

C. Comply with existing confidentiality standards to ensure the privacy of all information collected from individuals receiving navigator services; and

D. Provide services under this section without charge to the individuals receiving those services.

3. Commissioner's duties; award criteria; navigator services. The commissioner shall establish standards for the awarding of contracts to qualified entities in accordance with this subsection.

A. The commissioner may award multiple contracts to perform one or more of the navigator services described in this section.

B. To support the maintenance of relationships between qualified entities and underserved populations and to ensure a high quality of service, the commissioner shall award contracts to qualified entities for the duration of the pilot period as long as the qualified entities satisfy performance standards set forth in the contracts.

C. The commissioner shall give priority for navigator contracts to qualified entities that are a recognized source of support or advocacy for underserved populations as described in subsection 2, paragraph A, such as racial and ethnic minorities, persons with low literacy, persons with disabilities and others seeking to improve skills and gain employment.

D. Navigator services provided by qualified entities that receive navigator contracts must be coordinated with and supplement, not supplant, services provided by the department.

All navigator services provided under this subsection must be performed in a manner that is culturally and linguistically appropriate to the population served, including individuals with limited English proficiency, persons with low literacy and persons with disabilities, recognizing the varying levels of digital literacy and access to technology among individuals in need of services.

4. Funding. The department shall seek available workforce development funds for the pilot program under this section.

Sec. 38. Unemployment insurance working group. The Commissioner of Labor shall convene a working group to review and make recommendations and a report related to certain provisions of the unemployment insurance program under the Maine Revised Statutes, Title 26, chapter 13. The commissioner shall appoint members of the working group that include stakeholders representing the interest of employers and employees and shall convene the first meeting of the working group no later than September 30, 2021.

1. In developing its recommendations and report under this section, the working group shall examine the following issues:

A. Methods of connecting employers and unemployed workers following the pandemic related to coronavirus disease 2019;

B. Processes and methods to improve the efficiency and effectiveness of the work-sharing plan established under Title 26, section 1198;

C. A determination regarding whether the provisions of Title 26, section 1044 are working effectively to achieve the protection of rights and benefits goals;

D. Methods to streamline and facilitate application for unemployment insurance benefits that will increase access for unemployed workers, simplify reporting requirements for employers and determine any clarifications or modifications that may be needed related to the submission of partial unemployment claim forms in accordance with Title 26, section 1194, subsection 1-A;

E. How an employer liaison contract might be designed to provide assistance to the business community in interacting with the unemployment insurance program, focused on the goal of reducing administrative burden and improving user experience, including recommendations of a funding source to support such a contract;

F. Whether unemployed individuals have completed reemployment services and eligibility assessment with the Department of Labor within the prior 5 years and whether these individuals should be considered to have good cause for not participating in reemployment services and eligibility assessment under Title 26, section 1192, subsections 2 and 13; and

G. Any software or technology issues contributing to delays, claims processing issues and paperwork burden to businesses that may be resolved through technological means or any ways to promote improved claimant or employer user experience and interface with the unemployment insurance system.

2. No later than January 15, 2022, the Commissioner of Labor shall submit the report and recommendations developed pursuant to this section, including any suggested legislation, to the Joint Standing Committee on Labor and Housing. The Joint Standing Committee on Labor and Housing may submit a bill in response to this report to the Second Regular Session of the 130th Legislature.

Sec. 39. Analysis of unemployment insurance reciprocity rate. The Department of Labor, Bureau of Unemployment Compensation shall complete an analysis of the State's unemployment insurance reciprocity rate to investigate the factors that contribute to the State's low reciprocity rate and make recommendations for improvement. For purposes of this section, "reciprocity rate" has the same meaning as in the Maine Revised Statutes, Title 26, section 1190, subsection 2, paragraph C-1. In conducting this analysis, the bureau may use any reliable data or research available to the bureau or conduct additional research within available resources.

1. The analysis must consider:

A. The State's unemployment insurance reciprocity rate as determined by the United States Department

of Labor, Employment and Training Administration for the most recently completed 20 calendar years;

B. The State's unemployment insurance reciprocity rate relative to the average of other New England states' reciprocity rates;

C. An evaluation of the factors contributing to the State's low reciprocity rate based on the consensus of national research or any available data for the State, including consideration of monetary and nonmonetary eligibility factors and lack of awareness of potential eligibility for unemployment insurance benefits;

D. To the extent available from state or national research or data, the demographics, including gender, age, race, ethnicity, income and urban or rural geographic representation of unemployed individuals who do not file for unemployment benefits; and

E. The adequacy of unemployment benefits to replace wages for wage earners at different income levels.

2. The bureau shall issue a report with its recommendations, including any suggested legislation, to the Joint Standing Committee on Labor and Housing by February 1, 2022. Recommendations must include, but are not limited to:

A. Administrative or legislative initiatives to increase awareness of and application rates for unemployment benefits;

B. Changes in monetary and nonmonetary eligibility for unemployment benefits needed to increase the State's reciprocity rate;

C. A benchmark for the State's reciprocity rate based on the experience of other New England states; and

D. Any increase in staff capacity needed to comply with the core performance measures established by the United States Department of Labor related to unemployment insurance benefit promptness and accuracy and the timeliness of appeal determinations.

The Joint Standing Committee on Labor and Housing is authorized to introduce legislation in response to this report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 457
S.P. 533 - L.D. 1712

An Act To Support Children's
Healthy Development and
School Success

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

Sec. 1. 22 MRSA c. 1064 is enacted to read:

CHAPTER 1064

HELP MAINE GROW SYSTEM

§3921. Help Maine Grow System established

1. Help Maine Grow System established. The Help Maine Grow System, referred to in this chapter as "the system," is established in the department as a comprehensive, statewide, coordinated system of early identification, referral and follow-up for all children from prenatal care up to 8 years of age and their families. The system must emphasize:

A. Increasing access to the early periodic screening, diagnosis and treatment services required by Medicaid on a schedule recommended by the American Academy of Pediatrics or its successor organization; and

B. In support of the Department of Education's child find efforts, increasing access and referrals to early intervention services as established and required pursuant to Title 20-A, sections 7209 and 7252-A.

In developing and administering the system, the department shall maintain affiliate status with a national center that offers a system that includes technical assistance and develop a cross system model for strengthening early childhood systems and services to meet the needs of children and families and meet any requirements necessary to maintain fidelity to the system offered by the national center.

2. Staffing; coordination. The department shall provide staffing services necessary to meet the needs of children and families and to work collaboratively across offices within the department, the Children's Cabinet established in Title 5, section 19131, the Department of Education and other applicable departments.

§3922. Duties of system

The system shall:

1. Expansion of services. Increase the percentage of children screened for developmental, social or emotional issues at all appropriate locations, including, but not limited to, early childhood education facilities, child care facilities, Head Start facilities, Early Head Start facilities, regional sites of the Child Development Services System under Title 20-A, section 7209, subsection

3 and health care providers to ensure access to early periodic screening, diagnosis and treatment and other related services to promote children's healthy development. For purposes of this section, "Head Start" means a program operated under 42 United States Code, Sections 9831 to 9852c and "Early Head Start" means a program under 42 United States Code, Section 9840a;

2. Coordinated system. Develop a coordinated system of early identification, referral and follow-up services across early childhood education, child care facilities, home visitor services as defined in section 3931, subsection 2, paragraph P, Head Start, Early Head Start, the Child Development Services System under Title 20-A, section 7209, subsection 3, health care providers and family supports;

3. Delivery of services. Improve the delivery of services covered by early periodic screening, diagnosis and treatment required by Medicaid and other related services to promote children's healthy development;

4. Centralized access point. Develop a centralized access point for families, caregivers and professionals to obtain information about early periodic screening, diagnosis and treatment services. The centralized access point must be available by telephone, the Internet and other communication platforms;

5. Electronic directory. Compile and maintain an electronic directory of resources with respect to service providers and use appropriate methods of communication to assist families and caregivers and connect them with early intervention services, primary care and appropriate early periodic screening, diagnosis and treatment services to children at risk; and

6. Data collection. Collect data necessary to align the system with evaluation requirements from the national center under section 3921, subsection 1 as well as identify gaps in services by type and region and barriers to obtaining appropriate services.

§3923. Annual reports

The department shall submit any annual and evaluation reports provided by the department to the national center under section 3921, subsection 1 to the joint standing committees of the Legislature having jurisdiction over health and human services matters and education matters, no later than December 15th of each year, beginning in 2022. The joint standing committees are authorized to report out legislation in any legislative session.

Sec. 2. 22 MRSA c. 1065 is enacted to read:

CHAPTER 1065

FIRST 4 ME EARLY CARE AND EDUCATION PROGRAM

§3931. First 4 ME Early Care and Education Program

1. Program established. The First 4 ME Early Care and Education Program is established under the department to provide funding to projects in order to achieve efficiencies, create opportunities and improve social, emotional, educational and health outcomes for children under 6 years of age and the children's families through the provision of comprehensive, high-quality early child care and education by funding a holistic, whole family approach that integrates comprehensive resources and services into traditional child care center and family child care settings that improve outcomes for children, families and early childhood educators.

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

A. "At risk" means, with regard to a person, that the person is a member of an economically disadvantaged family, a recipient or former recipient of services under the child protection or child welfare system of the State, in foster care, homeless, a member of a family exposed to substance use disorder, identified as having special needs, identified as having a physical or mental disability or identified as having limited English proficiency.

B. "Child" means a person under 6 years of age who has not entered kindergarten.

C. "Child care center" has the same meaning as in section 8301-A, subsection 1-A, paragraph A.

D. "Community" means a geographical area represented by a community coalition and served or to be served by a project.

E. "Community coach" means an employee of or contractor with a community contractor who is trained under subsection 11 and performs administrative functions in carrying out the duties of a project.

F. "Community coalition" means a group of stakeholders, service providers or other members within a community under subsection 7 that sponsors and collaborates in the implementation and administration of a project.

G. "Community contractor" means a nonprofit organization that is the applicant and responsible lead member of a community coalition for a project.

H. "Community provider" means a child care center, family child care provider or other service provider that has entered into a contract with a community contractor to provide services as part of a project.

I. "Comprehensive, high-quality early child care and education" means supportive, intergenerational, age-appropriate, research-based interaction

and teaching practices provided by a licensed provider of child care under section 8301-A that focus on all domains of learning, and includes embedded professional development, family engagement in a child's learning and progress toward family goals, using data to inform teaching practices and a holistic approach to a child's physical, mental and dental health.

J. "Economically disadvantaged" means having a family income not exceeding 185% of the federal poverty level as defined in section 3762, subsection 1, paragraph C.

K. "Embedded professional development" means an activity performed by a community coach to encourage rule-specific knowledge, skills and dispositions to support responsive caregiving and developmentally appropriate teaching practices implemented for learning that is integrated into the work day, consists of assessing and finding solutions for authentic and immediate problems of practice as part of a cycle of continuous improvement and is grounded in day-to-day teaching practice designed to enhance a teacher's or caregiver's practices with the intent of improving children's social, emotional and cognitive development.

L. "Family" means a child, the child's parent and all people living in the household of the child who are supported by the income of the child's parent and related to the child or child's parent by blood, marriage or adoption.

M. "Family child care provider" has the same meaning as in section 8301-A, subsection 1-A, paragraph C.

N. "Homeless" has the same meaning as in the federal McKinney-Vento Homeless Assistance Act, 42 United States Code, Section 11302.

O. "Home visitor" means a person who provides services to a participant in the participant's home.

P. "Home visitor services" means interactions between a home visitor and a parent that on the part of the home visitor are nurturing, responsive and intentional and that support the parent in the parent's role as the primary teacher of the parent's child and assist the parent in using the parent's home and the community as the child's learning environment.

Q. "Parent" means the parent or parents of a child or the child's legal guardian, primary or authorized caregiver or foster parent or a person with whom the child has been placed for purposes of adoption pending a final adoption decree.

R. "Participant" means an eligible child under subsection 5 who has been accepted to participate in a project.

S. "Program" means the First 4 ME Early Care and Education Program established under subsection 1.

T. "Project" means the program as implemented in a community by a community contractor.

3. Application requirements. A community contractor shall submit an application for approval by the department to establish a project. An application for a project must include:

A. Sponsorship by a community coalition under subsection 7;

B. A provision for enrollment of an eligible person under subsection 5 who resides within the community of the community coalition under paragraph A;

C. An assessment evaluating data on and the demographics of the community of the community coalition under paragraph A to determine the needs of the population of eligible persons in the community regarding care, health care and education, the resources available in the community to address those needs and the ability of the project to address those needs using the project components under subsection 4;

D. An action plan based upon the assessment in paragraph C that states objectives, goals and intended outcomes and responds to the needs of the community using the available resources and incorporating the project components under subsection 4; and

E. A proposed 3-year budget to implement the action plan under paragraph D and operate the project.

4. Project components. Project components must include the following:

A. Service delivery as provided by:

(1) A child care center or family child care provider, for at least 48 weeks per year, 5 days per week excluding state holidays, available 10 hours per day and with up to 10 days of staff training; or

(2) Home visitor services, including group socialization activities that include a child and the child's parent, for at least 48 weeks per year. Services must focus on the parent-child relationship and be culturally and linguistically responsive.

A participant may receive service delivery under subparagraph (1) or (2) or both.

B. Screening and ongoing child assessments conducted in a manner that is responsive to a child's home language and culture. Screening must include an initial assessment of developmental, behavioral, motor, language, cognitive and social

and emotional skills to identify a delay in development in a child's skills or identify a disability that may require further evaluation. Ongoing assessment must monitor a child's development and progress toward individual goals with input from the child's family to determine a child's strengths and needs and possible adjustment of child care center and family child care provider teaching practices and home visit strategies and to support a referral to the Child Development Services System under Title 20-A, section 7209, subsection 3 when necessary;

C. Specialized support for participants, including for cultural and linguistic needs and for children with diagnosed or who have physical or mental disabilities or developmental delays. Support may include access to and participation in learning and social experiences and activities;

D. Family engagement practiced at all levels of the project, focusing on culturally and linguistically responsive relationship building within the family, including:

(1) Communicating effectively with members of a family;

(2) Forming positive goal-focused relationships with members of a family;

(3) Involving a parent in decision making, teaching practices, including screening, assessment and planning for interactions and learning environments, and implementing project services;

(4) Ensuring consistency between a child's home and comprehensive, high-quality early child care and education; and

(5) Ensuring project practices are responsive to a family's needs, including providing connections to employment and education supports;

E. Support for a child's immunization and preventive health and dental care by providing encouragement for a parent to comply with the department's early periodic screening, diagnosis and treatment program under section 3173; and

F. Transportation options to assist a family to travel to or from health care, child care or education services.

5. Participant eligibility. A participant in a project must be a child who is at risk and:

A. Who is receiving care in a facility licensed under section 8301-A; or

B. Whose parent requests home visitor services.

6. Suspension; expulsion. In accordance with rules issued by the department, if a child's behavior

threatens the health or safety of a participant, project staff member or other person, a project must follow the suspension and expulsion procedures under 45 Code of Federal Regulations, Section 1302.17.

7. Community coalition; membership. A community coalition shall assist and support a community contractor in sponsoring, developing and submitting a project application under subsection 3, including a community assessment and supporting comprehensive, high-quality early child care and education in the community. Membership of a community coalition must include the community contractor, who is the lead member of the community coalition, and at least one:

- A. Representative of the local business community;
- B. Child care center;
- C. Family child care provider;
- D. Parent of a child using early childhood services;
- E. Home visitor;
- F. Mental health care provider;
- G. Public school administrator;
- H. Health care provider;
- I. Representative of an organization that supports workforce development;
- J. Provider of services under the federal Individuals with Disabilities Education Act, Part B or Part C;
- K. Provider of professional development to early child care and education professionals; and
- L. If available in the community, a faculty member of a career and technical center or higher education institution specializing in early childhood.

A member of a community coalition must be located or operate within the community represented by the community coalition. A community coalition may include a local government staff member or a representative of an agency that provides services to or a local judicial staff member who has engaged with an at-risk population, a library or local literacy program staff member, an elementary school teacher, a representative of adult education or other similar member of the community.

8. Community contractor. A community contractor shall have adequate infrastructure and qualified and credentialed staff to carry out the duties under this subsection. Duties of a community contractor include:

- A. Representing and being the responsible member for the community coalition;
- B. Submitting an application under subsection 3;
- C. Being the lead member and coordinator of a community coalition and the coalition's activities;

D. Contracting for and ensuring implementation of high-quality services with community providers;

E. Employing or contracting for all required services;

F. Implementing and maintaining a data system to collect and report aggregate data regarding child, family and provider information, activities and outcomes; and

G. Participating in a collective, Internet-based system that captures data from all project locations in a manner that protects the confidentiality of information of participants.

9. Community contractor staff requirements. Community contractor staff requirements include:

A. For education services supporting a child care center or family child care provider, a bachelor's degree or advanced degree in early childhood education or a related field with equivalent course work and experience in early childhood development;

B. For health-related services supporting a child care center or family child care provider, training and experience in public health, nursing, health education, maternal and child health or health administration and:

- (1) If the staff member performs a health care procedure or provides health care services, licensure or certification authorizing the member to perform the procedure or provide the service;
- (2) If the staff member provides nutrition services, licensure, registration or certification as a dietitian or nutritionist; and
- (3) If the staff member provides mental health services, licensure or certification as a mental health professional and experience in serving young children and families;

C. For family and community partnership services, training and experience in a field related to social, human or family services;

D. For disability services, a bachelor's degree and training and experience in securing and individualizing services for children with physical and mental disabilities; and

E. For home visitors, a bachelor's degree in human services or a related field and experience in the provision of home visitor services and knowledge of infant and child development.

A staff member, including a community coach under subsection 11, may be an employee of the community contractor or another person who contracts with the community contractor to provide services under this subsection.

10. Community provider. A community provider:

- A. Shall enter into a contract with a community contractor to provide services to a project;
- B. Must be in good standing with the department's division of licensing and certification;
- C. Shall agree to meet the highest level of requirements for the department's quality rating system established pursuant to section 3737, subsection 3; and
- D. Shall agree to provide the community contractor with data on a participant or provider consented to under subsection 12 as requested by the contractor.

11. Community coach. The community contractor shall employ or contract with a community coach to provide information and training to a community provider. A community coach must receive training from a research-based early childhood program with experience in a comprehensive, high-quality early child care and education program.

12. Consent to data. A community provider or community contractor may not use personally identifying data derived from services provided to a participant without the consent of a participant's parent. A community provider or community contractor may not use the personally identifying data derived from services provided to the family of a participant without the consent of the parent.

13. Funding. The department shall seek and apply for available federal funds or funds from any other sources to pay the costs of projects. To the maximum extent possible, the department shall use state funds received for the projects to maximize its receipt of federal funds to be used for the projects. A community coalition may accept grant funding or other funding as appropriate from the Federal Government, a department, agency or office of State Government or a political subdivision of State Government or a private entity such as an individual, foundation or business.

14. Administration. The department may design program implementation in consultation with an independent evaluator that has experience or expertise in early care and education. In determining program outcomes and measures, the department shall craft guidelines to ensure the development of a common set of measures of core elements of evidence-based practices. Outcome data must include reports on specific subpopulations of children, including by gender, race, disability and dual language learners. The department and the Children's Cabinet established in Title 5, section 19131 shall facilitate data linkages relating to outcome data with the Department of Education to measure ongoing school outcome data.

15. Rules. The department shall adopt rules to carry out the purposes of this chapter. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. Pilot projects. Pursuant to the Maine Revised Statutes, Title 22, section 3931, subsection 3, the Department of Health and Human Services shall request applications for a pilot project to commence January 1, 2023 to carry out the purposes of the First 4 ME Early Care and Education Program established under Title 22, chapter 1065. The department shall select up to 5 pilot projects from applications submitted. The department shall prioritize funding to a project that serves a community with high numbers or a high percentage of children who are economically disadvantaged or that effectively involves a wide variety of providers or other entities in the community, including school administrative units.

Sec. 4. Report. On or before October 2, 2024, a pilot project selected under section 3 shall report to the Department of Health and Human Services on the progress toward objectives, goals and outcomes of the project detailed in the project's proposal. On or before January 1, 2025, the department shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding the project reports received under this section along with any recommended legislation. The committee may report out legislation based upon the department's report to the First Regular Session of the 132nd Legislature.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Child Care Services 0563

Initiative: Provides funding for contracts with up to 5 pilot project providers in the First 4 ME Early Care and Education Program, beginning on January 1, 2023.

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$0	\$2,925,000
FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$2,925,000

Child Care Services 0563

Initiative: Provides funding for contracts for the Help Maine Grow System.

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$452,500	\$273,750
FEDERAL BLOCK GRANT FUND TOTAL	\$452,500	\$273,750

Child Care Services 0563

Initiative: Provides allocations to establish one Social Services Manager I position, one Social Service Program Specialist II position, 3 DD Resource Coordinator positions and one Office Associate II position to manage the Help Maine Grow System.

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$404,328	\$564,857
All Other	\$34,597	\$46,486
FEDERAL BLOCK GRANT FUND TOTAL	\$438,925	\$611,343

Child Care Services 0563

Initiative: Provides allocations to establish one Social Services Manager I position, one Social Service Program Specialist II position and one Office Associate II position to manage the First 4 ME Early Care and Education Program and for all contracts required by the program.

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$206,138	\$288,143
All Other	\$17,353	\$23,323
FEDERAL BLOCK GRANT FUND TOTAL	\$223,491	\$311,466

HEALTH AND HUMAN SERVICES, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
FEDERAL BLOCK GRANT FUND	\$1,114,916	\$4,121,559
DEPARTMENT TOTAL - ALL FUNDS	\$1,114,916	\$4,121,559

See title page for effective date.

**CHAPTER 458
H.P. 13 - L.D. 47**

An Act To Fund the State's Free Health Clinics

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

Sec. 1. Department of Health and Human Services to provide grants to the State's free health clinics. Notwithstanding any provision of law to the contrary, the Department of Health and Human Services shall provide the funds appropriated in section 3 to the State's free health clinics by establishing a grant process in order to distribute the funds as quickly as

possible. In issuing the grants, the department shall develop the criteria to be met by a free health clinic, including, but not limited to, the population that would be able to be served with grant funding. As a condition of receiving grant funding, a free health clinic must, no later than December 15, 2021, report to the department information about how the grant funding would be used by the clinic.

Sec. 2. Report from the Department of Health and Human Services on funding of the State's free health clinics. The Commissioner of Health and Human Services shall report to the Joint Standing Committee on Health and Human Services no later than January 15, 2022 with information on which clinics were awarded funds under this Act, how much each clinic received and how the grant funding was used by the clinics. Following receipt of the report, the Joint Standing Committee on Health and Human Services may submit legislation relating to the report to the Second Regular Session of the 130th Legislature.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Purchased Social Services 0228

Initiative: Provides one-time grant funding for the State's free health clinics.

GENERAL FUND	2021-22	2022-23
All Other	\$40,000	\$50,000
GENERAL FUND TOTAL	\$40,000	\$50,000

See title page for effective date.

**CHAPTER 459
S.P. 49 - L.D. 120**

An Act To Lower Health Care Costs through the Establishment of the Office of Affordable Health Care

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

Sec. 1. 5 MRSA §2041, sub-§1, as repealed and replaced by PL 2021, c. 293, Pt. A, §5, is amended to read:

1. Board established. The Maine Prescription Drug Affordability Board, as established in section 12004-G, subsection 14-I and referred to in this chapter as "the board," shall carry out the purposes of this chapter. Administrative oversight of the board must be provided by the Office of Affordable Health Care.

Sec. 2. 5 MRSA §2041, sub-§8, as repealed and replaced by PL 2021, c. 293, Pt. A, §5, is amended to read:

8. Staff. The Office of Affordable Health Care shall provide staffing services to the board ~~may employ an executive director, whose salary, to the extent feasible, must comport with state personnel rules and requirements.~~

Sec. 3. 5 MRSA c. 310-A is enacted to read:

CHAPTER 310-A

OFFICE OF AFFORDABLE HEALTH CARE

§3121. Definitions

1. **Advisory council.** "Advisory council" means the Advisory Council on Affordable Health Care established in section 12004-I, subsection 31-B.

2. **Executive director.** "Executive director" or "director" means the executive director of the office appointed pursuant to section 3122, subsection 2.

3. **Legislative oversight committee.** "Legislative oversight committee" means the joint standing committee of the Legislature having jurisdiction over health coverage matters.

4. **Office.** "Office" means the Office of Affordable Health Care established in section 3122, subsection 1.

§3122. Office of Affordable Health Care

1. **Office established.** The Office of Affordable Health Care is established as an independent executive agency for the purpose of analyzing health care costs in this State in accordance with the duties set forth in this chapter and as provided in this section.

2. **Director; appointment.** The Governor shall appoint the executive director, subject to review by the legislative oversight committee and to confirmation by the Legislature. The director shall serve for a 5-year term of office. The director may continue to serve beyond the end of the 5-year term until a successor is appointed and qualified. Any vacancy occurring must be filled by appointment for the unexpired portion of the term. Any willful violation of this chapter by the director constitutes sufficient cause for removal of the director by the Governor and on the address of both branches of the Legislature.

3. **Duties.** The office's duties must be performed independently under the general policy direction of the legislative oversight committee and the advisory council. The office shall report at least annually to the Governor and the legislative oversight committee pursuant to section 3125 and upon request of the legislative oversight committee on matters affecting the cost of health care in this State. The office shall, at a minimum, use data available from the Maine Health Data Organization, established pursuant to Title 22, chapter 1683, and

the Maine Quality Forum, established in Title 24-A, section 6951, to:

A. Analyze health care cost growth trends and correlation to the quality of health care;

B. Analyze health care spending trends by consumer categories, payer type, provider categories or any other measurement that presents available data in a manner that may assist the legislative oversight committee in understanding health care cost drivers, health care quality and utilization trends, consumer experience with the health care system or any other aspect of the health care system;

C. Monitor the adoption of alternative payment methods in this State and other states that foster innovative health care delivery and payment models to reduce health care cost growth and improve the quality of health care;

D. Based upon the data obtained and the analysis pursuant to paragraphs A to C, develop proposals for consideration by the legislative oversight committee on potential methods to improve the cost-efficient provision of high-quality health care to the residents of this State;

E. Based upon the data obtained and the analysis pursuant to paragraphs A to C, conduct a systemic review of the health care system and develop proposals to improve coordination, efficiency and quality of the health care system;

F. Develop proposals for consideration by the legislative oversight committee on potential methods to improve consumer experience with the health care system, including the provision of a consumer advocacy function on health care matters not addressed by the Health Insurance Consumer Assistance Program established in Title 24-A, section 4326 or the Department of Professional and Financial Regulation, Bureau of Insurance, Consumer Health Care Division established in Title 24-A, section 4321; and

G. Provide staffing assistance to the Maine Prescription Drug Affordability Board established in chapter 167.

4. **Data; confidentiality.** Data provided to the office under subsection 3 is confidential to the same extent it is confidential while in the custody of the entity that provided the data to the office.

5. **Staffing.** The director shall appoint staff as needed to carry out the duties and responsibilities under this chapter. The appointment and compensation of the staff are subject to the Civil Service Law.

6. **Coordination with other entities.** The director may contract with individuals or entities and may seek assistance and coordinate efforts in accordance with this

chapter with other agencies or divisions of State Government and with other entities as long as the contract, assistance or coordination does not present a conflict of interest. For the purposes of this subsection, "conflict of interest" means an association, including a financial or personal association, that has the potential to bias or have the appearance of biasing the office's decisions or the conduct of the office's activities.

7. Budget. The revenues and expenditures of the office are subject to legislative approval in the biennial budget process. The director shall prepare the budget for the administration and operation of the office in accordance with the provisions of law that apply to departments of State Government.

8. Legal counsel. The Attorney General, when requested, shall furnish any legal assistance, counsel or advice the office requires in the discharge of its duties.

9. Grants. The office may solicit, receive and accept grants, funds or anything of value from any public or private organization and receive and accept contributions of money, property, labor or any other thing of value from any legitimate source.

10. Rulemaking. The office may adopt rules as necessary for the proper administration and enforcement of this chapter, pursuant to the Maine Administrative Procedure Act. Unless otherwise specified, rules adopted pursuant to this chapter are routine technical rules as defined in chapter 375, subchapter 2-A.

§3123. Advisory Council on Affordable Health Care

The Advisory Council on Affordable Health Care, established in section 12004-I, subsection 31-B, is an advisory council to the office on matters affecting the cost of health care in this State.

1. Duties of advisory council. The advisory council shall advise the office on matters affecting the cost of health care in this State.

2. Membership. The advisory council consists of 13 members as follows:

A. Eleven members of the advisory council appointed as follows, subject to review by the legislative oversight committee and confirmation by the Senate:

(1) Six members appointed by the President of the Senate, including one member who represents hospital interests, one member who represents primary care provider interests, one member who represents behavioral health care provider interests, one member who represents the interests of older residents of this State, one member who is a health care consumer advocate and one member with expertise in health economics and research; and

(2) Five members appointed by the Speaker of the House, including one member who represents health insurance interests, one member who represents purchasers of health care, one member with demonstrated expertise in health care delivery, health care management at a senior level or health care finance and administration, one member who represents the health care workforce and one member with expertise in health economics and research; and

B. Two ex officio nonvoting members:

(1) The Commissioner of Health and Human Services or the commissioner's designee; and

(2) The Commissioner of Administrative and Financial Services or the commissioner's designee.

3. Terms of office. Appointed members of the advisory council serve 5-year terms and may be reappointed. A vacancy for an unexpired term must be filled in accordance with subsection 2, paragraph A or B. A member may serve until a replacement is appointed and qualified.

4. Chair; vice-chair. The advisory council shall annually elect a chair and a vice-chair from among its members.

5. Quorum. Seven voting members of the advisory council constitute a quorum.

6. Affirmative vote. An affirmative vote of a majority of the voting members is required for any action taken by the advisory council.

7. Meetings. The advisory council shall meet at least once every 2 months and may also meet at other times at the call of the chair. Meetings may be cancelled or postponed at the discretion of the chair. All meetings of the advisory council are public proceedings within the meaning of Title 1, chapter 13, subchapter 1.

8. Recusal. A member of the advisory council with a conflict of interest shall elect to be recused. For purposes of this subsection, "conflict of interest" means any instance in which a member, staff member or contractor of the advisory council or an immediate family member of the member, staff member or contractor of the advisory council has received or could receive either of the following:

A. A direct financial benefit of any amount deriving from the results or findings of a study or determination by or for the advisory council; or

B. A financial benefit from individuals or companies that own or manufacture prescription drugs or health care services or items to be studied by the advisory council that in the aggregate exceeds \$5,000 per year. For purposes of this paragraph, "financial benefit" includes honoraria, fees, stock

or other financial benefit and the current value of already existing stock holdings, in addition to any direct financial benefit deriving from the results or findings of a study or determination by or for the advisory council.

§3124. Annual public hearing

Beginning in 2022, the office shall convene an annual public hearing on cost trends no later than October 1st. The hearing must provide an opportunity for public comment on health care cost trends. The executive director shall preside over the hearing.

§3125. Annual report

No later than January 1, 2023 and annually thereafter, the office shall submit a report to the Governor, the legislative oversight committee and the advisory council of its findings in accordance with this chapter. The report must include a summary of comments received at the annual public hearing convened under section 3124.

Sec. 4. 5 MRSA §12004-I, sub-§31-B is enacted to read:

31-B.

<u>Health</u>	<u>Advisory Council on</u>	<u>Expenses</u>	<u>5 MRSA</u>
<u>Care</u>	<u>Affordable Health Care</u>	<u>Only</u>	<u>§3123</u>

Sec. 5. Annual reports for 2023 and 2024.

The annual reports due pursuant to the Maine Revised Statutes, Title 5, section 3125 for the calendar years 2023 and 2024 must include, in addition to the requirements contained in section 3125, recommendations to the joint standing committees of the Legislature having jurisdiction over health coverage, insurance and health and human services matters regarding how to ensure appropriate public health infrastructure throughout the State and how to develop the most effective consumer resource for health care issues that extend beyond access to health insurance coverage.

Sec. 6. Staggered terms; Advisory Council on Affordable Health Care. Notwithstanding the Maine Revised Statutes, Title 5, section 3123, subsection 3, of the members initially appointed to the Advisory Council on Affordable Health Care, 4 members must be appointed to serve initial terms of 2 years, 4 members must be appointed to serve initial terms of 3 years and 3 members must be appointed to serve initial terms of 4 years.

Sec. 7. Transfer from Bureau of Insurance.

Notwithstanding any provision of law to the contrary, on or before June 30, 2022, the State Controller shall transfer \$291,382 from the Department of Professional and Financial Regulation, Bureau of Insurance Other Special Revenue Funds account to the unappropriated surplus of the General Fund.

Sec. 8. Transfer from Medical Use of Marijuana Fund. Notwithstanding any provision of law to the contrary, on or before June 30, 2023, the State Controller shall transfer \$403,831 from the Department of Administrative and Financial Services, Medical Use of Marijuana Fund Other Special Revenue Funds account to the unappropriated surplus of the General Fund.

See title page for effective date.

CHAPTER 460

H.P. 88 - L.D. 132

An Act To Implement the Attorney General's Recommendations on Data Collection in Order To Eliminate Profiling in Maine

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

Sec. 1. 5 MRSA c. 337-D is enacted to read:

CHAPTER 337-D

PROFILING DATA COLLECTION

§4751. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Law enforcement agency. "Law enforcement agency" means an agency in the State charged with enforcement of state, county, municipal or federal laws or laws of a federally recognized Indian tribe, with the prevention, detection or investigation of criminal, immigration or customs laws or with managing custody of detained persons in the State and includes, but is not limited to, a municipal police department, a sheriff's department, the State Police, a university or college police department and the Department of Public Safety.

2. Law enforcement officer. "Law enforcement officer" means a state, county or municipal official or an official of a federally recognized Indian tribe responsible for enforcing criminal, immigration or customs laws, including, but not limited to, a law enforcement officer who possesses a current and valid certificate issued by the Board of Trustees of the Maine Criminal Justice Academy pursuant to Title 25, section 2803-A.

§4752. Collection of information; reporting of information

1. Information collected. Beginning July 1, 2023, a law enforcement agency shall record and retain the following information regarding traffic infractions occurring in this State:

A. The number of persons stopped for traffic infractions;

B. Characteristics of race, color, ethnicity, gender and age of each person described in paragraph A. The identification of such characteristics must be based on the observation and perception of the law enforcement officer responsible for reporting the stop. The person stopped may not be required to provide the information;

C. The nature of each alleged traffic infraction that resulted in a stop;

D. Whether a warning or citation was issued, an arrest was made or a search was conducted as a result of each stop for a traffic infraction; and

E. Any additional information the law enforcement agency determines appropriate. The additional information may not include any other personally identifiable information about a person stopped for a traffic infraction such as the person's driver's license number, name or address.

2. Report to Attorney General. A law enforcement agency shall report the information required to be recorded and retained under subsection 1 to the Attorney General pursuant to rules adopted pursuant to section 4753.

§4753. Rules; consultation

1. Adoption of rules. By January 1, 2023, the Attorney General shall adopt rules for the recording, retention and reporting of information pursuant to section 4752 pertaining to persons stopped for traffic infractions. The information must include the characteristics of race, color, ethnicity, gender and age of the persons stopped, based on the observation and perception of the law enforcement officer making the stop. Rules adopted pursuant to this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.

2. Consultation. In adopting rules pursuant to subsection 1, the Attorney General shall consult with the Commissioner of Public Safety and interested parties, including law enforcement agencies and community, professional, research, civil liberties and civil rights organizations and persons with lived experience of being profiled. The Attorney General shall ensure that the parties consulted represent the racial and ethnic diversity of the State.

§4754. Report; publication of data

Beginning January 15, 2024 and annually thereafter, the Attorney General shall provide to the joint standing committees of the Legislature having jurisdiction over judiciary matters and criminal justice and public safety matters and make available to the public a report of the information collected pursuant to this chapter. The report must include an analysis of the information and may include recommendations for changes in laws, rules and practices. Information

reported may not include personally identifiable information.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF
State Police 0291**

Initiative: Provides funding for computer programming costs and related maintenance.

GENERAL FUND	2021-22	2022-23
All Other	\$22,750	\$22,750
Capital Expenditures	\$113,750	\$0
GENERAL FUND TOTAL	\$136,500	\$22,750

See title page for effective date.

CHAPTER 461

S.P. 114 - L.D. 265

**An Act To Provide Women
Access to Affordable
Postpartum Care**

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

Sec. 1. 22 MRSA §3174-G, sub-§1, ¶A-1 is enacted to read:

A-1. Notwithstanding paragraph A, beginning January 1, 2022 and until June 30, 2022, a qualified woman during her pregnancy and up to 6 months following delivery when the woman's family income is equal to or below 200% of the nonfarm income official poverty line;

Sec. 2. 22 MRSA §3174-G, sub-§1, ¶A-2 is enacted to read:

A-2. Notwithstanding paragraph A, beginning July 1, 2022 and until June 30, 2023, a qualified woman during her pregnancy and up to 9 months following delivery when the woman's family income is equal to or below 200% of the nonfarm income official poverty line;

Sec. 3. 22 MRSA §3174-G, sub-§1, ¶A-3 is enacted to read:

A-3. Notwithstanding paragraph A, beginning July 1, 2023 and until December 31, 2026, a qualified woman during her pregnancy and up to 12 months following delivery when the woman's family income is equal to or below 200% of the nonfarm income official poverty line;

Sec. 4. 22 MRSA §3174-G, sub-§1, ¶G, as amended by IB 2017, c. 1, Pt. A, §2, is further amended by amending subparagraph (2) to read:

(2) A child under 21 years of age; ~~and~~

Sec. 5. 22 MRSA §3174-G, sub-§1, ¶G-1 is enacted to read:

G-1. Notwithstanding paragraph G, beginning January 1, 2022 and until June 30, 2022, a person who is a noncitizen legally admitted to the United States to the extent that coverage is allowable by federal law if the person is:

- (1) A woman during her pregnancy and up to 6 months following delivery; or
- (2) A child under 21 years of age;

Sec. 6. 22 MRSA §3174-G, sub-§1, ¶G-2 is enacted to read:

G-2. Notwithstanding paragraph G, beginning July 1, 2022 and until June 30, 2023, a person who is a noncitizen legally admitted to the United States to the extent that coverage is allowable by federal law if the person is:

- (1) A woman during her pregnancy and up to 9 months following delivery; or
- (2) A child under 21 years of age;

Sec. 7. 22 MRSA §3174-G, sub-§1, ¶G-3 is enacted to read:

G-3. Notwithstanding paragraph G, beginning July 1, 2023 and until December 31, 2026, a person who is a noncitizen legally admitted to the United States to the extent that coverage is allowable by federal law if the person is:

- (1) A woman during her pregnancy and up to 12 months following delivery; or
- (2) A child under 21 years of age; and

Sec. 8. **State plan amendment.** The Department of Health and Human Services shall, no later than January 1, 2022, submit requests for any state plan amendments to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services determined necessary in order to accomplish the purposes of this Act. The department shall take all reasonable and necessary steps to seek approval of the state plan amendment.

Sec. 9. **Report.** The Department of Health and Human Services shall report annually to the joint standing committee of the Legislature having jurisdiction over health and human services matters, beginning February 1, 2023 and until February 1, 2026, about the extension of postpartum coverage in the Maine Revised Statutes, Title 22, section 3174-G, subsection 1. The joint standing committee of the Legislature having jurisdiction over health and human services matters is authorized to report out legislation to the Legislature regarding each report.

Sec. 10. **Appropriations and allocations.** The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Medical Care - Payments to Providers 0147

Initiative: Provides appropriations and allocations to increase up to 12 months the period of time following delivery of a baby during which a woman may be eligible for services under the MaineCare program.

GENERAL FUND	2021-22	2022-23
All Other	\$79,920	\$279,720
GENERAL FUND TOTAL	<u>\$79,920</u>	<u>\$279,720</u>
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$142,080	\$497,280
FEDERAL EXPENDITURES FUND TOTAL	<u>\$142,080</u>	<u>\$497,280</u>

See title page for effective date.

CHAPTER 462

H.P. 193 - L.D. 277

**An Act To Discontinue the Use
of the SAT in Maine Schools**

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

Sec. 1. **20-A MRSA §6202, first ¶,** as amended by PL 2015, c. 40, §4, is further amended to read:

The commissioner shall establish a statewide assessment program to measure and evaluate on a continuing basis the academic achievements of students in grades 3 to 12 on the accountability standards set forth in section 6209 and in department rules implementing that section and other curricular requirements. The commissioner may elect to provide for the use of alternative measures of student achievement in grades 9 to 12. This assessment applies to students in the public elementary and secondary schools, in public charter schools, as that term is defined in section 2401, subsection 9, and in all private schools approved for tuition whose school enrollments include at least 60% publicly funded students, as determined by the previous school year's October and April average enrollment. The assessment program must be adapted to meet the needs of children with disabilities as defined in section 7001, subsection 1-A or other students as defined under rules by the commissioner. The assessment program may not include the use of the standardized test known as "the SAT" as a method for assessing student performance.

Sec. 2. Alternate method to the SAT. By January 1, 2022, the Department of Education shall develop an alternate method of assessing student performance to replace the use of the standardized assessment test known as "the SAT." The alternate method must meet all federal requirements. By February 1, 2022, the department shall report to the Joint Standing Committee on Education and Cultural Affairs regarding the alternate method.

See title page for effective date.

**CHAPTER 463
H.P. 264 - L.D. 366**

An Act Regarding Emergency Guardianship

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

Sec. 1. 18-C MRSA §5-312, sub-§1, ¶A, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

A. Appointment of an emergency guardian is likely to prevent substantial harm to the adult's physical health, safety or welfare;

For purposes of this paragraph, the delay of discharge of a patient in a hospital until the appointment of a guardian constitutes substantial harm;

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Office of Aging and Disability Services Adult Protective Services Z040

Initiative: Provides funding to the Department of Health and Human Services for additional emergency guardianship filings.

GENERAL FUND	2021-22	2022-23
All Other	\$9,000	\$9,000
GENERAL FUND TOTAL	\$9,000	\$9,000

See title page for effective date.

**CHAPTER 464
H.P. 309 - L.D. 429**

An Act To Protect the Health of Students and Educators by Requiring School Emergency Management Plans To Address Health and Safety

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

Sec. 1. 20-A MRSA §1001, sub-§16, as repealed and replaced by PL 2007, c. 408, §1, is amended to read:

16. Comprehensive health and safety and emergency management plan. Each school board shall annually approve a comprehensive health and safety and emergency management plan developed by the school unit administration working with school teachers and staff and local, county and state public safety officials, fire-fighting personnel, emergency management officials, mental health officials ~~and~~, law enforcement officials, school nurses, physicians and public health staff to identify and deal with all hazards and potential hazards that could reasonably be expected to affect a facility or unit under the authority of the school administrative unit. The approval of a comprehensive health and safety and emergency management plan under this subsection is public information. At the request of any school board member or full-time school employee, the school board shall form a steering committee composed of school employees, school board members, parents and others. A majority of the school employees must be chosen by the local representatives of the applicable bargaining unit if the school employees are covered by a collective bargaining agreement. The steering committee shall regularly review and refine the comprehensive health and safety and emergency management plan. The following information pertaining to a comprehensive health and safety and emergency management plan is public information:

- A. A description of the scope and purpose of the comprehensive health and safety and emergency management plan and the process used for developing and updating the plan;
- B. General information on auditing for safety and preparedness;
- C. Roles and responsibilities of school administrators, teachers and staff and the designated chain of command during an emergency; and
- D. Strategies for conveying information to parents and the general public during an emergency.

Except as provided in paragraphs A to D, release of the contents of a comprehensive health and safety and

emergency management plan approved under this subsection is subject to the limitations set forth in Title 1, section 402, subsection 3, paragraph L.

See title page for effective date.

**CHAPTER 465
H.P. 345 - L.D. 469**

**An Act To Ensure Safety
across Maine's Construction
Industry**

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

Sec. 1. 26 MRSA §1304, sub-§3-A is enacted to read:

3-A. Craft worker. "Craft worker" means a person who is engaged in a construction trade that is eligible for coverage under a wage determination under this chapter.

Sec. 2. 26 MRSA §1304, sub-§10 is enacted to read:

10. Trade. "Trade" means a construction work activity engaged in by a craft worker.

Sec. 3. 26 MRSA §1312, sub-§1, as amended by PL 2011, c. 403, §2, is further amended to read:

1. Violation by contractor or subcontractor. Except as provided in section 1308, subsection 1-A, any contractor or subcontractor who willfully and knowingly violates sections 1304 to 1313 and 1317 is subject to a forfeiture of not less than \$250.

Sec. 4. 26 MRSA §1317 is enacted to read:

§1317. Construction safety training requirements for craft workers

A contractor or subcontractor employing craft workers in the construction of public works shall require mandatory safety training for all craft workers in accordance with the requirements of this section.

1. Mandatory safety training. A contractor or subcontractor employing craft workers in the construction of public works shall require that all craft workers on the construction work site have completed a construction safety training program that uses a curriculum approved by the United States Department of Labor, Occupational Safety and Health Administration and is at least 10 hours in duration.

2. Proof of compliance. A contractor or subcontractor shall complete and submit monthly to the public authority that let the contract a signed statement of compliance that each craft worker has completed the training required in subsection 1.

3. Posting of affidavit on job site. A contractor or subcontractor shall post in a conspicuous location at each job site a signed affidavit that the contractor or subcontractor has met the requirements of this section.

4. Rules. The Commissioner of Labor may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 5. Legislative intent regarding compliance and enforcement. It is the intent of the Legislature that the Department of Administrative and Financial Services, Bureau of General Services and the Department of Transportation comply with the construction safety training requirements for craft workers as specified in the Maine Revised Statutes, Title 26, section 1317 and that the Department of Labor enforce the provisions of Title 26, section 1317 within existing resources.

See title page for effective date.

**CHAPTER 466
H.P. 405 - L.D. 560**

**An Act To Amend the Safe
Haven Laws**

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

Sec. 1. 17-A MRSA §553, sub-§3, ¶B, as amended by PL 2001, c. 543, §1, is amended to read:

B. The child was delivered by the person charged under this section to a safe haven baby box as defined in Title 22, section 4018, subsection 1, paragraph A-1 or to an individual the person reasonably believed to be:

- (1) A law enforcement officer;
- (2) Staff at a medical emergency room;
- (3) A medical services provider as defined in Title 22, section 4018; ~~or~~
- (4) A hospital staff member at a hospital; ~~or~~
- (5) A firefighter at a fire department facility.

Sec. 2. 22 MRSA §4018, sub-§1, ¶A-1 is enacted to read:

A-1. "Safe haven baby box" means a device or container to safely accept delivery of a child less than 31 days of age that is:

- (1) Voluntarily installed by a medical services provider, law enforcement agency or fire department;
- (2) Physically located inside a hospital, law enforcement facility or fire department facility

that is staffed 24 hours a day by a medical services provider;

(3) Located in an area that is conspicuous and visible to the employees of the hospital, law enforcement agency or fire department; and

(4) In compliance with requirements adopted by rule by the department, including, but not limited to, a requirement that the device or container be equipped with an alarm that notifies the hospital, law enforcement agency or fire department where the device or container is located and a public safety answering point as defined in Title 25, section 2921, subsection 7 when a child is placed in the device or container.

Sec. 3. 22 MRSA §4018, sub-§1, ¶B, as enacted by PL 2001, c. 543, §2, is amended to read:

B. "Safe haven provider" means:

- (1) A law enforcement officer;
- (2) Staff at a medical emergency room;
- (3) A medical services provider; ~~or~~
- (4) A hospital staff member at a hospital;
- (5) A firefighter; or
- (6) A person staffing a facility with a safe haven baby box.

Sec. 4. 22 MRSA §4018, sub-§6 is enacted to read:

6. Rules. The department shall adopt rules to ensure the safe design, installation and use of each safe haven baby box before it may be put into service by a hospital, law enforcement agency or fire department. Rules adopted under this subsection are routine technical rules for the purposes of Title 5, chapter 375, subchapter 2-A.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

State-funded Foster Care/Adoption Assistance 0139

Initiative: Provides one-time funding to contract for technical support developing rules to implement the program.

GENERAL FUND	2021-22	2022-23
All Other	\$14,174	\$0
GENERAL FUND TOTAL	<u>\$14,174</u>	<u>\$0</u>

See title page for effective date.

**CHAPTER 467
H.P. 433 - L.D. 590**

**An Act To Require MaineCare
Coverage for Ostomy
Equipment**

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

Sec. 1. 22 MRSA §3174-FFF is enacted to read:

§3174-FFF. Ostomy equipment reimbursement

Beginning January 1, 2022, the department shall reimburse under the MaineCare program for ostomy equipment and supplies when that equipment or those supplies have been prescribed or recommended by a health care practitioner authorized to prescribe or recommend such equipment or supplies. The department shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A. For purposes of this section, "health care practitioner" has the same meaning as in Title 24, section 2502, subsection 1-A.

Sec. 2. Ostomy equipment reimbursement rules. By January 1, 2022, the Department of Health and Human Services shall amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter II, Section 60 to implement the Maine Revised Statutes, Title 22, section 3174-FFF and this section. The department shall reimburse for ostomy equipment and supplies at no less than 85% of the 2021 federal Medicare reimbursement rate for the equipment and supplies as long as the rate is no lower than the rate reimbursed by the department as of January 1, 2021.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Medical Care - Payments to Providers 0147

Initiative: Provides funding to increase the MaineCare reimbursement rates for ostomy equipment to 85% of the 2021 federal Medicare reimbursement rate.

GENERAL FUND	2021-22	2022-23
All Other	\$9,313	\$18,625
GENERAL FUND TOTAL	<u>\$9,313</u>	<u>\$18,625</u>
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$19,495	\$38,990

FEDERAL EXPENDITURES	\$19,495	\$38,990
FUND TOTAL		

See title page for effective date.

**CHAPTER 468
H.P. 503 - L.D. 691**

**An Act To Support Farms and
Address Food Insecurity**

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

Sec. 1. 7 MRSA §219-B is enacted to read:

§219-B. Fund To Address Food Insecurity and Provide Nutrition Incentives

1. Fund established. The Fund To Address Food Insecurity and Provide Nutrition Incentives, referred to in this section as "the fund," is established in the department to provide incentives to federal food and nutrition assistance program participants for the purchase of locally grown fruits and vegetables and to support outreach for and administration of programs that offer nutrition incentives to participants of federal food and nutrition assistance programs. The fund is established to match contributions from private and public sources of up to \$50,000 annually to further the purposes of this section. The fund, to be accounted within the department, must be held separate and apart from all other money, funds and accounts. Eligible investment earnings credited to the assets of the fund become part of the assets of the fund. Any unexpended balances remaining in the fund at the end of any fiscal year do not lapse and must be carried forward to the next fiscal year. For purposes of this section, "local" means within the State.

2. Fund recipients. An organization based in the State that supports local food producers, local food production or low-income individuals in receiving food and nutrition assistance may receive proceeds from the fund upon application with the department. The department shall prioritize an applicant that has a demonstrated history of incentivizing the use of federal food and nutrition assistance programs to purchase locally grown fruits and vegetables or that demonstrates the ability to leverage the proceeds to match or receive additional funds from local, state, federal or private sources. The department shall periodically post a request for applications for eligible organizations to apply for fund proceeds.

3. Report; audit. The department shall require a periodic report from a recipient under subsection 2 detailing the use of fund proceeds and the federal food and nutrition assistance programs involved and to ensure that the funds are expended appropriately pursuant to this section. The department may audit a recipient to carry out the purposes of this subsection.

4. Rules. The department may adopt routine technical rules as defined in Title 5, chapter 375, subchapter 2 A to carry out the purposes of the fund, including application criteria and procedures for recipients, disbursement of funds to recipients and for outreach and administration purposes and reporting and audit procedures for recipients.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Fund To Address Food Insecurity and Provide Nutrition Incentives N384

Initiative: Provides one-time funding to capitalize the Fund To Address Food Insecurity and Provide Nutrition Incentives to be used to match contributions from private and public sources.

GENERAL FUND	2021-22	2022-23
All Other	\$25,000	\$0
GENERAL FUND TOTAL	\$25,000	\$0

See title page for effective date.

**CHAPTER 469
S.P. 162 - L.D. 813**

**An Act To Create the Crime of
Aggravated Sex Trafficking of
a Person 14 Years of Age or
Younger**

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

Sec. 1. 17-A MRSA §852, sub-§1, as amended by PL 2013, c. 407, §2, is further amended to read:

1. A person is guilty of aggravated sex trafficking if the person knowingly:

- A. Promotes prostitution by compelling a person to enter into, engage in or remain in prostitution;
- B. Promotes prostitution of a person ~~less than 18~~ 15, 16 or 17 years old of age; or
- C. Promotes prostitution of a person who suffers from a mental disability that is reasonably apparent or known to the actor and that in fact renders the other person substantially incapable of appraising the nature of the conduct involved.

Violation of this subsection is a Class B crime.

Sec. 2. 17-A MRSA §852, sub-§1-A is enacted to read:

1-A. A person is guilty of aggravated sex trafficking if the person knowingly promotes prostitution of a

person 14 years of age or younger. Violation of this subsection is a Class A crime.

Sec. 3. 17-A MRSA §852, sub-§3, as amended by PL 2013, c. 407, §2, is repealed.

See title page for effective date.

CHAPTER 470

S.P. 203 - L.D. 819

An Act To Reduce Lung Cancer Rates in Maine by Creating a Voluntary Radon Testing and Mitigation Program for Landlords, Homeowners and Home Builders

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

Sec. 1. 22 MRSA §785 is enacted to read:

§785. Maine Gold Standard for Radon Testing and Mitigation Initiative

The Maine Gold Standard for Radon Testing and Mitigation Initiative is established, beginning July 1, 2022, within the department to reward, recognize, promote and assist, with a gold standard designation, landlords, homeowners and home builders who participate in radon testing and mitigation activities under this section. A person who meets the criteria established in this section and by the department in rules may achieve a gold standard designation.

1. Criteria for landlords. In order to obtain the gold standard designation, a landlord must meet the following criteria relating to testing and mitigation.

A. Every 2 years, the landlord shall conduct radon testing in compliance with this chapter and any standards established by the United States Environmental Protection Agency. The results of the test must be submitted to the department, and the department shall post the results to its publicly available website. The department shall pay for all costs for radon testing that occurs in accordance with this subsection.

B. If the results of the radon test completed in accordance with paragraph A reveal a level of radon of 4.0 picocuries per liter of air or above, the landlord shall, within 6 months, mitigate the level of radon in the residential building until it is reduced to a level below 4.0 picocuries per liter of air. Mitigation services must be provided by a person registered with the department pursuant to this chapter. After mitigation has been performed pursuant to this paragraph to reduce the level of radon, the landlord shall provide written notice to tenants that

the radon levels have been mitigated. The department shall pay for the first \$600 in mitigation expenses on behalf of a landlord as a result of a test conducted in accordance with paragraph A if it exceeds a level of radon of 4.0 picocuries per liter of air or above.

2. Criteria for homeowners. In order for a homeowner to obtain the gold standard designation, the homeowner shall, before the conveyance of any residential real property in accordance with Title 33, chapter 7, test for the presence of radon in the air and water in residential real property and arsenic and uranium in water from a private well. For purposes of this subsection, "residential real property" has the same meaning as in Title 33, section 171, subsection 6. The department shall pay for all costs for testing that occurs in accordance with this subsection and any rules adopted by the department. The department shall pay for the first \$600 in mitigation expenses on behalf of a homeowner in accordance with any rules adopted by the department.

3. Criteria for home builders. In order to obtain the gold standard designation, a home builder constructing a new home in a municipality that has up to 4,000 residents shall comply with any standards relating to radon preventive features in the Maine Uniform Building and Energy Code and the new home must receive an inspection in accordance with rules adopted by the department. To the extent testing is required by the department in rule to obtain the gold standard, the department shall pay for all costs for testing. To the extent mitigation is required by the department in rule, the department shall pay for the first \$600 in mitigation expenses.

4. Rules. The department shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. Rulemaking. The Department of Health and Human Services shall adopt rules to implement the Maine Gold Standard for Radon Testing and Mitigation Initiative established in the Maine Revised Statutes, Title 22, section 785. The department shall convene a stakeholder group to assist in the development of the rules.

See title page for effective date.

CHAPTER 471

S.P. 294 - L.D. 880

An Act To Protect School Employees from Workplace Bullying

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

Sec. 1. 20-A MRSA §1001, sub-§21 is enacted to read:

21. Workplace bullying. A school board shall adopt and implement a policy to address the negative effects of bullying of school employees by administrators, school employees, parents, students or any other individuals associated with the public school and to ensure the safety of employees and an inclusive environment for all employees and students in the public school. The policy must include, but is not limited to:

- A. A provision identifying the responsibility of all school employees to comply with the policy;
- B. A clear statement that bullying, harassment and retaliation for reporting such behavior are prohibited;
- C. A provision outlining the responsibility of a superintendent to implement and enforce the policy;
- D. A procedure for school employees to report incidents of bullying;
- E. A procedure for promptly investigating and responding to incidents of bullying, including written documentation of reported incidents; and
- F. A statement that any rights under the policy do not exclude access to or limit any other right or remedy under the law.

If an affected school employee is covered by a collective bargaining agreement, the policy under this subsection is subject to the dispute resolution process of the collective bargaining agreement.

For the purposes of this subsection, "bullying" includes cyberbullying as defined in section 6554, subsection 2, paragraph C.

Sec. 2. Reimbursement. The Department of Education shall develop a process to provide reimbursement to school administrative units for 90% of the cost of adopting and implementing a policy to address the bullying of school employees.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

State Mandate Reimbursement - Workplace Bullying N398

Initiative: Provides one-time funds to reimburse local school administrative units for 90% of the cost of adopting and implementing a policy to address the bullying of school employees.

GENERAL FUND	2021-22	2022-23
All Other	\$26,308	\$0
GENERAL FUND TOTAL	\$26,308	\$0

See title page for effective date.

**CHAPTER 472
H.P. 710 - L.D. 964**

**An Act To Expand Access to
Certified Substance Use
Disorder Recovery Residence
Services**

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

Sec. 1. 5 MRSA c. 521, sub-c. 3-A is enacted to read:

**SUBCHAPTER 3-A
RECOVERY**

§20057. Certified recovery residences

Beginning July 1, 2022, recovery residences must be certified pursuant to the requirements established in section 20005, subsection 22, to receive:

- 1. Contracts.** Any department contract for a recovery residence or services related to the recovery residence; or
- 2. Housing assistance.** To the extent not in conflict with federal law, any housing assistance or voucher provided by the department, the Maine State Housing Authority or a municipality provided to or for the person recovering from substance use disorder.

Sec. 2. 22 MRSA §4301, sub-§14 is enacted to read:

14. Recovery residence. "Recovery residence" has the same meaning as in Title 5, section 20003, subsection 19-D.

Sec. 3. 22 MRSA §4309, sub-§6 is enacted to read:

6. Eligibility; recovery residence; exception. The overseer in a municipality may not deny general assistance to a person for the sole reason that the person is residing in a recovery residence. Beginning July 1, 2022, a municipality may not provide housing assistance to a person residing in a recovery residence that has not been certified in accordance with Title 5, section 20005, subsection 22, except that the person may receive housing assistance while residing in an uncertified recovery residence for one 30-day period only and the overseer shall inform the person of the requirements of this subsection. A person who is ineligible for housing assistance under this subsection may remain eligible to receive general assistance for other basic necessities.

Sec. 4. Recovery residence assistance levels; rulemaking. No later than July 1, 2022, the Department of Health and Human Services shall amend its rule, Chapter 323: Maine General Assistance Manual, to establish appropriate maximum housing assistance

levels for eligible persons residing in recovery residences that take into account any additional costs of providing recovery residences as well as the fair market rents established by the United States Department of Housing and Urban Development used to establish maximum housing assistance levels under the program including those for other shared housing arrangements.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

**Office of Substance Abuse and Mental Health
Services Z199**

Initiative: Provides funding to increase the contract for certification of the recovery residences.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$90,000
GENERAL FUND TOTAL	\$0	\$90,000

See title page for effective date.

**CHAPTER 473
H.P. 724 - L.D. 978**

**An Act To Create an Access to
Justice Income Tax Credit**

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

Sec. 1. 36 MRSA §191, sub-§2, ¶MMM is enacted to read:

MMM. The disclosure to the Supreme Judicial Court of information required to make the report required under section 5219-YY, subsection 5.

Sec. 2. 36 MRSA §5219-YY is enacted to read: **§5219-YY. Access to justice credit**

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

A. "Court" means the Supreme Judicial Court or its designee.

B. "Eligible attorney" means a person eligible to practice law in the State under Title 4, chapter 17 who, after January 1, 2022:

- (1) Agrees to practice law in a private practice setting in an underserved area for at least 5 years by joining an existing legal practice, establishing a new legal practice or purchasing an existing legal practice;

(2) Is rostered by the Maine Commission on Indigent Legal Services to accept court appointments to represent clients in an underserved area;

(3) Agrees to perform pro bono legal services in an underserved area; and

(4) Is certified by the court under subsection 3 to be eligible for the credit under this section.

C. "Underserved area" means an area in the State that is determined by the court to be an area where there is insufficient access to legal services. When identifying underserved areas, the court shall take into consideration the ratio of the number of attorneys to the population.

2. Credit. For tax years beginning on or after January 1, 2022, an eligible attorney is allowed a credit for each taxable year, not to exceed \$6,000, against the taxes due under this Part. The credit may be claimed in the first year that the eligible attorney meets the conditions of eligibility for at least 6 months and in each of the 4 subsequent years.

3. Eligibility limitation; certification. The court may certify up to 5 eligible attorneys in each year from 2022 through 2027. Additional attorneys may not be certified after 2027. The court shall annually, at year-end, verify that certified attorneys continue to be eligible for the credit under this section and shall decertify any attorney who ceases to meet the conditions of eligibility. The court shall notify the bureau whenever an attorney is certified or decertified. A decertified attorney ceases to be eligible for the credit under this section beginning with the tax year during which the attorney is decertified.

4. Rules. The court shall adopt rules to implement this section.

5. Report; review. By February 15, 2027, the court shall submit to the joint standing committee of the Legislature having jurisdiction over taxation matters a report that identifies the number of eligible attorneys claiming the credit under this section each year in which the credit is available and identifies the underserved areas where those attorneys practice. The committee shall review the report and determine the effectiveness of the credit in expanding legal services to underserved areas. The committee may submit legislation to the First Regular Session of the 133rd Legislature related to the report.

See title page for effective date.

CHAPTER 474
S.P. 362 - L.D. 1101

**An Act To Expand the 1998
Special Retirement Plan To
Include Civilian Employees
Who Work for the Department
of Public Safety Crime Lab and
Computer Crimes Unit**

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

Sec. 1. 5 MRSA §17851-A, sub-§1, ¶K, as amended by PL 2019, c. 482, §1, is further amended to read:

K. The State Fire Marshal or a state fire marshal inspector in the employment of the Department of Public Safety on January 1, 2000 or hired thereafter or, until June 30, 2020, a state fire marshal investigator in the employment of the Department of Public Safety on January 1, 2000 or hired thereafter; ~~and~~

Sec. 2. 5 MRSA §17851-A, sub-§1, ¶N, as enacted by PL 2019, c. 537, §3, is amended to read:

N. Emergency communications specialists in the employment of the Department of Public Safety on July 1, 2020 who elect to participate in the 1998 Special Plan or hired thereafter;

Sec. 3. 5 MRSA §17851-A, sub-§1, ¶O, as reallocated by RR 2019, c. 2, Pt. A, §3, is amended to read:

O. Detectives in the employment of the office of investigations within the Department of the Secretary of State, Bureau of Motor Vehicles on July 1, 2020 who elect to participate in the 1998 Special Plan or hired thereafter;

Sec. 4. 5 MRSA §17851-A, sub-§1, ¶P, as reallocated by RR 2019, c. 2, Pt. A, §4, is amended to read:

P. Detectives in the employment of the Office of the Attorney General on July 1, 2020 who elect to participate in the 1998 Special Plan or hired thereafter; ~~and~~

Sec. 5. 5 MRSA §17851-A, sub-§1, ¶Q is enacted to read:

Q. Civilian employees whose job responsibilities include the handling, examination or analysis of digital or physical evidence in the employment of the Department of Public Safety, Maine State Police Crime Laboratory or computer crimes unit on October 1, 2021 who elect to participate in the 1998 Special Plan or hired thereafter.

Sec. 6. 5 MRSA §17851-A, sub-§2, as corrected by RR 2019, c. 2, Pt. A, §5, is amended to read:

2. Qualification for benefits. A member employed in any one or a combination of the capacities specified in subsection 1 after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; any employee identified in subsection 1, paragraph M; after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; after September 30, 2021 for employees identified in subsection 1, paragraph Q; and any employee identified in subsection 1, paragraph L, qualifies for a service retirement benefit if that member either:

A. Is at least 55 years of age and has completed at least 10 years of creditable service under the 1998 Special Plan in any one or a combination of the capacities; or

B. Has completed at least 25 years of creditable service in any one or a combination of the capacities specified in subsection 1, whether or not the creditable service included in determining that the 25-year requirement has been met was earned under the 1998 Special Plan or prior to its establishment.

Sec. 7. 5 MRSA §17851-A, sub-§3, ¶A, as corrected by RR 2019, c. 2, Pt. A, §6, is amended by amending subparagraph (1) to read:

(1) Service credit purchased by repayment of an earlier refund of accumulated contributions following termination of service is included only to the extent that time to which the refund relates was served after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; ~~and~~ after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; and after September 30, 2021 for employees identified in subsection 1, paragraph Q in any one or a combination of the capacities specified in subsection 1. Service credit may be purchased for service by an employee identified in subsection 1, paragraphs L and M regardless of when performed; and

Sec. 8. 5 MRSA §17851-A, sub-§4, ¶A, as corrected by RR 2019, c. 2, Pt. A, §7, is amended to read:

A. If all of the member's creditable service in any one or a combination of the capacities specified in subsection 1 was earned after June 30, 1998 and before September 1, 2002 for employees identified

in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; ~~and~~ after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; and after September 30, 2021 for employees identified in subsection 1, paragraph Q; if service credit was purchased by repayment of an earlier refund of accumulated contributions for service in any one or a combination of the capacities specified in subsection 1 after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; ~~and~~ after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; and after September 30, 2021 for employees identified in subsection 1, paragraph Q; or if service credit was purchased by other than the repayment of an earlier refund and eligibility to make the purchase of the service credit, including, but not limited to, service credit for military service, was achieved after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; ~~and~~ after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; and after September 30, 2021 for employees identified in subsection 1, paragraph Q, the benefit must be computed as provided in section 17852, subsection 1, paragraph A.

(1) If the member had 10 years of creditable service on July 1, 1993, the benefit under subsection 2, paragraph B must be reduced as provided in section 17852, subsection 3, paragraphs A and B.

(2) If the member had fewer than 10 years of creditable service on July 1, 1993, the benefit under subsection 2, paragraph B must be reduced by 6% for each year that the member's age precedes 55 years of age.

Sec. 9. 5 MRSA §17851-A, sub-§4, ¶B, as corrected by RR 2019, c. 2, Pt. A, §8, is amended to read:

B. Except as provided in paragraphs D, E and F, if some part of the member's creditable service in any one or a combination of the capacities specified in subsection 1 was earned before July 1, 1998 for employees identified in subsection 1, paragraphs A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I to K; before January 1, 2002 for employees identified in subsection 1, paragraph L; before July 1, 2002 for employees identified in subsection 1, paragraph M; ~~and~~ before July 1, 2020 for employees identified in subsection 1, paragraphs N to P; and before October 1, 2021 for employees identified in subsection 1, paragraph Q and some part of the member's creditable service in any one or a combination of the capacities specified in subsection 1 was earned after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; ~~and~~ after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; and after September 30, 2021 for employees identified in subsection 1, paragraph Q, then the member's service retirement benefit must be computed in segments and the amount of the member's service retirement benefit is the sum of the segments. The segments must be computed as follows:

(1) The segment or, if the member served in more than one of the capacities specified in subsection 1 and the benefits related to the capacities are not interchangeable under section 17856, segments that reflect creditable service earned before July 1, 1998 for employees identified in subsection 1, paragraphs A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I to K; before January 1, 2002 for employees identified in subsection 1, paragraph L; before July 1, 2002 for employees identified in subsection 1, paragraph M; ~~and~~ before July 1, 2020 for employees identified in subsection 1, paragraphs N to P; and before October 1, 2021 for employees identified in subsection 1, paragraph Q or purchased by repayment of an earlier refund of accumulated contributions for service before July 1, 1998, for employees identified in subsection 1, paragraphs A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I to K; before January 1, 2002 for employees identified in subsection 1, paragraph L; before July 1, 2002 for employees identified in subsection 1, paragraph M; ~~and~~ before July 1, 2020 for employees identified in

subsection 1, paragraphs N to P; and before October 1, 2021 for employees identified in subsection 1, paragraph Q in a capacity or capacities specified in subsection 1 or purchased by other than the repayment of a refund and eligibility to make the purchase of the service credit, including, but not limited to, service credit for military service, was achieved before July 1, 1998 for employees identified in subsection 1, paragraphs A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I to K; before January 1, 2002 for employees identified in subsection 1, paragraph L; before July 1, 2002 for employees identified in subsection 1, paragraph M; ~~and~~ before July 1, 2020 for employees identified in subsection 1, paragraphs N to P; and before October 1, 2021 for employees identified in subsection 1, paragraph Q, must be computed under section 17852, subsection 1, paragraph A. If the member is qualified under subsection 2, paragraph B and:

(a) Had 10 years of creditable service on July 1, 1993, the amount of the segment or segments must be reduced as provided in section 17852, subsection 3, paragraphs A and B; or

(b) Had fewer than 10 years of creditable service on July 1, 1993, the amount of the segment or segments must be reduced as provided in section 17852, subsection 3-A; and

(2) The segment that reflects creditable service earned after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; ~~and~~ after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; and after September 30, 2021 for employees identified in subsection 1, paragraph Q or purchased by repayment of an earlier refund of accumulated contributions for service after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for

employees identified in subsection 1, paragraph M; ~~and~~ after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; and after September 30, 2021 for employees identified in subsection 1, paragraph Q in any one or a combination of the capacities specified in subsection 1, or purchased by other than the repayment of a refund and eligibility to make the purchase of the service credit, including, but not limited to, service credit for military service, was achieved after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; ~~and~~ after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; and after September 30, 2021 for employees identified in subsection 1, paragraph Q must be computed under section 17852, subsection 1, paragraph A. If the member is qualified under subsection 2, paragraph B and:

(a) Had 10 years of creditable service on July 1, 1993, the segment amount must be reduced in the manner provided in section 17852, subsection 3, paragraphs A and B for each year that the member's age precedes 55 years of age; or

(b) Had fewer than 10 years of creditable service on July 1, 1993, the segment amount must be reduced by 6% for each year that the member's age precedes 55 years of age.

Sec. 10. 5 MRSA §17851-A, sub-§5, as corrected by RR 2019, c. 2, Pt. A, §9, is amended to read:

5. Contributions. Notwithstanding any other provision of subchapter 3, after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; ~~and~~ after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; and after September 30, 2021 for employees identified in subsection 1, paragraph Q, a member in the capacities specified in subsection 1 must contribute to the State Employee and Teacher Retirement Program or have pick-up contributions made at the rate of 8.65% of earnable compensation until the member has completed

25 years of creditable service as provided in this section and at the rate of 7.65% thereafter.

Sec. 11. Transition. If a civilian employee in the employment of the Department of Public Safety, Maine State Police Crime Laboratory or computer crimes unit on October 1, 2021 elects to participate in the 1998 Special Plan of the Maine Public Employees Retirement System, as provided in the Maine Revised Statutes, Title 5, section 17851-A, subsection 1, that employee must make that election not later than December 31, 2021 and that employee's participation in the 1998 Special Plan becomes effective January 1, 2022.

Sec. 12. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

Computer Crimes 0048

Initiative: Provides funds for the additional cost for civilian employees employed in the Maine State Police Crime Laboratory or computer crimes unit within the Department of Public Safety on October 1, 2021 to participate in the 1998 Special Plan on a prospective basis.

GENERAL FUND	2021-22	2022-23
Personal Services	\$7,597	\$15,737
GENERAL FUND TOTAL	\$7,597	\$15,737

State Police 0291

Initiative: Allocates funds for the additional cost for civilian employees employed in the Maine State Police Crime Laboratory or computer crimes unit within the Department of Public Safety on October 1, 2021 to participate in the 1998 Special Plan on a prospective basis.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$4,626	\$9,508
HIGHWAY FUND TOTAL	\$4,626	\$9,508

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$2,424	\$4,986
FEDERAL EXPENDITURES FUND TOTAL	\$2,424	\$4,986

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$427	\$860
OTHER SPECIAL REVENUE FUNDS TOTAL	\$427	\$860

State Police 0291

Initiative: Provides funds for the additional cost for civilian employees employed in the Maine State Police Crime Laboratory or computer crimes unit within the

Department of Public Safety on October 1, 2021 to participate in the 1998 Special Plan on a prospective basis.

GENERAL FUND	2021-22	2022-23
Personal Services	\$8,591	\$17,659
GENERAL FUND TOTAL	\$8,591	\$17,659

State Police - Support 0981

Initiative: Allocates funds for the additional cost for civilian employees employed in the Maine State Police Crime Laboratory or computer crimes unit within the Department of Public Safety on October 1, 2021 to participate in the 1998 Special Plan on a prospective basis.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$623	\$1,319
HIGHWAY FUND TOTAL	\$623	\$1,319

PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
GENERAL FUND	\$16,188	\$33,396
HIGHWAY FUND	\$5,249	\$10,827
FEDERAL EXPENDITURES FUND	\$2,424	\$4,986
OTHER SPECIAL REVENUE FUNDS	\$427	\$860
DEPARTMENT TOTAL - ALL FUNDS	\$24,288	\$50,069

See title page for effective date.

CHAPTER 475

S.P. 386 - L.D. 1123

An Act To Authorize a Monument to the Victims of and First Responders to COVID-19

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

Sec. 1. 3 MRSA §902, sub-§1-D is enacted to read:

1-D. Monument to victims of and first responders to COVID-19 pandemic. Notwithstanding section 902-A, subsection 2, paragraph B, the commission may arrange for and oversee the development and installation of a monument on the exterior grounds of the State House honoring the victims of and first responders to the pandemic related to coronavirus disease 2019, known as COVID-19.

Sec. 2. Report. By January 31, 2022, the State House and Capitol Park Commission shall report to the Joint Standing Committee on State and Local Government on the status of the development and installation

of a monument on the exterior grounds of the State House honoring the victims of and first responders to the pandemic related to the coronavirus disease 2019 pursuant to the Maine Revised Statutes, Title 3, section 902, subsection 1-D. The report must describe the commission's efforts in soliciting artistic designs for the monument. The joint standing committee may report out a bill to the Second Regular Session of the 130th Legislature on the subject matter of the report.

See title page for effective date.

**CHAPTER 476
S.P. 422 - L.D. 1294**

**An Act To Prevent
Discrimination against
Domestic Violence Victims**

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

Sec. 1. 5 MRSA §4572, sub-§1, as amended by PL 2005, c. 10, §§11 and 12, is further amended to read:

1. Unlawful employment discrimination. It is unlawful employment discrimination, in violation of this Act, except when based on a bona fide occupational qualification:

A. For any employer to fail or refuse to hire or otherwise discriminate against any applicant for employment because of race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, because of the applicant's previous assertion of a claim or right under former Title 39 or Title 39-A ~~or~~ because of previous actions taken by the applicant that are protected under Title 26, chapter 7, subchapter 5-B or because the applicant sought and received an order of protection under Title 19-A, section 4007; or, because of those reasons, to discharge an employee or discriminate with respect to hire, tenure, promotion, transfer, compensation, terms, conditions or privileges of employment or any other matter directly or indirectly related to employment; or, in recruiting of individuals for employment or in hiring them, to utilize any employment agency that the employer knows or has reasonable cause to know discriminates against individuals because of their race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, because of their previous assertion of a claim or right under former Title 39 or Title 39-A ~~or~~ because of previous actions that are protected under Title 26, chapter 7, subchapter 5-B; or because the applicant sought and received an order of protection under Title 19-A, section 4007.

(1) This paragraph does not apply to discrimination governed by Title 39-A, section 353;

B. For any employment agency to fail or refuse to classify properly, refer for employment or otherwise discriminate against any individual because of race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, because of the individual's previous assertion of a claim or right under former Title 39 or Title 39-A ~~or~~ because of previous actions taken by the individual that are protected under Title 26, chapter 7, subchapter 5-B or because the individual sought and received an order of protection under Title 19-A, section 4007; or to comply with an employer's request for the referral of job applicants if a request indicates either directly or indirectly that the employer will not afford full and equal employment opportunities to individuals regardless of their race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, because of previous assertion of a claim or right under former Title 39 or Title 39-A ~~or~~ because of previous actions that are protected under Title 26, chapter 7, subchapter 5-B or because the individual sought and received an order of protection under Title 19-A, section 4007;

C. For any labor organization to exclude from apprenticeship or membership or to deny full and equal membership rights to any applicant for membership because of race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, because of the applicant's previous assertion of a claim or right under former Title 39 or Title 39-A ~~or~~ because of previous actions taken by the applicant that are protected under Title 26, chapter 7, subchapter 5-B or because the applicant sought and received an order of protection under Title 19-A, section 4007; or, because of those reasons, to deny a member full and equal membership rights, expel from membership, penalize or otherwise discriminate with respect to hire, tenure, promotion, transfer, compensation, terms, conditions or privileges of employment, representation, grievances or any other matter directly or indirectly related to membership or employment, whether or not authorized or required by the constitution or bylaws of that labor organization or by a collective labor agreement or other contract; to fail or refuse to classify properly or refer for employment or otherwise discriminate against any member because of race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, because of the member's previous assertion of a claim or right under former Title 39 or Title 39-A ~~or~~ because of previous actions taken by the member that are protected under Title 26, chapter 7, subchapter 5-B or because the applicant sought and received an order of protection under Title 19-A, section 4007; or to cause or attempt to cause an employer to discrimi-

nate against an individual in violation of this section, except that it is lawful for labor organizations and employers to adopt a maximum age limitation in apprenticeship programs, if the employer or labor organization obtains prior approval from the Maine Human Rights Commission of any maximum age limitation employed in an apprenticeship program. The commission shall approve the age limitation if a reasonable relationship exists between the maximum age limitation employed and a legitimate expectation of the employer in receiving a reasonable return upon the employer's investment in an apprenticeship program. The employer or labor organization bears the burden of demonstrating that such a relationship exists;

D. For any employer, employment agency or labor organization, prior to employment or admission to membership of any individual, to:

(1) Elicit or attempt to elicit information directly or indirectly pertaining to race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, any previous assertion of a claim or right under former Title 39 or Title 39-A ~~or~~, any previous actions that are protected under Title 26, chapter 7, subchapter 5-B or any previous actions seeking and receiving an order of protection under Title 19-A, section 4007;

(2) Make or keep a record of race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, any previous assertion of a claim or right under former Title 39 or Title 39-A ~~or~~, any previous actions that are protected under Title 26, chapter 7, subchapter 5-B or any previous actions seeking and receiving an order of protection under Title 19-A, section 4007, except under physical or mental disability when an employer requires a physical or mental examination prior to employment, a privileged record of that examination is permissible if made and kept in compliance with this Act;

(3) Use any form of application for employment, or personnel or membership blank containing questions or entries directly or indirectly pertaining to race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, any previous assertion of a claim or right under former Title 39 or Title 39-A ~~or~~, any previous actions that are protected under Title 26, chapter 7, subchapter 5-B or any previous actions seeking and receiving an order of protection under Title 19-A, section 4007. This section does not prohibit any officially recognized government agency from keeping records permitted to be

kept under this Act in order to provide free services to individuals requesting rehabilitation or employment assistance;

(4) Print, publish or cause to be printed or published any notice or advertisement relating to employment or membership indicating any preference, limitation, specification or discrimination based upon race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, any previous assertion of a claim or right under former Title 39 or Title 39-A ~~or~~, any previous actions that are protected under Title 26, chapter 7, subchapter 5-B or any previous actions seeking and receiving an order of protection under Title 19-A, section 4007; or

(5) Establish, announce or follow a policy of denying or limiting, through a quota system or otherwise, employment or membership opportunities of any group because of the race or color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin, because of the previous assertion of a claim or right under former Title 39 or Title 39-A ~~or~~, because of previous actions that are protected under Title 26, chapter 7, subchapter 5-B or because of any previous actions seeking and receiving an order of protection under Title 19-A, section 4007, of that group; or

E. For an employer, employment agency or labor organization to discriminate in any manner against individuals because they have opposed a practice that would be a violation of this Act or because they have made a charge, testified or assisted in any investigation, proceeding or hearing under this Act.

Sec. 2. 5 MRSA §4581, first ¶, as amended by PL 2011, c. 613, §10 and affected by §29, is further amended to read:

The opportunity for an individual to secure housing in accordance with the individual's ability to pay, and without discrimination because of race, color, sex, sexual orientation, physical or mental disability, religion, ancestry, national origin or familial status or because the individual has sought and received an order of protection under Title 19-A, section 4007, is hereby recognized as and declared to be a civil right.

Sec. 3. 5 MRSA §4581-A, as enacted by PL 2011, c. 613, §11 and affected by §29, is amended to read:

§4581-A. Unlawful housing discrimination

It is unlawful housing discrimination, in violation of this Act:

1. Sale or rental of housing and other prohibited practices. For any owner, lessee, sublessee, managing agent or other person having the right to sell or rent or

manage a housing accommodation, or any agent of these, to:

A. Make or cause to be made any written or oral inquiry concerning the race or color, sex, sexual orientation, physical or mental disability, religion, ancestry, national origin ~~or~~, familial status or any previous actions seeking and receiving an order of protection under Title 19-A, section 4007 of any prospective purchaser, occupant or tenant of the housing accommodation;

B. Refuse to show or refuse to sell, rent, lease, let or otherwise deny to or withhold from any person the housing accommodation because of race or color, sex, sexual orientation, physical or mental disability, religion, ancestry, national origin or familial status or because the person sought and received an order of protection under Title 19-A, section 4007;

C. Make, print or publish or cause to be made, printed or published any notice, statement or advertisement relating to the sale, rental or lease of the housing accommodation that indicates any preference, limitation or discrimination based upon race or color, sex, sexual orientation, physical or mental disability, religion, ancestry, national origin ~~or~~, familial status or any previous actions seeking and receiving an order of protection under Title 19-A, section 4007 or an intention to make any such preference, limitation or discrimination;

D. Discriminate against any person because of race or color, sex, sexual orientation, physical or mental disability, religion, ancestry, national origin or familial status or because the person sought and received an order of protection under Title 19-A, section 4007 in the price, terms, conditions or privileges of the sale, rental or lease of any housing accommodations or in the furnishing of facilities or services in connection with any housing accommodations; or

E. Evict or attempt to evict any tenant of any housing accommodation because of the race or color, sex, sexual orientation, physical or mental disability, religion, ancestry, national origin or familial status of the tenant or because the tenant sought and received an order of protection under Title 19-A, section 4007;

2. Selling, brokering or appraising of housing.

For any real estate broker or real estate salesperson, or any agent of these, to:

A. Fail or refuse to show any person a housing accommodation listed for sale, lease or rent because of race or color, sex, sexual orientation, physical or mental disability, religion, ancestry, national origin or familial status or because the person sought and received an order of protection under Title 19-A, section 4007;

B. Misrepresent, for the purpose of discriminating because of race or color, sex, sexual orientation, physical or mental disability, religion, ancestry, national origin ~~or~~, familial status or any previous actions seeking and receiving an order of protection under Title 19-A, section 4007, the availability or asking price of a housing accommodation listed for sale, lease or rent or for such reason to fail to communicate to the person having the right to sell, rent or lease the housing accommodation any offer for the same made by any applicant;

C. In any other manner to discriminate against any applicant for a housing accommodation because of race or color, sex, sexual orientation, physical or mental disability, religion, ancestry, national origin or familial status or because the applicant sought and received an order of protection under Title 19-A, section 4007;

D. Make or cause to be made any written or oral inquiry or record concerning the race or color, sex, sexual orientation, physical or mental disability, religion, ancestry, national origin ~~or~~, familial status or any previous actions seeking and receiving an order of protection under Title 19-A, section 4007 of any applicant for or intended occupant of a housing accommodation; or

E. Accept for listing any housing accommodation when the person having the right to sell, rent or lease the housing accommodation has directly or indirectly indicated an intention of discriminating among prospective tenants or purchasers on the ground of race or color, sex, sexual orientation, physical or mental disability, religion, ancestry, national origin ~~or~~, familial status or any previous actions seeking and receiving an order of protection under Title 19-A, section 4007, or when the broker or salesperson knows or has reason to know that the person having the right to sell, rent or lease the housing accommodation has made a practice of discrimination since July 1, 1972;

3. Making of loans; other financial assistance.

For any person to whom application is made for a loan or other form of financial assistance for the acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation, whether secured or unsecured, or agent of the person, to:

A. Make or cause to be made any oral or written inquiry concerning the race or color, sex, sexual orientation, physical or mental disability, religion, ancestry, national origin ~~or~~, familial status or any previous actions seeking and receiving an order of protection under Title 19-A, section 4007 of any applicant for financial assistance or of existing or prospective occupants or tenants of housing accommodations; or

B. Discriminate in the granting of financial assistance, or in the terms, conditions or privileges relating to obtaining or the use of any financial assistance, against any applicant because of race or color, sex, sexual orientation, physical or mental disability, religion, ancestry, national origin or familial status or any previous actions seeking and receiving an order of protection under Title 19-A, section 4007; or

4. Receipt of public assistance. For any person furnishing rental premises or public accommodations to refuse to rent or impose different terms of tenancy to any individual who is a recipient of federal, state or local public assistance, including medical assistance and housing subsidies, primarily because of the individual's status as recipient.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

HUMAN RIGHTS COMMISSION, MAINE

Human Rights Commission - Regulation 0150

Initiative: Establishes one part-time Maine Human Rights Investigator position due to an anticipated increase in complaints and provides funding for related All Other costs.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$53,609	\$56,303
All Other	\$6,162	\$2,512
GENERAL FUND TOTAL	\$59,771	\$58,815

See title page for effective date.

CHAPTER 477

H.P. 1113 - L.D. 1503

An Act To Stop Perfluoroalkyl and Polyfluoroalkyl Substances Pollution

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

Whereas, contamination of soil and water in the State from perfluoroalkyl and polyfluoroalkyl substances, or PFAS, poses a significant threat to the environment of the State and to the health of its citizens; and

Whereas, the full extent of PFAS contamination in the State is not presently known but is anticipated to be widespread and to require a significant expenditure of resources to identify and remediate; and

Whereas, PFAS continue to be used across a variety of industries for a variety of purposes and are ultimately contained in a variety of products sold in the State; and

Whereas, to address the imminent threat of further contamination of soil and water in the State, it is imperative to collect information regarding the use of PFAS in and to phase out the sale of certain nonessential products containing PFAS, as proposed in this legislation; 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:

Sec. 1. 38 MRSA §1612 is enacted to read:

§1612. Products containing PFAS

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

A. "Carpet or rug" means a fabric marketed or intended for use as a floor covering.

B. "Currently unavoidable use" means a use of PFAS that the department has determined by rule under this section to be essential for health, safety or the functioning of society and for which alternatives are not reasonably available.

C. "Fabric treatment" means a substance applied to fabric to give the fabric one or more characteristics, including but not limited to stain resistance or water resistance.

D. "Intentionally added PFAS" means PFAS added to a product or one of its product components to provide a specific characteristic, appearance or quality or to perform a specific function. "Intentionally added PFAS" also includes any degradation by-products of PFAS.

E. "Manufacturer" means the person that manufactures a product or whose brand name is affixed to the product. In the case of a product imported into the United States, "manufacturer" includes the importer or first domestic distributor of the product if the person that manufactured or assembled the product or whose brand name is affixed to the product does not have a presence in the United States.

F. "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that include any member of the class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

G. "Product" means an item manufactured, assembled, packaged or otherwise prepared for sale to consumers, including its product components, sold or distributed for personal, residential, commercial or industrial use, including for use in making other products.

H. "Product component" means an identifiable component of a product, regardless of whether the manufacturer of the product is the manufacturer of the component.

I. "Publicly owned treatment works" has the same meaning as in section 361-A.

2. Notification. A manufacturer of a product for sale in the State that contains intentionally added PFAS shall comply with the requirements of this subsection.

A. Beginning January 1, 2023, a manufacturer of a product for sale in the State that contains intentionally added PFAS shall submit to the department a written notification that includes:

- (1) A brief description of the product;
- (2) The purpose for which PFAS are used in the product, including in any product components;
- (3) The amount of each of the PFAS, identified by its chemical abstracts service registry number, in the product, reported as an exact quantity determined using commercially available analytical methods or as falling within a range approved for reporting purposes by the department;
- (4) The name and address of the manufacturer, and the name, address and phone number of a contact person for the manufacturer; and
- (5) Any additional information established by the department by rule as necessary to implement the requirements of this section.

B. With the approval of the department, a manufacturer may supply the information required in paragraph A for a category or type of product rather than for each individual product.

C. In accordance with rules adopted by the department, a manufacturer shall update and revise the information in the written notification whenever there is significant change in the information or when requested to do so by the department.

3. Waiver of notification; coordination with other states; extension of deadline. The department may waive all or part of the notification requirement under subsection 2 if the department determines that substantially equivalent information is already publicly available. The department may enter into an agreement with one or more other states or political subdivisions

of a state to collect notifications and may accept notifications to a shared system as meeting the notification requirement under subsection 2. The department may extend the deadline for submission by a manufacturer of the information required under subsection 2 if the department determines that more time is needed by the manufacturer to comply with the submission requirement.

4. Exemptions. The following are exempt from this section:

A. A product for which federal law governs the presence of PFAS in the product in a manner that preempts state authority; and

B. A product subject to Title 32, chapter 26-A or 26-B.

5. Prohibition on sale of products containing intentionally added PFAS. This subsection governs sales of products containing intentionally added PFAS.

A. Effective January 1, 2023, a person may not sell, offer for sale or distribute for sale in this State a carpet or rug that contains intentionally added PFAS. This prohibition does not apply to the sale or resale of a used carpet or rug.

B. Effective January 1, 2023, a person may not sell, offer for sale or distribute for sale in this State a fabric treatment that contains intentionally added PFAS. This prohibition does not apply to the sale or resale of a used fabric treatment.

C. The department may by rule identify products by category or use that may not be sold, offered for sale or distributed for sale in this State if they contain intentionally added PFAS. The department shall prioritize the prohibition of the sale of product categories that, in the department's judgment, are most likely to cause contamination of the State's land or water resources if they contain intentionally added PFAS. Products in which the use of PFAS is a currently unavoidable use as determined by the department may be exempted by the department by rule. The department may not prohibit the sale or resale of used products.

Rules adopted pursuant to this paragraph are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

D. Effective January 1, 2030, a person may not sell, offer for sale or distribute for sale in this State any product that contains intentionally added PFAS, unless the department has determined by rule that the use of PFAS in the product is a currently unavoidable use. The department may specify specific products or product categories in which it has determined the use of PFAS is a currently unavoidable use. This prohibition does not apply to the sale or resale of used products.

6. Fees. The department may establish by rule and assess a fee payable by a manufacturer upon submission of the notification required under subsection 2 to cover the department's reasonable costs in developing rules under subsection 5, paragraphs C and D and administering the requirements of subsections 2 and 9.

7. Failure to provide notice. A person may not sell, offer for sale or distribute for sale in the State a product containing intentionally added PFAS if the manufacturer has failed to provide the information required under subsection 2.

A. The department may exempt a product from the prohibition under this subsection if the department determines that the use of PFAS in the product is a currently unavoidable use.

B. The prohibition in this subsection does not apply to a retailer in the State unless the retailer sells, offers for sale or distributes for sale in the State a product for which the retailer has received a notification pursuant to subsection 8, paragraph B that the sale of the product is prohibited.

8. Certificate of compliance. If the department has reason to believe that a product contains intentionally added PFAS and is being offered for sale in violation of subsection 7, the department may direct the manufacturer of the product to, within 30 days:

A. Provide the department with the certificate attesting that the product does not contain intentionally added PFAS; or

B. Notify persons who sell that product in this State that the sale of that product is prohibited in this State and provide the department with a list of the names and addresses of those notified.

9. PFAS source reduction program. To the extent funds are available and in consultation with relevant stakeholders, the department shall develop and implement a program to reduce the presence of PFAS in discharges to air, water and land by encouraging the use of safer alternatives and the proper management of materials containing PFAS. The program may include:

A. Information resources targeted to industrial or commercial users of PFAS;

B. Education of the general public;

C. To the extent funds are available, grants to operators of publicly owned treatment works for the purposes of developing, expanding or implementing pretreatment standards for PFAS and education of users on sources of PFAS and proper management;

D. To the extent funds are available, grants to municipalities for the purposes of educating solid waste disposal users on sources of PFAS and proper management; and

E. Other efforts determined by the department to be prudent to achieve the program's purpose.

10. Rules. The department shall adopt rules to implement this section. Except as provided in subsection 5, paragraph C, rules adopted to implement this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

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

Effective July 15, 2021.

CHAPTER 478

H.P. 1189 - L.D. 1600

An Act To Investigate Perfluoroalkyl and Polyfluoroalkyl Substance Contamination of Land and Groundwater

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

Sec. 1. 38 MRSA §1310-B-1 is enacted to read:

§1310-B-1. Land Application Contaminant Monitoring Fund

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

A. "Fund" means the Land Application Contaminant Monitoring Fund under subsection 2.

B. "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" has the same meaning as in Title 32, section 1732, subsection 5-A.

2. Land Application Contaminant Monitoring Fund. The Land Application Contaminant Monitoring Fund is established to be used by the department as a nonlapsing, revolving fund to test and monitor soil and groundwater for PFAS and other contaminants and for other related activities, including, but not limited to, abating or mitigating identified contamination and the effects of such contamination through the provision of access to safe drinking water, the installation of filter treatment systems or other actions.

A. The fund is funded by the fee under subsection 3 and any public or private funds that may be available for carrying out the purposes of the fund. The department shall deposit with the Treasurer of State to the credit of the fund money in the fund not currently needed by the department to carry out the purposes of the fund, which may be invested as provided by law. Interest earned on investment of

money under this paragraph must be credited to the fund.

B. The department may transfer money in the fund in excess of the amounts the department anticipates to be necessary to carry out the purposes of the fund to the Uncontrolled Sites Fund under section 1364, subsection 6 for the purposes of testing, monitoring or treating land contaminated by PFAS.

C. Beginning January 15, 2023, and every 2 years thereafter, the department shall submit a report to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters regarding the uses of the fund and a summary of contamination identified. After reviewing the report, the joint standing committee may report out legislation related to the report.

3. Handling fee. In addition to any other fee or charge required by statute or rule, beginning January 1, 2022, the department shall assess an annual fee, as calculated on a calendar year basis, of \$10 per ton, or an equivalent amount as determined by the department on a volume basis, on the handling of sludge or septage. The department shall waive collection of a fee under this subsection for any entity that would otherwise be assessed a fee of less than \$50 total in any calendar year. The department shall deposit a fee collected under this subsection into the fund.

4. Rules. The board shall adopt rules necessary for the administration of the fund and any underlying program or purpose under or funded by the fund and for the assessment and collection of the fee under subsection 3. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. Testing of locations with land applications of sludge or septage for perfluoroalkyl and polyfluoroalkyl substance contamination.

The Department of Environmental Protection shall develop and implement a program to evaluate soil and groundwater for perfluoroalkyl and polyfluoroalkyl substances and other identified contaminants at locations licensed or permitted prior to 2019 to apply sludge or septage.

1. The department may exclude a location from evaluation under the program for good reason, including, but not limited to, upon a determination that no sludge or septage was actually applied at the location or that the location is no longer owned or controlled by the licensee or permittee and the department is unable to obtain authorization to evaluate soil and groundwater at the location. As part of the report required under the Maine Revised Statutes, Title 38, section 1310-B-1, subsection 2, paragraph C, the department shall identify any location thus excluded and describe the reason for the exclusion.

2. The department shall prioritize under the program the evaluation of locations based on criteria to be established by the department, including, but not limited to, the anticipated presence of high levels of perfluoroalkyl and polyfluoroalkyl substances in the sludge or septage applied at a location, the volume of sludge or septage applied at a location or the proximity of known receptors.

3. The evaluation of locations under the program must include the testing of soil and groundwater for all perfluoroalkyl and polyfluoroalkyl substances that may reasonably be quantified by a laboratory certified under the Maine Revised Statutes, Title 22, section 567. Testing under this section must be paid for using funds from the Land Application Contaminant Monitoring Fund under Title 38, section 1310-B-1. If testing of any location under this section indicates an elevated level of contamination on land that is currently being used for the production of an agricultural product, the department shall inform the Department of Agriculture, Conservation and Forestry of the findings of contamination. The Department of Environmental Protection shall complete an evaluation of, or determine to exclude from evaluation pursuant to subsection 1, at least half of the locations licensed or permitted prior to 2019 to apply sludge or septage by December 31, 2024 and all such locations by December 31, 2025.

4. Notwithstanding any provision of law to the contrary, a person licensed or permitted by the department to apply sludge or septage at a location subject to evaluation under this section shall submit to an evaluation of that location under the program upon the request of the department, and, prior to January 1, 2026, the person may not submit a request to the department to surrender that license or permit prior to its expiration unless the person has submitted to such evaluation and has provided the department with the results of any testing conducted.

For purposes of this section, "perfluoroalkyl and polyfluoroalkyl substances" has the same meaning as in the Maine Revised Statutes, Title 32, section 1732, subsection 5-A, "sludge" has the same meaning as in Title 38, section 1303-C, subsection 28-A and "septage" has the same meaning as in Title 38, section 1303-C, subsection 27.

Sec. 3. Testing of landfill leachate for perfluoroalkyl and polyfluoroalkyl substance contamination.

The Department of Environmental Protection shall develop and implement a program for the testing of leachate collected and managed by solid waste landfills for perfluoroalkyl and polyfluoroalkyl substance contamination.

1. Notwithstanding any provision of law to the contrary, within 90 days of the effective date of this Act, the department shall require each licensed solid waste landfill to conduct periodic testing of leachate collected and managed by the landfill for all perfluoroalkyl and

polyfluoroalkyl substances that may reasonably be quantified by a laboratory certified under the Maine Revised Statutes, Title 22, section 567. A solid waste landfill that conducts testing of leachate pursuant to this section shall provide the department with the results of that testing.

2. On or before January 15, 2024, the department shall submit a report to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters regarding the testing program implemented under this section, including a description of the results of such testing and any recommendations, including proposed legislation. After reviewing the report, the joint standing committee may report out legislation related to the report.

For purposes of this section, "perfluoroalkyl and polyfluoroalkyl substances" has the same meaning as in the Maine Revised Statutes, Title 32, section 1732, subsection 5-A.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

**Land Application Contaminant Monitoring Fund
N385**

Initiative: Provides allocations to test and monitor soil and groundwater for perfluoroalkyl and polyfluoroalkyl substances, or PFAS, and other contaminants. Funding may also be used for abating and mitigating identified contamination through the installation of filter treatment systems.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$1,800,000	\$3,600,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,800,000	\$3,600,000

See title page for effective date.

**CHAPTER 479
S.P. 538 - L.D. 1651**

An Act To Support Working Families through Outreach and Education about Tax Credits for Persons of Low Income

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

Sec. 1. 36 MRSA §5219-S, sub-§7 is enacted to read:

7. Federal individual taxpayer identification numbers. For tax years beginning on or after January 1, 2021, for an individual who files a federal income tax

return, notwithstanding Section 32(m) of the Code, for purposes of calculating the credit allowed pursuant to this section, the taxpayer identification number required by Section 32(c)(1)(E) and 32(c)(3)(D) of the Code means a federal individual taxpayer identification number issued to an individual by the Internal Revenue Service or a social security number issued to an individual by the Social Security Administration on or before the due date for filing the return for the taxable year.

Sec. 2. Report. The New Ventures Maine program within the University of Maine System shall submit by January 31st annually beginning in 2022 to the joint standing committee of the Legislature having jurisdiction over taxation matters a report describing its activities in the previous calendar year in providing tax assistance to low-income individuals and families, including the types of activities engaged in and the number of low-income individuals and families receiving tax assistance.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

New Ventures Maine Z169

Initiative: Provides ongoing funds for a statewide collaboration of nonprofit and for-profit partners to provide free volunteer tax assistance, including the filing of state tax returns; outreach to low-income individuals and families about federal and state tax credits; financial education, connections to financial services and other resources; education for providers and volunteers; and statewide data collection.

GENERAL FUND	2021-22	2022-23
All Other	\$36,500	\$36,500
GENERAL FUND TOTAL	\$36,500	\$36,500

See title page for effective date.

**CHAPTER 480
H.P. 1254 - L.D. 1685**

An Act To Protect the Constitutional Rights of Indigent Defendants

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

Sec. 1. 15 MRSA §815 is enacted to read:

§815. Communication between prosecutor and unrepresented defendant

1. Requirements for communication. To ensure that all waivers of the right to counsel are made knowingly, voluntarily and intelligently, a prosecutor may

not communicate with an unrepresented defendant unless:

A. The defendant has been informed of the defendant's right to court-appointed counsel;

B. The court has provided to the defendant a statement of:

(1) The substance of the charges against the defendant;

(2) The defendant's right to retain counsel, to request the assignment of counsel and to be allowed a reasonable time and opportunity to consult counsel before entering a plea;

(3) The defendant's right to remain silent and that the defendant is not required to make a statement and that any statement made by the defendant may be used against the defendant;

(4) The maximum possible sentence and any applicable mandatory minimum sentence; and

(5) The defendant's right to trial by jury; and

C. The defendant has executed a written waiver of the right to counsel in each prosecution.

2. Exception. Notwithstanding subsection 1, a prosecutor may communicate with an unrepresented defendant who has not executed a written waiver of the right to counsel to offer the defendant an opportunity to participate in an established precharge diversion program the successful completion of which results in the prosecutor not prosecuting the charge or charges against the defendant.

See title page for effective date.

CHAPTER 481

H.P. 1256 - L.D. 1687

An Act To Improve the Provision of Indigent Legal Services

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

Whereas, the State's constitutional and statutory obligations include ensuring that each person facing a potential loss of liberty in a criminal or juvenile proceeding is provided with effective representation at every critical stage of the proceeding and also include providing counsel services to indigent parents in child protection proceedings and to individuals in hearings for involuntary commitment; and

Whereas, the Sixth Amendment Center identified significant challenges that the State faces in fulfilling its statutory and constitutional obligations; and

Whereas, it is important for the State to begin to address these significant challenges as soon as possible; 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:

Sec. 1. 4 MRSA §1804, sub-§3, ¶A, as enacted by PL 2009, c. 419, §2, is amended to read:

A. Develop and maintain a system that ~~uses~~ may employ attorneys, use appointed private attorneys, contracts and contract with individual attorneys or groups of attorneys ~~and~~. The commission shall consider other programs necessary to provide quality and efficient indigent legal services;

Sec. 2. 4 MRSA §1804, sub-§3, ¶M, as amended by PL 2019, c. 427, §3, is further amended to read:

M. Establish procedures for handling complaints about the performance of counsel providing indigent legal services; ~~and~~

Sec. 3. 4 MRSA §1804, sub-§3, ¶N, as enacted by PL 2019, c. 427, §4, is amended to read:

N. Develop a procedure for approving requests by counsel for authorization to file a petition as described in section 1802, subsection 4, paragraph D; ~~and~~

Sec. 4. 4 MRSA §1804, sub-§3, ¶O is enacted to read:

O. Establish a system to audit financial requests and payments that includes the authority to recoup payments when necessary. The commission may summon persons and subpoena witnesses and compel their attendance, require production of evidence, administer oaths and examine any person under oath as part of an audit. Any summons or subpoena may be served by registered mail with return receipt. Subpoenas issued under this paragraph may be enforced by the Superior Court.

Sec. 5. 4 MRSA §1804, sub-§4, ¶D, as amended by PL 2013, c. 368, Pt. RRR, §1 and affected by §4, is further amended to read:

D. Adopt rules to carry out the purposes of this chapter. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, except that rules adopted to establish ~~standards under subsection 2,~~

~~paragraph B~~ and rates of compensation for assigned counsel and contract counsel under subsection ~~2~~ 3, paragraph F are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A; and

Sec. 6. 4 MRSA §1805, sub-§9-A is enacted to read:

9-A. Audits; recoupment. Conduct audits of financial requests and payments and recoup payments when necessary. The executive director may exercise the subpoena power of the commission granted under section 1804, subsection 3, paragraph O;

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

Effective July 15, 2021.

CHAPTER 482

S.P. 566 - L.D. 1713

An Act To Revitalize Maine's Paper Industry through the Establishment of an Income Tax Credit for Paper Manufacturing

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

Sec. 1. 36 MRSA §191, sub-§2, ¶NNN is enacted to read:

NNN. The disclosure to the joint standing committee of the Legislature having jurisdiction over taxation matters pursuant to section 5219-YY, subsection 4, paragraph C of the revenue loss, including the loss due to refundable credits, attributable to each taxpayer claiming the tax credit for paper manufacturing facility investment provided under that section, regardless of the number of persons eligible for the credit.

Sec. 2. 36 MRSA §191, sub-§2, ¶OOO is enacted to read:

OOO. The disclosure of information to the Department of Economic and Community Development necessary for the administration of the tax credit for paper manufacturing facility investment pursuant to section 5219-YY.

Sec. 3. 36 MRSA §5219-YY is enacted to read: **§5219-YY. Credit for paper manufacturing facility investment**

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

A. "Certified applicant" means a qualified applicant that has received a certificate of approval from the commissioner pursuant to this section.

B. "Commissioner" means the Commissioner of Economic and Community Development.

C. "Employee based at a paper manufacturing facility" means an employee who performs more than 50% of the employee's employee-related activities for the employer at a paper manufacturing facility.

D. "Full-time" means an average of at least 36 hours weekly during the period of measurement.

E. "Headquarters" has the same meaning as in section 5219-QQ, subsection 1, paragraph F.

F. "Paper manufacturing facility" means a facility in the State that is used primarily to manufacture paper products, including facilities used in support of such paper manufacturing.

G. "Qualified applicant" means an applicant that, at the time an application for a certificate of approval is submitted, satisfies the following criteria:

(1) The applicant owns a paper manufacturing facility located in a county in this State with an unemployment rate that is at least 20% higher than the state average unemployment rate, as determined in the most recent annual state and county unemployment rate report issued by the Department of Labor;

(2) The applicant directly employs at least 400 qualified employees, at least 75% of whom earn at least 115% of the most recent annual per capita personal income in the county in which the qualified employee is employed;

(3) The applicant intends to make a qualified investment in the State within 2 years following the date of the application;

(4) The applicant's paper manufacturing facility is not located within a low-income community. As used in this subparagraph, "low-income community" has the same meaning as in the Code, Section 45D(e)(1);

(5) The applicant has not received a qualified low-income community investment under section 5219-HH with respect to the paper manufacturing facility at which the qualified investment is made or intended to be made;

(6) The applicant's headquarters are or will be located in the State; and

(7) The applicant is not certified under the Pine Tree Development Zone program pursuant to Title 30-A, section 5250-O or the Maine Employment Tax Increment Financing Program established in chapter 917.

H. "Qualified employee" means a full-time employee of the qualified applicant based at a paper manufacturing facility for whom a retirement program subject to the federal Employee Retirement Income Security Act of 1974, 29 United States Code, Chapter 18 and group health insurance are provided and whose income derived from employment at a paper manufacturing facility, calculated on a calendar year basis, is greater than the most recent annual per capita personal income in the county in which the qualified employee is employed. "Qualified employee" does not include an employee who is transferred, as determined by the commissioner, to a qualified applicant from an affiliated business located in the State.

I. "Qualified investment" means expenditures of at least \$15,000,000 to design, permit, build, rebuild, modify, replace, repair or acquire machinery or equipment, including supporting equipment, to modernize or improve a paper manufacturing facility. The expenditures of a qualified applicant and other entities, whether or not incorporated, that are part of a single business enterprise must be aggregated to determine whether a qualified investment has been made. A qualified investment includes any amount spent, prior to the issuance of a certificate of approval, on machinery, equipment, repair parts, replacement parts or replacement equipment, including additions and accessions to other machinery and equipment, as long as the machinery, equipment, parts, additions or accessions are placed in service after the issuance of a certificate of approval. A qualified investment does not include an investment made prior to January 1, 2021 or after December 31, 2025. "Qualified investment" does not include any amount expended to qualify for Pine Tree Development Zone program benefits under Title 30-A, chapter 206, subchapter 4.

2. Procedures for application; certificate of approval. This subsection governs the procedures for providing for and obtaining a certificate of approval.

A. A qualified applicant may apply to the commissioner for a certificate of approval. An applicant shall submit to the commissioner information demonstrating that the applicant is a qualified applicant. If a certified applicant undertakes to make an additional qualified investment, the certified applicant may apply to the commissioner for an additional certificate of approval.

B. The commissioner, within 30 days of receipt of an application submitted pursuant to paragraph A, shall determine whether the applicant is a qualified applicant and shall issue either a certificate of approval or a written denial indicating why the applicant is not qualified. The certificate issued by the

commissioner must describe the qualified investment and specify the total amount of qualified investment approved under the certificate.

The commissioner may not issue certificates of approval under this subsection that total, in the aggregate, more than \$40,000,000 of qualified investment.

C. A certified applicant shall obtain approval from the commissioner prior to the transfer of a certificate of approval or, if the certified applicant has obtained a certificate of completion under paragraph E, that certificate of completion to another person. A certificate of approval or certificate of completion may be transferred only if all or substantially all of the assets of the certified applicant are, or will be, transferred to that person or if 50% or more of the certified applicant's voting stock or analogous noncorporate equity interest is, or will be, acquired by that person. The commissioner shall approve the transfer of the certificate of approval or the certificate of completion only if at least one of the following conditions is satisfied:

(1) The transferee is a member of the certified applicant's unitary affiliated group as defined in section 5102, subsection 1-B at the time of the transfer; or

(2) The commissioner finds that the transferee will, and has the capacity to, maintain operations of the paper manufacturing facility in a manner that meets the minimum qualifications for continued eligibility of benefits under this section after the transfer occurs.

If the commissioner approves the transfer of the certificate, the transferee, from the date of the transfer, must be treated as the certified applicant and as eligible to claim any remaining benefit under the certificate of approval or the certificate of completion that has not been previously claimed by the transferor as long as the transferee meets the same eligibility requirements and conditions for the credit as applied to the original certified applicant.

D. The commissioner shall revoke a certificate of approval if the certified applicant or a person to whom a certificate of approval has been transferred pursuant to paragraph C fails to make a qualified investment within 2 years of the date of the certificate of approval. The commissioner shall revoke a certificate of approval or a certificate of completion under paragraph E if the applicant or transferee ceases operations of the paper manufacturing facility in the State or the certificate of approval or certificate of completion is transferred to another person without approval from the commissioner pursuant to paragraph C. A certified applicant whose certificate of completion is revoked within 5 years after the date issued shall return to the State an

amount equal to the total credits claimed under this section. A certified applicant whose certificate of completion is revoked during the period from 6 years after to 10 years after the date the certificate was issued shall return to the State an amount equal to the total credits claimed under this section for the period from 6 years after to 10 years after the date the certificate was issued. If credit amounts are subject to recapture after a certificate of approval has been transferred as provided in paragraph C, the transferee is responsible for payment of any credit amounts that must be returned to the State. A certified applicant whose certificate of approval or certificate of completion has been revoked pursuant to this paragraph is not eligible for the tax credit under this section for the tax year in which the certificate is revoked and any year thereafter. Any amount to be returned to the State pursuant to this paragraph must be added to the tax imposed on the taxpayer under this Part for the taxable year during which the certificate is revoked.

E. Upon making a qualified investment, a certified applicant shall submit an application to the commissioner for a certificate of completion. If the commissioner determines that a qualified investment has been made, the commissioner shall issue a certificate of completion to the certified applicant as soon as is practical. The certificate of completion must state the amount of qualified investment made by the certified applicant.

F. Upon issuance of a certificate of completion in accordance with paragraph E, the commissioner shall issue, on behalf of the State, a memorandum to the qualified applicant describing the tax credits provided by this section to the applicant at the time the certificate of completion is issued. The memorandum must provide that the certificate of completion does not prohibit the commissioner from revoking a certificate in accordance with paragraph D and does not prohibit the assessor from assessing and collecting an overpaid benefit in accordance with the provisions of this Title.

3. Refundable credit allowed. For tax years beginning on or after January 1, 2024, a certified applicant is allowed a credit as provided in this subsection.

A. Subject to the limitations under paragraph B, beginning with the tax year during which a certificate of completion is issued under subsection 2, paragraph E or the tax year beginning in 2023, whichever is later, and for each of the following 9 tax years, a certified applicant is allowed a credit against the tax due under this Part for the taxable year in an amount equal to 4% of the certified applicant's qualified investment.

The credit allowed under this subsection is refundable.

B. The credit under this subsection is limited as follows.

(1) A credit is not allowed for any tax year during which the taxpayer does not have at least 400 qualified employees based at the paper manufacturing facility where the qualified investment was made, at least 75% of whom earn at least 115% of the most recent annual per capita personal income in the county in which the qualified employee is employed, as measured on the last day of the tax year.

(2) Cumulative credits under this subsection for all certified applicants may not exceed \$1,600,000 per year and \$16,000,000 in total.

(3) A credit is not allowed to any person if the certified applicant has received a qualified low-income community investment under section 5219-HH with respect to the paper manufacturing facility at which the qualified investment is made under this section.

(4) A credit is not allowed to any person who receives benefits under the Pine Tree Development Zone program pursuant to Title 30-A, section 5250-O or the Maine Employment Tax Increment Financing Program established in chapter 917 related to the paper manufacturing facility in the tax year for which a credit is claimed under this section.

(5) A credit is not allowed to any person for any tax year during which the headquarters of the certified applicant are not located in the State.

4. Reporting required. A certified applicant, the commissioner and the assessor are required to make reports pursuant to this subsection.

A. On or before March 1st of each year, a certified applicant shall file a report with the commissioner for the tax year ending during the immediately preceding calendar year, referred to in this paragraph as "the report year," containing the following information:

(1) The number of qualified employees of the certified applicant on the last day of the report year; and

(2) The incremental amount of qualified investment made in the report year.

The commissioner may prescribe forms for the annual report described in this paragraph. The commissioner shall provide copies of the report to the assessor and to the joint standing committee of the Legislature having jurisdiction over taxation matters at the time the report is received.

B. By April 1st of each year, the commissioner shall report to the joint standing committee of the

Legislature having jurisdiction over taxation matters aggregate data on employment levels and qualified investment amounts of certified applicants for each year that a certified applicant claimed a credit under this section.

C. By December 31st of each year, beginning in 2025, the assessor shall report to the joint standing committee of the Legislature having jurisdiction over taxation matters the revenue loss during the report year as a result of this section for each taxpayer claiming the credit and, if necessary, shall include updated revenue loss amounts for any previous tax year. For purposes of this paragraph, "revenue loss" means the credit claimed by the taxpayer and allowed pursuant to this section, consisting of the amount of the credit used to reduce the tax liability of the taxpayer and the amount of the credit refunded to the taxpayer, stated separately.

Notwithstanding any provision of law to the contrary, the reports provided under this subsection are public records as defined in Title 1, section 402, subsection 3.

5. Rules; fees. The commissioner and the assessor may jointly adopt rules to implement this section, including, but not limited to, rules for determining and certifying eligibility. The commissioner may also by rule establish fees to offset the costs of administering this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. Any fees collected pursuant to this subsection must be deposited into a special revenue account administered by the commissioner, and those fees may be used only to defray the actual costs of administering the credit under this section.

6. Evaluation; specific public policy objectives; performance measures. The credit provided under this section is subject to ongoing legislative review in accordance with Title 3, chapter 37. In developing evaluation parameters to perform the review, the Office of Program Evaluation and Government Accountability, the joint legislative committee established to oversee program evaluation and government accountability matters and the joint standing committee of the Legislature having jurisdiction over taxation matters shall consider:

A. That the specific public policy objectives of the credit provided under this section are to provide incentives for the revitalization of paper manufacturing facilities in counties with high unemployment and to create or retain high-quality jobs in the State by encouraging paper manufacturers to modernize their paper manufacturing equipment to better compete in the marketplace; and

B. Performance measures, including, but not limited to:

(1) The number of qualified employees added or retained during the period being reviewed

and how employment during that period compares to the minimum employment requirements established in subsection 3, paragraph B, subparagraph (1);

(2) The amount of qualified investment made by certified applicants during the period being reviewed and how those investments compare to the minimum level of investment required in subsection 1, paragraph I;

(3) The increase in the vitality and competitiveness of the State's paper industry in the marketplace;

(4) The change in the number of paper manufacturers and machinery used for the production of paper products located in the State and the number of modernization projects undertaken at those paper manufacturing facilities during the period being reviewed; and

(5) Measures of fiscal impact and overall economic impact to the State and to the regions in which certified applicants are located.

Sec. 4. Legislative findings; purpose. The Legislature finds that it is in the best interest of the people of the State to encourage the modernization of the State's paper manufacturing facilities, particularly those facilities located in areas of high unemployment, to allow the State's paper manufacturing facilities to better compete in the paper industry. The Legislature further finds that investments in machines used for the production of paper products in the State will create new jobs, retain current jobs, benefit small businesses that supply goods and services to paper manufacturing facilities, increase the tax base and provide many other direct and indirect economic benefits to the State.

Sec. 5. Effective date. This Act takes effect January 1, 2024.

Effective January 1, 2024.

CHAPTER 483

S.P. 577 - L.D. 1733

**An Act To Provide Allocations
for the Distribution of State
Fiscal Recovery Funds**

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

PART A

Sec. A-1. Appropriations and allocations. The following appropriations and allocations are made.

**ECONOMIC AND COMMUNITY
DEVELOPMENT, DEPARTMENT OF**

Administration - Economic and Community Development 0069

Initiative: Provides funding for additional economic recovery grants for businesses and organizations within sectors that are struggling to recover from economic effects of the COVID-19 pandemic.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$20,000,000	\$0
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$20,000,000</u>	<u>\$0</u>

Administration - Economic and Community Development 0069

Initiative: Provides one-time funding for loans or loan guarantees through the Finance Authority of Maine for businesses having difficulty securing investment capital due to the COVID-19 pandemic and provides capital for rural development projects through the Maine Rural Development Authority.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$33,400,000	\$15,000,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$33,400,000</u>	<u>\$15,000,000</u>

Administration - Economic and Community Development 0069

Initiative: Provides one-time funding for business assistance programs through the Finance Authority of Maine for organizations employing emerging financing or organizational models that became market trends during the COVID-19 pandemic, including cooperatives, B corporations and employee stock ownership plans.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$5,000,000	\$5,000,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$5,000,000</u>	<u>\$5,000,000</u>

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$58,400,000	\$20,000,000
DEPARTMENT TOTAL - ALL FUNDS	<u>\$58,400,000</u>	<u>\$20,000,000</u>

PART B

Sec. B-1. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Bureau of Agriculture 0393

Initiative: Establishes one Contract Grant Manager position through June 10, 2023 and provides one-time funding to support the State's farms and food processors to ensure the sustainability of farms and farm families, increase the supply of local food to meet state food consumption goals and enhance the State's agricultural exports while reducing the State's reliance on food imports.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
Personal Services	\$101,116	\$105,996
All Other	\$19,792,888	\$0
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$19,894,004</u>	<u>\$105,996</u>

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$19,894,004	\$105,996
DEPARTMENT TOTAL - ALL FUNDS	<u>\$19,894,004</u>	<u>\$105,996</u>

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Office of Innovation 0995

Initiative: Provides one-time grant funding for economic recovery and development opportunities in the forest products industry to address reduced demand from the economic disruption of the COVID-19 pandemic and other industry effects.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$10,000,000	\$10,000,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$10,000,000</u>	<u>\$10,000,000</u>

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
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FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$10,000,000	\$10,000,000
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DEPARTMENT TOTAL - ALL FUNDS	\$10,000,000	\$10,000,000
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**MARINE RESOURCES, DEPARTMENT OF
Bureau of Policy and Management 0258**

Initiative: Provides one-time funding for competitive grants for seafood processors and dealers to upgrade or replace aging or failing infrastructure, or reengineer and retool facilities, in response to product changes or safety protocols necessary as a result of the COVID-19 pandemic.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$10,000,000	\$0
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$10,000,000	\$0

MARINE RESOURCES, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
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FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$10,000,000	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$10,000,000	\$0

SECTION TOTALS	2021-22	2022-23
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FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$39,894,004	\$10,105,996
SECTION TOTAL - ALL FUNDS	\$39,894,004	\$10,105,996

PART C

Sec. C-1. Small Business Health Insurance Premium Support Program established. The Small Business Health Insurance Premium Support Program, referred to in this section as "the program," is established within the Department of Professional and Financial Regulation, Bureau of Insurance as a temporary program to provide payments to small group health insurance carriers in the State to reduce insurance premium costs for small businesses and their employees. The program must provide for the issue of relief payments to small group health insurance carriers based on actual credits made monthly by the carriers and ensure the payments result in a reduction of small group health insurance premiums of \$50 per employee per month for 18 months starting November 2021, with an additional reduction for family coverage. The program must ensure that the employer and employee share in the

reduction pro rata according to their contributions to the premium. The bureau shall audit small group health insurance carriers for compliance and to ensure that the premium reductions provided through the program are not recaptured through premium increases in the next insurance renewal following the expiration of the program. Small group health insurance carriers shall notify their small business policyholders of the program, the purpose of the program and the end date of the program.

The bureau shall adopt routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A to carry out the purposes of the program.

Sec. C-2. Appropriations and allocations. The following appropriations and allocations are made.

**PROFESSIONAL AND FINANCIAL
REGULATION, DEPARTMENT OF**

Insurance - Bureau of 0092

Initiative: Provides one-time funding for a temporary premium relief program for small businesses that provide their employees with group health insurance.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$19,500,000	\$19,500,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$19,500,000	\$19,500,000

PART D

Sec. D-1. Transfer; Federal Expenditures Fund - ARP State Fiscal Recovery to Department of Labor, Unemployment Compensation Fund. Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$80,000,000 from the Federal Expenditures Fund - ARP State Fiscal Recovery balance to the Department of Labor, Unemployment Compensation Fund no later than November 30, 2021.

PART E

Sec. E-1. Appropriations and allocations. The following appropriations and allocations are made.

**ECONOMIC AND COMMUNITY
DEVELOPMENT, DEPARTMENT OF**

**Administration - Economic and Community
Development 0069**

Initiative: Provides one-time funding for a targeted supplemental grant program to support recovery and survival for new businesses and entrepreneurs who were unable to qualify for other programs because they were not in business for a sufficient time period.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$5,000,000	\$1,000,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$5,000,000</u>	<u>\$1,000,000</u>

**Administration - Economic and Community
Development 0069**

Initiative: Provides one-time funding for technical assistance support to new businesses and entrepreneurs in their recovery from the effects of the COVID-19 pandemic.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$2,000,000	\$0
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$2,000,000</u>	<u>\$0</u>

**ECONOMIC AND COMMUNITY
DEVELOPMENT,
DEPARTMENT OF
DEPARTMENT TOTALS**

	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$7,000,000	\$1,000,000
DEPARTMENT TOTAL - ALL FUNDS	<u>\$7,000,000</u>	<u>\$1,000,000</u>

PART F

Sec. F-1. Appropriations and allocations. The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL
SERVICES, DEPARTMENT OF**

Purchases - Division of 0007

Initiative: Provides one-time funding to support and encourage business diversity through state procurement policies and outreach.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$750,000	\$750,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$750,000</u>	<u>\$750,000</u>

**ADMINISTRATIVE AND
FINANCIAL SERVICES,
DEPARTMENT OF
DEPARTMENT TOTALS**

	2021-22	2022-23
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FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$750,000	\$750,000
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DEPARTMENT TOTAL - ALL FUNDS	<u>\$750,000</u>	<u>\$750,000</u>
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**ECONOMIC AND COMMUNITY
DEVELOPMENT, DEPARTMENT OF**

**Administration - Economic and Community
Development 0069**

Initiative: Provides one-time funding for technical assistance grants to support business diversity initiatives.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$800,000	\$200,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$800,000</u>	<u>\$200,000</u>

**Administration - Economic and Community
Development 0069**

Initiative: Provides one-time funding for entrepreneurial training for underrepresented populations.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$500,000	\$0
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$500,000</u>	<u>\$0</u>

**ECONOMIC AND COMMUNITY
DEVELOPMENT,
DEPARTMENT OF
DEPARTMENT TOTALS**

	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$1,300,000	\$200,000
DEPARTMENT TOTAL - ALL FUNDS	<u>\$1,300,000</u>	<u>\$200,000</u>

SECTION TOTALS

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$2,050,000	\$950,000
SECTION TOTAL - ALL FUNDS	<u>\$2,050,000</u>	<u>\$950,000</u>

PART G

Sec. G-1. Appropriations and allocations. The following appropriations and allocations are made.

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Office of Innovation 0995

Initiative: Provides one-time funding to support and leverage private investments in research, development and innovation in the State’s technology sectors. These funds, which must be matched by the recipient, will be awarded to Maine organizations through a competitive process to help them increase revenues, create and preserve jobs and grow market share.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$25,000,000	\$14,646,609
	<u>\$25,000,000</u>	<u>\$14,646,609</u>

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF DEPARTMENT TOTALS

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$25,000,000	\$14,646,609
DEPARTMENT TOTAL - ALL FUNDS	<u>\$25,000,000</u>	<u>\$14,646,609</u>

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Maine Environmental Protection Fund 0421

Initiative: Provides funding for modernizing licensing processes using contracted services for organizational change management and integration of information technology modernization with licensing regulations.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$500,000	\$500,000
	<u>\$500,000</u>	<u>\$500,000</u>

Maine Environmental Protection Fund 0421

Initiative: Provides one-time funding for contracted services to conduct time-sensitive licensing for urgent economic development projects to support recovery and job growth.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$2,000,000	\$2,000,000

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$2,000,000</u>	<u>\$2,000,000</u>
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ENVIRONMENTAL PROTECTION, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$2,500,000	\$2,500,000
DEPARTMENT TOTAL - ALL FUNDS	<u>\$2,500,000</u>	<u>\$2,500,000</u>

SECTION TOTALS

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$27,500,000	\$17,146,609
SECTION TOTAL - ALL FUNDS	<u>\$27,500,000</u>	<u>\$17,146,609</u>

PART H

Sec. H-1. Maine Health Care Provider Loan Repayment Pilot Program. The Finance Authority of Maine shall establish the Maine Health Care Provider Loan Repayment Pilot Program, referred to in this section as "the program," for certain health care professionals who commit to living and working in Maine for at least 3 years. Under the program, the authority shall pay up to \$25,000 per year and, in aggregate, the lesser of \$75,000 and 50% of the recipient's outstanding loan balance. The program terminates when the funds allocated pursuant to this Part to the Maine Health Care Provider Loan Repayment Program Fund established in the Maine Revised Statutes, Title 20-A, section 12953 are fully expended or by December 31, 2024, whichever occurs first, unless other funding is made available to carry out the purpose of the program. Costs and expenses of maintaining, servicing and administering the Maine Health Care Provider Loan Repayment Program Fund and of administering the program may be paid out of amounts in the fund.

The authority shall adopt routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A to carry out the purposes of the program, including application requirements and program eligibility.

Sec. H-2. Appropriations and allocations. The following appropriations and allocations are made.

FINANCE AUTHORITY OF MAINE

Doctors For Maine's Future Scholarship Fund Z090

Initiative: Provides one-time funds for the Doctors for Maine's Future Scholarship Program as established in

the Maine Revised Statutes, Title 20-A, section 12103-A.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$1,000,000	\$1,000,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$1,000,000</u>	<u>\$1,000,000</u>

Maine Health Care Provider Loan Repayment Fund N393

Initiative: Provides one-time funding for the Maine Health Care Provider Loan Repayment Program Fund to enable it to make loan repayments to eligible program participants to address critical workforce shortages exacerbated by the COVID-19 pandemic, including but not limited to the behavioral health and oral care sectors.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$1,000,000	\$0
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$1,000,000</u>	<u>\$0</u>

**FINANCE AUTHORITY OF
MAINE
DEPARTMENT TOTALS**

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
	\$2,000,000	\$1,000,000
DEPARTMENT TOTAL - ALL FUNDS	<u>\$2,000,000</u>	<u>\$1,000,000</u>

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Department of Health and Human Services Central Operations 0142

Initiative: Establishes one limited-period Public Service Coordinator II position through June 17, 2023 to support curriculum design services that will look across all department providers to make a crosswalk of all short-term certifications.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
Personal Services	\$125,010	\$131,405
All Other	\$24,990	\$18,595
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$150,000</u>	<u>\$150,000</u>

Department of Health and Human Services Central Operations 0142

Initiative: Provides one-time funding to increase the critical health care workforce by providing incentives to providers to serve as preceptors and clinical sites for health care students who require clinical hours and related oversight.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$500,000	\$1,100,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$500,000</u>	<u>\$1,100,000</u>

**HEALTH AND HUMAN
SERVICES, DEPARTMENT OF
DEPARTMENT TOTALS**

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
	\$650,000	\$1,250,000
DEPARTMENT TOTAL - ALL FUNDS	<u>\$650,000</u>	<u>\$1,250,000</u>

LABOR, DEPARTMENT OF

Employment Services Activity 0852

Initiative: Establishes 3 limited-period CareerCenter Consultant positions and one limited-period Employment and Training Specialist III position through December 14, 2024 to create, track and coordinate all activities related to the tuition remission program, including enrollment and payment processing.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
Personal Services	\$315,105	\$328,884
All Other	\$109,895	\$521,116
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$425,000</u>	<u>\$850,000</u>

Employment Services Activity 0852

Initiative: Establishes 2 limited-period CareerCenter Consultant positions through December 14, 2024 to provide information on stackable credentials and prior learning credits and to assist out-of-state and foreign-trained health care workers to quickly recredential as licensed providers in the State.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
Personal Services	\$155,074	\$161,672
All Other	\$44,926	\$238,328
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$200,000</u>	<u>\$400,000</u>

Employment Services Activity 0852

Initiative: Provides one-time funding that invests in training and stackable credential attainment for incumbent frontline health care workers. To retain this critical workforce and reduce turnover, funds will be used for tuition remission for direct service health care workers to attain credentials and move up to the next rung on their career pathway.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$1,575,000	\$5,650,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$1,575,000</u>	<u>\$5,650,000</u>

Employment Services Activity 0852

Initiative: Provides funding to develop and refine health care career pathways and implement health care apprenticeships.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$900,000	\$1,800,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$900,000</u>	<u>\$1,800,000</u>

Employment Services Activity 0852

Initiative: Provides one-time funds to contract with a media consulting firm to design and implement a statewide multimedia campaign that promotes direct care worker jobs as a career choice.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$500,000	\$0
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$500,000</u>	<u>\$0</u>

Workforce Research Z164

Initiative: Establishes one limited-period Statistician position through December 14, 2024 to collect and prepare data for analysis in order to ensure that services funded through the federal American Rescue Plan Act of 2021 are based on sound information and that results are accurately reported.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
Personal Services	\$73,051	\$76,299
All Other	\$26,949	\$123,701
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$100,000</u>	<u>\$200,000</u>

LABOR, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$3,700,000	\$8,900,000
DEPARTMENT TOTAL - ALL FUNDS	<u>\$3,700,000</u>	<u>\$8,900,000</u>
SECTION TOTALS	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$6,350,000	\$11,150,000
SECTION TOTAL - ALL FUNDS	<u>\$6,350,000</u>	<u>\$11,150,000</u>

PART I

Sec. I-1. Appropriations and allocations. The following appropriations and allocations are made.

EXECUTIVE DEPARTMENT

Governor's Energy Office Z122

Initiative: Provides one-time funding to establish the workforce development program of the clean energy partnership to fund programs that advance clean energy workforce development and training programs, including but not limited to internships, scholarships, apprenticeship and preapprenticeship programs and a climate corps pilot initiative through AmeriCorps. This initiative will also support the development of an online platform for attracting workers, sharing training opportunities and highlighting job opportunities in this sector and support the Governor's Energy Office in developing programs in partnership with the Department of Labor, industry, education institutions and others focusing efforts on supporting workers and business most affected by the COVID-19 pandemic and related economic impacts.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$1,850,000	\$1,850,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$1,850,000</u>	<u>\$1,850,000</u>

Governor's Energy Office Z122

Initiative: Establishes one limited-period Public Service Coordinator II position through June 10, 2023 to manage industry and higher education sector engagement and program development.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
Personal Services	\$142,345	\$148,136
All Other	\$7,655	\$1,864

FEDERAL EXPENDITURES	\$150,000	\$150,000
FUND - ARP STATE FISCAL RECOVERY TOTAL		

Governor's Energy Office Z122

Initiative: Provides one-time funding to establish the clean energy innovation program of the clean energy partnership to fund programs that advance innovation in the clean energy sector, including but not limited to providing grants in coordination with the Maine Technology Institute, as well as supporting partnerships with the private sector, education intuitions and others. The programs will support innovation of advanced technologies and services that contribute to the achievement of the State's clean energy and climate goals. Funding may also be used for research and analysis of clean energy finance development tools.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$1,000,000	\$1,500,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$1,000,000	\$1,500,000

EXECUTIVE DEPARTMENT DEPARTMENT TOTALS	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$3,000,000	\$3,500,000
DEPARTMENT TOTAL - ALL FUNDS	\$3,000,000	\$3,500,000

LABOR, DEPARTMENT OF

Employment Services Activity 0852

Initiative: Provides one-time funding to develop and refine career pathways within the industry and implement clean energy apprenticeships.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$500,000	\$1,000,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$500,000	\$1,000,000

LABOR, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$500,000	\$1,000,000
DEPARTMENT TOTAL - ALL FUNDS	\$500,000	\$1,000,000

SECTION TOTALS	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$3,500,000	\$4,500,000
SECTION TOTAL - ALL FUNDS	\$3,500,000	\$4,500,000

PART J

Sec. J-1. Appropriations and allocations. The following appropriations and allocations are made.

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Business Development 0585

Initiative: Provides one-time funding for outreach and a domestic trade pilot program within the Office of Business Development for the promotion of products and businesses in the State.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$1,000,000	\$1,800,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$1,000,000	\$1,800,000

Business Development 0585

Initiative: Provides funding for the management of the domestic trade pilot program within the Office of Business Development.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$200,000	\$400,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$200,000	\$400,000

Business Development 0585

Initiative: Provides one-time funding to support grant funding and contracts for project partners for state trade promotion opportunities for companies in the State.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$3,000,000	\$7,000,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$3,000,000	\$7,000,000

Business Development 0585

Initiative: Provides funding for trade and market analysis opportunities for companies in the State.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$600,000	\$1,000,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$600,000</u>	<u>\$1,000,000</u>
ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$4,800,000	\$10,200,000
DEPARTMENT TOTAL - ALL FUNDS	<u>\$4,800,000</u>	<u>\$10,200,000</u>

PART K

Sec. K-1. Appropriations and allocations. The following appropriations and allocations are made.

**ECONOMIC AND COMMUNITY
DEVELOPMENT, DEPARTMENT OF**

**Administration - Economic and Community
Development 0069**

Initiative: Provides one-time funding to build out a complementary talent and workforce attraction and retention system that gets people to the State and into the workforce.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$2,000,000	\$3,000,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$2,000,000</u>	<u>\$3,000,000</u>

**ECONOMIC AND COMMUNITY
DEVELOPMENT,
DEPARTMENT OF
DEPARTMENT TOTALS**

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$2,000,000	\$3,000,000
DEPARTMENT TOTAL - ALL FUNDS	<u>\$2,000,000</u>	<u>\$3,000,000</u>

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

**Department of Health and Human Services Central
Operations 0142**

Initiative: Provides one-time funding to support nursing home, federally qualified health center and hospital

health care recruitment efforts to address critical health care workforce shortages to be spent as part of a collaborative public-private partnership with providers.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$1,000,000	\$1,500,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$1,000,000</u>	<u>\$1,500,000</u>

**HEALTH AND HUMAN
SERVICES, DEPARTMENT OF
DEPARTMENT TOTALS**

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$1,000,000	\$1,500,000
DEPARTMENT TOTAL - ALL FUNDS	<u>\$1,000,000</u>	<u>\$1,500,000</u>

SECTION TOTALS

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$3,000,000	\$4,500,000
SECTION TOTAL - ALL FUNDS	<u>\$3,000,000</u>	<u>\$4,500,000</u>

PART L

Sec. L-1. Appropriations and allocations. The following appropriations and allocations are made.

**ECONOMIC AND COMMUNITY
DEVELOPMENT, DEPARTMENT OF**

**Administration - Economic and Community
Development 0069**

Initiative: Provides funding for on-the-job training for youth to explore career options, including funding for internships and supports, such as transportation, child care and technology. A portion of these funds must be distributed to the Jobs for Maine's Graduates program and adult education programs.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$8,000,000	\$17,000,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	<u>\$8,000,000</u>	<u>\$17,000,000</u>

**ECONOMIC AND COMMUNITY
DEVELOPMENT,
DEPARTMENT OF
DEPARTMENT TOTALS**

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$8,000,000	\$17,000,000
DEPARTMENT TOTAL - ALL FUNDS	<u>\$8,000,000</u>	<u>\$17,000,000</u>

FEDERAL EXPENDITURES \$8,000,000 \$17,000,000
 FUND - ARP STATE FISCAL RECOVERY

DEPARTMENT TOTAL - ALL FUNDS \$8,000,000 \$17,000,000

LABOR, DEPARTMENT OF

Employment Services Activity 0852

Initiative: Provides funding for youth preapprenticeship programs to support urgent workforce needs and support student exploration of good-paying careers.

FEDERAL EXPENDITURES 2021-22 2022-23
 FUND - ARP STATE FISCAL RECOVERY
 All Other \$1,000,000 \$2,000,000

FEDERAL EXPENDITURES \$1,000,000 \$2,000,000
 FUND - ARP STATE FISCAL RECOVERY TOTAL

LABOR, DEPARTMENT OF DEPARTMENT TOTALS

2021-22 2022-23

FEDERAL EXPENDITURES \$1,000,000 \$2,000,000
 FUND - ARP STATE FISCAL RECOVERY

DEPARTMENT TOTAL - ALL FUNDS \$1,000,000 \$2,000,000

SECTION TOTALS 2021-22 2022-23

FEDERAL EXPENDITURES \$9,000,000 \$19,000,000
 FUND - ARP STATE FISCAL RECOVERY

SECTION TOTAL - ALL FUNDS \$9,000,000 \$19,000,000

PART M

Sec. M-1. Appropriations and allocations. The following appropriations and allocations are made.

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Administration - Economic and Community Development 0069

Initiative: Provides one-time funding to build out the infrastructure and information needed to attract and integrate remote workers into the State's communities and economy through clarifying all rules and requirements for employees and employers and providing marketing and outreach around this information; consideration of any specifics around tax implications or offering any incentives longer term; and development of employer materials for out-of-state employers with a remote worker cadre in the State.

FEDERAL EXPENDITURES 2021-22 2022-23
 FUND - ARP STATE FISCAL RECOVERY

All Other \$500,000 \$2,000,000

FEDERAL EXPENDITURES \$500,000 \$2,000,000
 FUND - ARP STATE FISCAL RECOVERY TOTAL

Administration - Economic and Community Development 0069

Initiative: Provides one-time funding to support coworking development. In addition to expanding the existing coworking development program, this funding will be used to leverage the spaces as a mechanism for integrating remote workers into their communities in the State.

FEDERAL EXPENDITURES 2021-22 2022-23
 FUND - ARP STATE FISCAL RECOVERY
 All Other \$1,000,000 \$1,500,000

FEDERAL EXPENDITURES \$1,000,000 \$1,500,000
 FUND - ARP STATE FISCAL RECOVERY TOTAL

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF DEPARTMENT TOTALS

2021-22 2022-23

FEDERAL EXPENDITURES \$1,500,000 \$3,500,000
 FUND - ARP STATE FISCAL RECOVERY

DEPARTMENT TOTAL - ALL FUNDS \$1,500,000 \$3,500,000

PART N

Sec. N-1. Appropriations and allocations. The following appropriations and allocations are made.

COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE

Maine Community College System - Board of Trustees 0556

Initiative: Provides one-time funding to support workforce development plans designed to meet the needs of workers and students, as well as employers and industries, especially those most affected by the COVID-19 pandemic, including the hospitality industry, heritage industries and health care, and skilled trades that are in demand and required for other economic opportunities, ranging from broadband expansion to affordable housing construction.

FEDERAL EXPENDITURES 2021-22 2022-23
 FUND - ARP STATE FISCAL RECOVERY
 All Other \$15,000,000 \$20,000,000

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$15,000,000	\$20,000,000
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**COMMUNITY COLLEGE
SYSTEM, BOARD OF
TRUSTEES OF THE MAINE
DEPARTMENT TOTALS**

	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$15,000,000	\$20,000,000

DEPARTMENT TOTAL - ALL FUNDS	\$15,000,000	\$20,000,000
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EDUCATION, DEPARTMENT OF

Learning Systems Team Z081

Initiative: Provides one-time funding for infrastructure and equipment grants for career and technical education programs with a focus on career development and training to meet the State's workforce needs for economic recovery, workforce development and supporting good-paying job opportunities for students in the State.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$10,000,000	\$10,000,000

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$10,000,000	\$10,000,000
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Learning Systems Team Z081

Initiative: Provides one-time funding for competitive grant funds for higher education institutions and adult education programs, with grant program criteria to be developed jointly by the Department of Economic and Community Development, the Department of Labor and the Department of Education based on meeting state workforce development plans designed to meet the needs of workers and students, as well as employers and industries, especially those most affected by COVID-19, and as required to support state economic growth strategies.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$7,500,000	\$7,500,000

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$7,500,000	\$7,500,000
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**EDUCATION, DEPARTMENT
OF
DEPARTMENT TOTALS**

	2021-22	2022-23
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FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$17,500,000	\$17,500,000
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DEPARTMENT TOTAL - ALL FUNDS	\$17,500,000	\$17,500,000
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**UNIVERSITY OF MAINE SYSTEM, BOARD OF
TRUSTEES OF THE**

Educational and General Activities - UMS 0031

Initiative: Provides one-time funding to support workforce development plans designed to meet the needs of workers and students, as well as employers and industries, especially those most affected by the COVID-19 pandemic, and economic needs that are in demand and required for other economic opportunities.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$15,000,000	\$20,000,000

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$15,000,000	\$20,000,000
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**UNIVERSITY OF MAINE
SYSTEM, BOARD OF
TRUSTEES OF THE**

DEPARTMENT TOTALS	2021-22	2022-23
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FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$15,000,000	\$20,000,000
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DEPARTMENT TOTAL - ALL FUNDS	\$15,000,000	\$20,000,000
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SECTION TOTALS

	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$47,500,000	\$57,500,000

SECTION TOTAL - ALL FUNDS	\$47,500,000	\$57,500,000
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PART O

Sec. O-1. Appropriations and allocations. The following appropriations and allocations are made.

**ECONOMIC AND COMMUNITY
DEVELOPMENT, DEPARTMENT OF**

**Administration - Economic and Community
Development 0069**

Initiative: Provides funding for the promotion of diversity, equity and inclusion in the State's workforce and investment in the promotion of diversity, equity and inclusion in public and private hiring to include technical assistance to the State and businesses for hiring and retaining a diverse workforce.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$500,000	\$1,000,000
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$500,000	\$1,000,000

**Administration - Economic and Community
Development 0069**

Initiative: Provides funding for infrastructure investments to support diverse businesses and nonprofits.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$1,000,000	\$2,500,000
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$1,000,000	\$2,500,000

**ECONOMIC AND COMMUNITY
DEVELOPMENT,
DEPARTMENT OF
DEPARTMENT TOTALS**

	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$1,500,000	\$3,500,000
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$1,500,000	\$3,500,000

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

**Department of Health and Human Services Central
Operations 0142**

Initiative: Provides one-time funding for improved data collection to support efforts to advance opportunities and reduce structural economic and workforce barriers for individuals of diverse backgrounds, cultures, races, genders and religions, as well as to reduce barriers for diverse businesses and nonprofits.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$500,000	\$500,000
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$500,000	\$500,000

**HEALTH AND HUMAN
SERVICES, DEPARTMENT OF
DEPARTMENT TOTALS**

	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$500,000	\$500,000

DEPARTMENT TOTAL - ALL FUNDS	\$500,000	\$500,000
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LABOR, DEPARTMENT OF

Employment Services Activity 0852

Initiative: Provides one-time funding to assist people in underserved populations with addressing basic needs and seeking employment.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$500,000	\$500,000
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$500,000	\$500,000

Employment Services Activity 0852

Initiative: Provides funding to expand the progressive employment program for all underrepresented populations and to provide technical assistance to employers.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$500,000	\$500,000
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$500,000	\$500,000

**LABOR, DEPARTMENT OF
DEPARTMENT TOTALS**

	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$1,000,000	\$1,000,000
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$1,000,000	\$1,000,000

SECTION TOTALS

	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$3,000,000	\$5,000,000
	<hr/>	<hr/>
SECTION TOTAL - ALL FUNDS	\$3,000,000	\$5,000,000

PART P

Sec. P-1. Appropriations and allocations. The following appropriations and allocations are made.

LABOR, DEPARTMENT OF

Employment Services Activity 0852

Initiative: Establishes 4 limited-period CareerCenter Consultant positions through June 8, 2024 to increase individualized employment services for people who have been out of work during the COVID-19 pandemic.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
Personal Services	\$310,148	\$323,344
All Other	\$49,852	\$416,656
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$360,000	\$740,000

Employment Services Activity 0852

Initiative: Provides funding for apprenticeships to facilitate economic recovery for workers and businesses affected by the COVID-19 pandemic.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$1,750,000	\$2,250,000
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$1,750,000	\$2,250,000

Employment Services Activity 0852

Initiative: Provides funding for connecting workers affected by the COVID-19 pandemic with jobs that match their skills, interests and geographic area, for overcoming barriers like transportation and child care and for the development of an online portal for connecting multiple workforce resources.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$1,800,000	\$1,900,000
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$1,800,000	\$1,900,000

Employment Services Activity 0852

Initiative: Provides funding for the Competitive Skills Scholarship Program to train disadvantaged individuals affected by the COVID-19 pandemic.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$500,000	\$1,000,000
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$500,000	\$1,000,000

Employment Services Activity 0852

Initiative: Provides funding to assist industries hardest hit by the COVID-19 pandemic with workforce development training, networking, recruitment and collaboration to raise career and industry awareness.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
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All Other	\$1,700,000	\$2,000,000
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$1,700,000	\$2,000,000

Employment Services Activity 0852

Initiative: Establishes one limited-period Eligibility Specialist position through June 8, 2024 and provides All Other for outreach and other expenses related to the worker opportunity tax credit program in order to create incentives for employing traditionally disadvantaged populations, which have been hardest hit by the COVID-19 pandemic.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
Personal Services	\$77,974	\$78,753
All Other	\$122,026	\$121,247
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$200,000	\$200,000

Workforce Research Z164

Initiative: Establishes one limited-period Senior Economic Research Analyst position through June 8, 2024 and provides All Other for evaluation of workforce programs funded by the federal American Rescue Plan Act of 2021 through data analysis and impact evaluations.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
Personal Services	\$98,833	\$103,442
All Other	\$151,167	\$246,558
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$250,000	\$350,000

**LABOR, DEPARTMENT OF
DEPARTMENT TOTALS**

	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$6,560,000	\$8,440,000
DEPARTMENT TOTAL - ALL FUNDS	<hr/> \$6,560,000	<hr/> \$8,440,000

PART Q

Sec. Q-1. Appropriations and allocations. The following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Maine Environmental Protection Fund 0421

Initiative: Provides one-time funding for contracted services to fully build an online licensing and compliance portal for the regulated community and citizens.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$4,000,000	\$4,000,000
	<hr/>	<hr/>
FEDERAL EXPENDITURES	\$4,000,000	\$4,000,000
FUND - ARP STATE FISCAL RECOVERY TOTAL		

PART R

Sec. R-1. Maine State Housing Authority expanded housing projects; project labor agreements; workforce diversity. The following requirements apply to certain housing projects funded with funds allocated in this Part.

1. Maine State Housing Authority to use project labor agreement. As a condition of awarding \$20,000,000 of the funds allocated in this Part to the Maine State Housing Authority for existing financing programs to a developer to expand affordable housing options, the Maine State Housing Authority shall require that developer to enter into a pre-hire, collectively bargained project labor agreement with the workers who will build the affordable housing. A project labor agreement must apply to all workers who build the affordable housing, including those employed by a contractor and all subcontractors of the developer. A project labor agreement must protect the collective bargaining rights of the workers involved in building the affordable housing.

2. Requirement to make good faith effort to promote workforce diversity; authority to refuse to award contract based on failure to make good faith effort. A contractor, subcontractor, firm, corporation, partnership or any other entity working on housing built using funds awarded through a financing program using \$20,000,000 of the funds allocated to the Maine State Housing Authority in this Part shall make, at all times, a good faith effort to promote workforce diversity, including diversity with regard to race and gender. If the authority determines that a contractor, subcontractor, firm, corporation, partnership or other entity is not making a good faith effort to achieve workforce diversity, the authority may refuse to award that entity a contract for any project funded using allocations provided in this Part for a period of 2 years.

3. Rules. The authority shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. R-2. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Early Childhood Infrastructure N394

Initiative: Establishes one limited-period Contract Grant Specialist position through June 10, 2023 and provides funding for one contracted distinguished educator position to provide technical assistance and professional learning to school administrative units for pre-kindergarten expansion. Provides funds to the Department of Education for grants to school administrative units to establish new or expanded public prekindergarten programs to increase the number of children accessing high-quality prekindergarten. Priority will be given to programs that engage in community partnerships, provide longer duration of education, support inclusive programming and enroll socioeconomically disadvantaged students.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
Personal Services	\$81,773	\$85,615
All Other	\$3,918,227	\$5,914,385
	<hr/>	<hr/>
FEDERAL EXPENDITURES	\$4,000,000	\$6,000,000
FUND - ARP STATE FISCAL RECOVERY TOTAL		

EDUCATION, DEPARTMENT OF

DEPARTMENT TOTALS

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
	\$4,000,000	\$6,000,000

DEPARTMENT TOTAL - ALL FUNDS	<hr/>	<hr/>
	\$4,000,000	\$6,000,000

EFFICIENCY MAINE TRUST

Efficiency Maine Trust Z100

Initiative: Provides one-time funding to accelerate weatherization and efficiency upgrades for homes in the State, especially for low-income, older residents and renters, to assist municipal, county, school and community organizations to secure efficiency grants by providing matching funds and to support incentives for industries and businesses to invest in energy cost-savings and efficiency measures, especially those businesses struggling to recover from the COVID-19 pandemic economic downturn, including through initiatives to develop and support climate change mitigation strategies designed to reduce greenhouse gas emissions at industrial facilities in the State.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$15,000,000	\$35,000,000

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$15,000,000	\$35,000,000
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EFFICIENCY MAINE TRUST DEPARTMENT TOTALS	2021-22	2022-23
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FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$15,000,000	\$35,000,000
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DEPARTMENT TOTAL - ALL FUNDS	\$15,000,000	\$35,000,000
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**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Maine Environmental Protection Fund 0421

Initiative: Provides one-time funding for a competitive grant program that matches local funding for the upgrade of municipal culverts at stream crossings.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$1,500,000	\$1,500,000

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$1,500,000	\$1,500,000
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Remediation and Waste Management 0247

Initiative: Provides one-time funding to support the treatment of drinking water, environmental testing and management of contaminated wastes caused by per-fluoroalkyl and polyfluoroalkyl substances.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$2,500,000	\$2,500,000

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$2,500,000	\$2,500,000
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**ENVIRONMENTAL
PROTECTION, DEPARTMENT
OF**

DEPARTMENT TOTALS	2021-22	2022-23
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FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$4,000,000	\$4,000,000
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DEPARTMENT TOTAL - ALL FUNDS	\$4,000,000	\$4,000,000
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**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Child Care Services 0563

Initiative: Establishes one limited-period Social Services Manager I position through June 17, 2023 and

provides one-time funding for grants to renovate, expand or construct child care facilities to increase availability of accessible and affordable child care.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
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Personal Services	\$101,703	\$106,583
All Other	\$4,898,297	\$4,893,417

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$5,000,000	\$5,000,000
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**HEALTH AND HUMAN
SERVICES, DEPARTMENT OF
DEPARTMENT TOTALS**

2021-22	2022-23
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FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$5,000,000	\$5,000,000
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DEPARTMENT TOTAL - ALL FUNDS	\$5,000,000	\$5,000,000
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HOUSING AUTHORITY, MAINE STATE

Housing Authority - State 0442

Initiative: Provides one-time funding to expand housing options that are affordable to workers and their families to own or rent, through existing financing programs through the authority, as well as new incentives in partnership with the Department of Economic and Community Development using input from stakeholders, municipalities and community providers. These funds may also be used to provide planning and technical assistance for communities, developers and builders to encourage construction or production of affordable, energy-efficient housing units close to services and employment centers to support individuals, families and state workforce needs.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$10,000,000	\$40,000,000

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$10,000,000	\$40,000,000
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**HOUSING AUTHORITY, MAINE
STATE**

DEPARTMENT TOTALS	2021-22	2022-23
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FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$10,000,000	\$40,000,000
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DEPARTMENT TOTAL - ALL FUNDS	\$10,000,000	\$40,000,000
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MAINE CONNECTIVITY AUTHORITY

Maine Connectivity Authority N390

Initiative: Provides one-time funding for the expansion of affordable high-speed broadband access in the State, leveraging private funding and ensuring long-term benefit for the State through the new Maine Connectivity Authority. The new Maine Connectivity Authority will collaborate with organizations representing marginalized and historically disadvantaged groups when making determinations regarding the distribution of these funds.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$10,000,000	\$11,000,000
	<u>\$10,000,000</u>	<u>\$11,000,000</u>
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL		

MAINE CONNECTIVITY AUTHORITY DEPARTMENT TOTALS	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$10,000,000	\$11,000,000
DEPARTMENT TOTAL - ALL FUNDS	<u>\$10,000,000</u>	<u>\$11,000,000</u>

**TRANSPORTATION, DEPARTMENT OF
Charging Infrastructure N396**

Initiative: Provides one-time funding to expand state, municipal and other publicly accessible electric vehicle charging stations and related infrastructure. These funds will be administered by the department in collaboration with the Efficiency Maine Trust and will support the continued expansion of electric vehicle charging stations at town buildings, school buildings, state facilities and other public facilities and at private businesses open to the general public.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$3,000,000	\$5,000,000
	<u>\$3,000,000</u>	<u>\$5,000,000</u>
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL		

Infrastructure Adaptation Fund N395

Initiative: Provides one-time funding to the department for the municipal, regional and state infrastructure adaptation improvements that support public safety and emergency management and infrastructure resiliency. Funds will be administered by the department and will be awarded by an interagency board using a competitive process. Project rating criteria may include the potential extent of public safety, emergency management and infrastructure resiliency benefits, ability to leverage

federal and other funding, project-readiness, overall benefit-cost and related economic benefits.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$5,000,000	\$15,000,000
	<u>\$5,000,000</u>	<u>\$15,000,000</u>
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL		

Multimodal - Transit 0443

Initiative: Provides funding to support initiatives and competitive grants for local, regional and state workforce transportation pilot projects aimed at connecting workers to employment opportunities, especially in rural areas where transportation options are limited, thereby promoting economic security, workforce development and community benefits. This funding can be used for capital and operating costs including program start-up costs.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$2,000,000	\$3,000,000
	<u>\$2,000,000</u>	<u>\$3,000,000</u>
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL		

Multimodal Transportation Fund Z017

Initiative: Provides funding for the construction of a confined aquatic disposal cell within the Port of Portland and maintenance dredging of the marine facilities of Portland and South Portland. Funds from this allocation may be allotted only to replace unrealized federal funding.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
Capital Expenditures	\$10,000,000	\$0
	<u>\$10,000,000</u>	<u>\$0</u>
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL		

TRANSPORTATION, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$20,000,000	\$23,000,000
DEPARTMENT TOTAL - ALL FUNDS	<u>\$20,000,000</u>	<u>\$23,000,000</u>
SECTION TOTALS	2021-22	2022-23

FEDERAL EXPENDITURES \$68,000,000 \$124,000,000
 FUND - ARP STATE FISCAL RECOVERY

SECTION TOTAL - ALL FUNDS \$68,000,000 \$124,000,000

PART S

Sec. S-1. Appropriations and allocations. The following appropriations and allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Maine Environmental Protection Fund 0421

Initiative: Provides one-time funding for municipal wastewater and infrastructure projects, which will leverage local federal American Rescue Plan Act of 2021 funds and accelerate the timeline of these essential local projects that protect public health, provide community benefits, reduce the burden for local ratepayers and support construction jobs. Funding will be provided directly to recipients.

FEDERAL EXPENDITURES 2021-22 2022-23
 FUND - ARP STATE FISCAL RECOVERY

All Other \$10,000,000 \$12,000,000

FEDERAL EXPENDITURES \$10,000,000 \$12,000,000
 FUND - ARP STATE FISCAL RECOVERY TOTAL

Maine Environmental Protection Fund 0421

Initiative: Provides one-time funding for the Small Community Grant Program, which supports septic repair and replacement projects, supporting water quality and public health for communities, water bodies and fisheries.

FEDERAL EXPENDITURES 2021-22 2022-23
 FUND - ARP STATE FISCAL RECOVERY

All Other \$1,000,000 \$2,000,000

FEDERAL EXPENDITURES \$1,000,000 \$2,000,000
 FUND - ARP STATE FISCAL RECOVERY TOTAL

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

DEPARTMENT TOTALS 2021-22 2022-23

FEDERAL EXPENDITURES \$11,000,000 \$14,000,000
 FUND - ARP STATE FISCAL RECOVERY

DEPARTMENT TOTAL - ALL FUNDS \$11,000,000 \$14,000,000

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Maine Center for Disease Control and Prevention 0143

Initiative: Provides one-time funding to expand efforts to address imminent risk to public health through investment in public water system improvements, including mitigation of lead in drinking water at schools and daycares and perfluoroalkyl and polyfluoroalkyl substances, or PFAS, effects. Funding will also be used for upgrades to critical infrastructure, including but not limited to supply sources, treatment facilities, pump stations, distribution piping and storage tanks to ensure compliance with the federal Safe Drinking Water Act.

FEDERAL EXPENDITURES 2021-22 2022-23
 FUND - ARP STATE FISCAL RECOVERY

All Other \$10,000,000 \$15,000,000

FEDERAL EXPENDITURES \$10,000,000 \$15,000,000
 FUND - ARP STATE FISCAL RECOVERY TOTAL

HEALTH AND HUMAN SERVICES, DEPARTMENT OF DEPARTMENT TOTALS

2021-22 2022-23

FEDERAL EXPENDITURES \$10,000,000 \$15,000,000
 FUND - ARP STATE FISCAL RECOVERY

DEPARTMENT TOTAL - ALL FUNDS \$10,000,000 \$15,000,000

SECTION TOTALS 2021-22 2022-23

FEDERAL EXPENDITURES \$21,000,000 \$29,000,000
 FUND - ARP STATE FISCAL RECOVERY

SECTION TOTAL - ALL FUNDS \$21,000,000 \$29,000,000

PART T

Sec. T-1. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Parks - General Operations Z221

Initiative: Establishes 2 limited-period Civil Engineer II positions through June 8, 2024 and provides funding to support urgent capital infrastructure improvements at state parks to accommodate the significant increased use seen during the COVID-19 pandemic and also to bolster the recreational and tourism opportunities for state parks as they support recovery in the State's tourism and outdoor recreation sectors.

FEDERAL EXPENDITURES 2021-22 2022-23
 FUND - ARP STATE FISCAL RECOVERY

Personal Services \$197,142 \$206,360

All Other	\$1,960,572	\$7,958,728
Capital Expenditures	\$7,842,286	\$31,834,912
FEDERAL EXPENDITURES	<u>\$10,000,000</u>	<u>\$40,000,000</u>
FUND - ARP STATE FISCAL RECOVERY TOTAL		

PART U

Sec. U-1. Appropriations and allocations. The following appropriations and allocations are made.

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Fisheries and Hatcheries Operations 0535

Initiative: Provides funding to support the replacement of antiquated infrastructure at the 88-year-old New Gloucester fish hatchery, create needed capacity at the Grand Lake Stream hatchery to manage fish disease threats and conserve an endemic population of land-locked Atlantic salmon and improve the quality of hatchery effluent at all 8 fish culture facilities, which will improve protections to receiving waters.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$5,000,000	\$15,000,000
FEDERAL EXPENDITURES	<u>\$5,000,000</u>	<u>\$15,000,000</u>
FUND - ARP STATE FISCAL RECOVERY TOTAL		

PART V

Sec. V-1. Appropriations and allocations. The following appropriations and allocations are made.

MARINE RESOURCES, DEPARTMENT OF

Bureau of Marine Science 0027

Initiative: Provides one-time funding to support energy efficiency improvements and improved public access to the ocean at the department's Boothbay Harbor facilities and improved public access at state facilities for recreational access to the ocean with rebuilt ramps, roadways and federal Americans with Disabilities Act of 1990 compliant piers.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
Capital Expenditures	\$1,065,000	\$500,000
FEDERAL EXPENDITURES	<u>\$1,065,000</u>	<u>\$500,000</u>
FUND - ARP STATE FISCAL RECOVERY TOTAL		

Bureau of Policy and Management 0258

Initiative: Provides funding to support state research and policy initiatives related to economic sustainability in the State's fisheries related to protection of North

Atlantic right whales, lobster fishery monitoring and development of offshore wind energy.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$3,000,000	\$0
FEDERAL EXPENDITURES	<u>\$3,000,000</u>	<u>\$0</u>
FUND - ARP STATE FISCAL RECOVERY TOTAL		

Bureau of Policy and Management 0258

Initiative: Provides one-time funding for infrastructure projects that support fisheries connectivity and habitat restoration.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$0	\$7,635,000
FEDERAL EXPENDITURES	<u>\$0</u>	<u>\$7,635,000</u>
FUND - ARP STATE FISCAL RECOVERY TOTAL		

Bureau of Public Health Z154

Initiative: Provides funding to purchase and upgrade equipment for public health monitoring related to shellfish and water quality with the goal of maximizing harvest opportunities in both the aquaculture and wild shellfish sectors.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
Capital Expenditures	\$475,000	\$0
FEDERAL EXPENDITURES	<u>\$475,000</u>	<u>\$0</u>
FUND - ARP STATE FISCAL RECOVERY TOTAL		

Marine Patrol - Bureau of 0029

Initiative: Provides funding for Marine Patrol infrastructure, including replacing and repairing failing floats and pilings at the Rockland facility; replacing failing infrastructure at the Boothbay Harbor and Lamoine watercraft facilities; and supporting construction of a new Marine Patrol offshore patrol vessel focusing on lobster fishery rules enforcement for right whale protection and using a Tier 4 clean-burning diesel engine that would be the first of its kind in the State.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
Capital Expenditures	\$3,325,000	\$0
FEDERAL EXPENDITURES	<u>\$3,325,000</u>	<u>\$0</u>
FUND - ARP STATE FISCAL RECOVERY TOTAL		

MARINE RESOURCES, DEPARTMENT OF

DEPARTMENT TOTALS	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$7,865,000	\$8,135,000
DEPARTMENT TOTAL - ALL FUNDS	\$7,865,000	\$8,135,000

PART W

Sec. W-1. Appropriations and allocations. The following appropriations and allocations are made.

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Business Development 0585

Initiative: Provides 2 years of grant funding to support electricity grid upgrades that will support economic recovery for new, struggling or growing businesses with a focus on rural economic development projects, including areas that have been hardest hit by COVID-19 economic effects and enabling heritage industry projects in food processing, forestry and other manufacturing projects. The grants will be managed in coordination with the Governor's Energy Office, seeking to leverage private capital and federal economic development funding opportunities.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$4,000,000	\$4,000,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$4,000,000	\$4,000,000

PART X

Sec. X-1. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Bureau of General Services - Capital Construction and Improvement Reserve Fund 0883

Initiative: Provides funding for capital construction and repair to address air quality and energy efficiency improvements in Augusta area state-owned buildings.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$5,000,000	\$5,000,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$5,000,000	\$5,000,000

Information Services 0155

Initiative: Provides funding to enhance of the delivery of digital services for citizens. This project aims to develop a single citizen login and begin the transition of services into a one-stop structure for government services such that citizens of the state can find and navigate State Government's digital presence without a full understanding of state agency structures.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$3,000,000	\$7,000,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$3,000,000	\$7,000,000

Information Services 0155

Initiative: Provides funding to modernize digital and physical technology assets, including the state radio network. Modernization of digital and physical technology assets are required to begin moving away from aging assets that represent accumulating technical debt and risk.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$5,000,000	\$15,000,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$5,000,000	\$15,000,000

Information Services 0155

Initiative: Provides funding to tackle the highest-risk areas identified by an external program review, including formalizing a business continuity plan for the State's information technology and setting a framework for providing leadership to state agencies in business continuity planning. This one-time funding for cybersecurity will augment the proposed General Fund appropriation request and provide the resources needed to tackle some of the highest-risk areas, including business continuity planning and workforce enhancements.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$2,000,000	\$4,000,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$2,000,000	\$4,000,000

Information Services 0155

Initiative: Provides funding to increase the effectiveness of remote work capability.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$2,000,000	\$2,000,000

FEDERAL EXPENDITURES	\$2,000,000	\$2,000,000
FUND - ARP STATE FISCAL RECOVERY TOTAL		

Information Services 0155

Initiative: Provides funding to support and maintain the State's cybersecurity program and investments.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$4,078,002	\$4,095,400

FEDERAL EXPENDITURES	\$4,078,002	\$4,095,400
FUND - ARP STATE FISCAL RECOVERY TOTAL		

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
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FEDERAL EXPENDITURES	\$21,078,002	\$37,095,400
FUND - ARP STATE FISCAL RECOVERY		

DEPARTMENT TOTAL - ALL FUNDS	\$21,078,002	\$37,095,400
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PART Y

Sec. Y-1. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

American Rescue Plan Audit, Controller and Program Management N397

Initiative: Provides one-time allocations necessary to support all aspects of financial management oversight of funds from the State Fiscal Recovery Fund established in the federal American Rescue Plan Act of 2021, including state discretionary and direct funds as well as the local pass-through funds authorized in the federal American Rescue Plan Act of 2021.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$9,228,561	\$12,766,569

FEDERAL EXPENDITURES	\$9,228,561	\$12,766,569
FUND - ARP STATE FISCAL RECOVERY TOTAL		

PART Z

Sec. Z-1. Adjustments to allocations. Notwithstanding the Maine Revised Statutes, Title 37-B, section 746 or any other provision of law to the contrary, funds allocated to departments, agencies and programs in this Act may be adjusted in fiscal year 2021-22

either within the same department or agency receiving the original allocation or, if for the same purpose as the original allocation, between departments or agencies on recommendation of the State Budget Officer and approval of the Governor. The Commissioner of Administrative and Financial Services shall report any adjustments to allocations made pursuant to this section to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs at least quarterly.

PART AA

Sec. AA-1. 36 MRSA §5219-KK, sub-§1, ¶A-1, as enacted by PL 2017, c. 474, Pt. B, §13, is amended to read:

A-1. For tax years beginning on or after January 1, 2018, "benefit base" means property taxes paid by a resident individual during the tax year on the resident individual's homestead in this State or rent constituting property taxes paid by the resident individual or the bureau pursuant to chapter 908 on behalf of a resident individual during the tax year on a homestead in the State not exceeding the following amounts:

- (1) For persons filing as single individuals, \$2,050;
- (2) For persons filing as heads of households that can claim the federal child tax credit pursuant to the Code, Section 24 for no more than one qualifying child or dependent or for persons filing joint returns, \$2,650; and
- (3) For persons filing as heads of households that can claim the federal child tax credit pursuant to the Code, Section 24 for more than one qualifying child or dependent or for persons filing joint returns that can claim the federal child tax credit pursuant to the Code, Section 24 for at least one qualifying child or dependent, \$3,250.

Sec. AA-2. 36 MRSA §6250, sub-§2-A is enacted to read:

2-A. Disability. "Disability" means a permanent and total impairment or condition that prevents an individual from being employed as determined by an agency of this State or of the Federal Government or pursuant to routine technical rules adopted by the State Tax Assessor.

Sec. AA-3. 36 MRSA §6250, sub-§3, as enacted by PL 1989, c. 534, Pt. C, §1, is amended to read:

3. Homestead. "Homestead" means the owner-occupied principal dwelling, ~~either real or personal property,~~ owned by the taxpayer and up to 10 contiguous acres upon which it is located. If the homestead is located in a multi-unit building, the homestead is the portion of the building actually used as the principal

dwelling and its percentage of the value of the common elements and of the value of the tax lot upon which it is built. The percentage is the value of the unit consisting of the homestead compared to the total value of the building exclusive of the common elements, if any. "Homestead" includes the taxpayer-occupied principal dwelling and up to 10 contiguous acres upon which it is located that is held in a revocable living trust for the benefit of the taxpayer.

Sec. AA-4. 36 MRSA §6250, sub-§3-A is enacted to read:

3-A. Liquid asset. "Liquid asset" means something of value available to an individual that can be converted to cash in 3 months or less and includes:

- A. Bank accounts;
- B. Certificates of deposit;
- C. Money market and mutual funds;
- D. Life insurance policies;
- E. Stocks and bonds; and
- F. Lump-sum payments and inheritances.

Sec. AA-5. 36 MRSA §6250, sub-§3-B is enacted to read:

3-B. Municipality. "Municipality" means a city, town, plantation or the unorganized territory.

Sec. AA-6. 36 MRSA §6251, as amended by PL 1993, c. 395, §31, is further amended to read:

§6251. Deferral of tax on homestead; joint election; age requirement; filing claim

1. Filing claim. ~~Subject to section 6252, an individual or 2 or more individuals jointly a taxpayer may elect apply to defer the property taxes on their the taxpayer's homestead by filing a claim for deferral with the municipal assessor after January 1st but no later than April 1st of the first year in which deferral is claimed if:~~

- ~~A. The individual or each individual, in the case of 2 or more individuals taxpayer filing a claim jointly, is 65 years of age or older or is unable to be employed by reason of disability on April 1st of the year in which the claim is filed; and~~
- ~~B. The individual or, in the case of 2 or more individuals filing a claim jointly, all the individuals together have household taxpayer has income, as defined in section 6201 5219-KK, subsection 7 1, paragraph D, of less than \$32,000 \$40,000 for the calendar year immediately preceding the calendar year in which the claim is filed;~~
- ~~C. The taxpayer, if an individual, has liquid assets of less than \$50,000 or, in the case of 2 or more individuals filing a claim jointly, all the individuals together have liquid assets of less than \$75,000; and~~

D. The taxpayer's homestead receives a homestead exemption under chapter 105, subchapter 4-B.

The municipal assessor shall forward each claim filed under this subsection to the bureau within 30 days of receipt and the bureau shall determine if the property is eligible for deferral. Claims must be filed on a form approved by the State Tax Assessor and must include all information requested by the State Tax Assessor, including without limitation the taxpayer's and the taxpayer's direct heirs' contact information. Income and liquid assets of all individual owners of a homestead must be included in an application for deferral.

~~Claims from new applicants may not be filed pursuant to this chapter prior to January 1, 1994. For purposes of this section, "new applicants" means any person or persons that have not filed claims prior to April 1, 1991.~~

2. Property tax deferral. ~~When the If a taxpayer elects is determined to be eligible to defer property taxes for any year by filing a claim for deferral under subsection 1, it shall have has the effect of:~~

- ~~A. Deferring the payment of the property taxes levied on the homestead for the municipal fiscal year beginning on or after April 1st of that year;~~
- ~~B. Continuing deferral of the payment by the taxpayer of any property taxes deferred under this chapter for previous years that have not become delinquent under section 6260; and~~
- ~~C. Continuing the deferral of the payment by the taxpayer of any future property taxes for as long as the provisions of section 6252 are met or the taxpayer withdraws from the deferral of future property taxes under this chapter by notifying the bureau as provided in section 6258.~~

3. Guardian, conservator and agent compliance. ~~If a guardian or, conservator or agent under a power of attorney or pursuant to a protective arrangement or any other lawful order has been appointed for an individual a taxpayer otherwise qualified to obtain deferral of taxes under this chapter, the guardian or, conservator or agent may act for that individual taxpayer in complying with this chapter.~~

4. Trustee compliance. ~~If a A trustee of an a revocable inter vivos trust which, if that trust was created by and is revocable by an individual, a taxpayer who is both the trustor and a beneficiary of the trust and who is otherwise qualified to obtain a deferral of taxes under this chapter, owns the fee simple estate under a recorded instrument of sale, the trustee may act for the individual taxpayer in complying with this chapter.~~

5. Spouse not required to claim. ~~Nothing in this section may be construed to require a spouse of an individual to file a claim jointly with the individual even though the spouse may be eligible to claim the deferral jointly with the individual.~~

6. Appeal. ~~Any person~~ A taxpayer aggrieved by the denial of a claim for deferral of homestead property taxes or disqualification from deferral of homestead property taxes may file an appeal of the State Tax Assessor's determination, within 30 days of notification of denial or disqualification by the State Tax Assessor, with the State Board of Property Tax Review as provided in chapter 101, subchapter ~~H-A~~ 2-A. When the State Tax Assessor disagrees with the municipal valuation of a property subject to deferral, the abatement and appeals process under chapter 105, subchapter 8 applies.

Sec. AA-7. 36 MRSA §6252, sub-§2, as enacted by PL 1989, c. 534, Pt. C, §1, is amended to read:

2. Fee simple estate. ~~The person~~ individual claiming ~~the a~~ deferral must, solely or together with the ~~person's~~ individual's spouse, own the fee simple estate or be purchasing the fee simple estate under a recorded instrument of sale, or 2 or more ~~persons~~ individuals must together own or be purchasing the fee simple estate with rights of survivorship under a recorded instrument of sale if all owners live in the homestead ~~and if all owners apply for the deferral jointly.~~

Sec. AA-8. 36 MRSA §6252, sub-§4 is enacted to read:

4. No duplicate deferral. The property is not receiving a deferral of taxes under chapter 908-A.

Sec. AA-9. 36 MRSA §6252, sub-§5 is enacted to read:

5. No municipal lien. The property does not have an existing municipal lien against it.

Sec. AA-10. 36 MRSA §6253, as enacted by PL 1989, c. 534, Pt. C, §1, is amended to read:

§6253. Claim forms; contents

1. Administration. A taxpayer's claim for deferral under this chapter ~~shall~~ must be in writing on a form supplied by the bureau and ~~shall~~ must:

A. Describe the homestead;

B. ~~Recite facts~~ Provide information establishing the eligibility for the deferral under the provisions of this chapter, including ~~facts~~ information that ~~establish~~ establishes that the ~~household~~ liquid assets and the income, as defined in section ~~6204-5219-KK~~, subsection ~~7~~ 1, paragraph ~~D~~, of the individual, or, in the case of 2 or more individuals claiming the deferral jointly, ~~was~~ are less than ~~\$32,000~~ the limits set by section 6251, subsection 1 for the calendar year immediately preceding the calendar year in which the claim is filed; and

C. ~~Have attached~~ Contain any ~~documentary proof~~ information required by the bureau to show that the requirements of section 6252 have been met.

2. Statement verification. ~~There shall be annexed to the~~ The claim must contain a statement verified by a written declaration of the ~~applicant~~ taxpayer making the claim ~~to the effect~~ that the statements contained in the claim are true.

Sec. AA-11. 36 MRSA §6254, sub-§1, as amended by PL 2007, c. 695, Pt. A, §45, is further amended to read:

1. Lien. The lien provided in section 552 must continue for purposes of protecting the State's deferred tax interest in tax deferred property. When it is determined that one of the events set out in section 6259 has occurred and that a property is no longer eligible for property tax deferral under this chapter, the State Tax Assessor shall send notice by certified mail to the ~~owner~~ taxpayer, or the ~~owner's~~ taxpayer's heirs or devisees, listing the total amount of deferred property taxes, including accrued interest and costs of all the years and demanding payment on or before April 30th of the year following the tax year in which the circumstances causing withdrawal from the provisions of this chapter occur.

When the circumstances listed in section 6259, subsection 4 occur, the amount of deferred taxes is due and payable 5 days before the date of removal of the property from the State.

If the deferred tax liability of a property has not been satisfied by the April 30th demand date, the State Tax Assessor shall, within 30 days, record in the registry of deeds in the county where the real estate is located a tax lien certificate signed by the State Tax Assessor or bearing the assessor's facsimile signature, setting forth the total amount of deferred tax liability, a description of the real estate on which the tax was deferred and an allegation that a tax lien is claimed on the real estate to secure payment of the tax, that a demand for payment of the tax has been made in accordance with this section and that the tax remains unpaid.

At the time of the recording of the tax lien certificate in the registry of deeds, the State Tax Assessor shall send by certified mail, return receipt requested, to each record holder of a mortgage on the real estate, to the holder's last known address, a true copy of the tax lien certificate. The cost to be paid by the ~~property owner~~ taxpayer, or the ~~owner's~~ taxpayer's heirs or devisees, is the sum of the fees for recording and discharging of the lien as established by Title 33, section 751, plus \$13. Upon redemption, the State Tax Assessor shall prepare and record a discharge of the tax lien mortgage. The lien described in section 552 is the basis of this tax lien mortgage procedure.

The filing of the tax lien certificate, provided for in this section, in the registry of deeds creates a mortgage on the real estate to the State and has priority over all other mortgages, liens, attachments and encumbrances of any nature and gives to the State all rights usually instant to

a mortgage, except that the mortgagee does not have any right of possession of the real estate until the right of redemption expires.

Payments accepted during the redemption period may not interrupt or extend the redemption period or in any way affect the foreclosure procedures.

Sec. AA-12. 36 MRSA §6254, sub-§4 is enacted to read:

4. Dangerous buildings. The State Tax Assessor may request that the municipal officers, in the case of a municipality, or the county commissioners, in the case of the unorganized territory in their county, investigate any homestead subject to deferral and make determinations whether the homestead is a dangerous building pursuant to Title 17, chapter 91, subchapter 4. If eligible expenses pursuant to Title 17, section 2853 are incurred by a municipality or the county in the case of the unorganized territory, the State Tax Assessor shall reimburse those eligible expenses from funds in the Senior Property Tax Deferral Revolving Account under section 6266.

Sec. AA-13. 36 MRSA §6255, sub-§3, as enacted by PL 1989, c. 534, Pt. C, §1, is amended to read:

3. Interest. Interest ~~shall accrue~~ accrues on the actual amount of taxes payments advanced to the municipality for the tax-deferred property at the rate of 6% per annum pursuant to section 186 reduced by one percentage point.

Sec. AA-14. 36 MRSA §6257, as amended by PL 1991, c. 528, Pt. DD, §1 and affected by Pt. RRR and amended by c. 591, Pt. DD, §1 and c. 622, Pt. CC, §1, is further amended to read:

§6257. ~~Municipal tax collector to receive Payment of amount equivalent to deferred taxes from by the State~~

1. Payment of deferred taxes. Within 30 days of the receipt of information from a municipal tax collector concerning the amount of deferred property taxes in the respective municipality, the State Tax Assessor shall certify that amount to the Treasurer of the State who shall make payment to the municipality on or before the 15th day of the following month. Payments made for deferred property taxes in the unorganized territory must be made to the Unorganized Territory Education and Services Fund established in section 1605.

~~**1-A. Prorated payment of deferred taxes.** The State Tax Assessor is authorized to prorate payments to municipalities for claims filed pursuant to this chapter if the amount available in the Senior Property Tax Deferral Revolving Account established in section 6266 in any fiscal year is insufficient to make full payments to all municipalities. If the applicant for deferred taxes can not pay the difference due to the municipality, the municipality that does not receive the full amount of deferred property taxes may cause a tax lien certificate~~

~~to be filed in the county registry of deeds for the amount not received.~~

~~**1-B. Reimbursement to taxpayers.** The State Tax Assessor is authorized to reimburse taxpayers who qualified under this chapter and who have paid property taxes that would have otherwise been deferred but for the prorating of benefits as allowed in subsection 1-A.~~

2. Accounts maintained. The bureau shall maintain accounts for each deferred property ~~and shall accrue interest only on the actual amount of taxes advanced to the municipality.~~

Sec. AA-15. 36 MRSA §6258, sub-§1, ¶D, as enacted by PL 1989, c. 534, Pt. C, §1, is amended to read:

D. Contain any other information that the bureau considers necessary to facilitate administration of the homestead deferral program including, but not limited to, the right of the taxpayer to submit any amount of money to reduce the total amount of the deferred taxes and interest and the right of the taxpayer to withdraw from the deferral of future property taxes under this chapter by notifying the bureau by any method that the bureau may prescribe.

Sec. AA-16. 36 MRSA §6261, sub-§2, as enacted by PL 1989, c. 534, Pt. C, §1, is amended to read:

2. Continuation of deferral by spouse. A spouse who does not meet the age requirements of subsection 1, paragraph A or the disability requirement of section 6251, subsection 1, paragraph A, but is otherwise qualified to continue the property in its tax-deferred status under subsection 1 may continue the deferral of property taxes deferred for previous years by filing a claim within the time and in the manner provided under section 6251. If a spouse eligible for and continuing the deferral of taxes previously deferred under this subsection becomes 65 years of age or meets the disability requirement of section 6251, subsection 1, paragraph A prior to April 1st of any year, the spouse may elect to continue the deferral of previous years' taxes deferred under this subsection and may elect to defer the current assessment year's taxes on the homestead by filing a claim within the time and in the manner provided under section 6251. Thereafter, payment of the taxes levied on the homestead and deferred under this subsection and payment of taxes levied on the homestead in the current assessment year and in future years may be deferred in the manner provided in and subject to this chapter.

Sec. AA-17. 36 MRSA §6262, sub-§2, as enacted by PL 1989, c. 534, Pt. C, §1, is amended to read:

2. Taxes and interest. Subject to subsection 3, all or part of the deferred taxes and accrued interest may at any time be paid to the bureau by:

A. The taxpayer or the spouse of the taxpayer; or

B. The next of kin of the taxpayer, heir at law of the taxpayer, child of the taxpayer or any person having or claiming a legal or equitable interest in the property; or

C. Any other person or organization making a payment as a gift to the taxpayer.

Sec. AA-18. 36 MRSA §6262, sub-§3, as enacted by PL 1989, c. 534, Pt. C, §1, is amended to read:

3. Notice of payment. A person listed in subsection 2, paragraph B; or C may make the payments only if no objection is made by the taxpayer within 30 days after the bureau deposits in the mail notice to the taxpayer of the fact that the payment has been tendered.

Sec. AA-19. 36 MRSA §6266, as enacted by PL 1989, c. 534, Pt. C, §1, is amended to read:

§6266. Senior Property Tax Deferral Revolving Account; sources; uses

1. Revolving account. This section establishes in the State Treasury the Senior Property Tax Deferral Revolving Account, referred to in this section as "the revolving account," to be used by the bureau for the purpose of making the payments to municipal tax collectors and to the Unorganized Territory Education and Services Fund, established in section 1605, of property taxes deferred for tax years beginning on or after April 1, ~~1990~~ 2022, as required by section 6257, reimbursements, as required under section 6254, subsection 4, and repayment of transfers pursuant to subsection 5.

2. Advancement of funds. The funds necessary to make payments under subsection 1 ~~shall~~ must be advanced to the bureau from time to time as necessary by the Treasurer of State as ~~an appropriation from the General Fund~~ a transfer under subsection 4.

3. Payments credited. All sums of money received by the bureau under this chapter as repayments of deferred property taxes including the interest accrued under section 6255, subsection 3, ~~shall~~, upon receipt, must be credited to the revolving account and ~~shall~~ must be available for the purposes of subsection 1 and subsection 5.

4. Appropriation Transfer request. If there is not sufficient money in the revolving account to make the payments required by subsection 1, the State Tax Assessor shall ~~request an appropriation from the General Fund which together with the money in the revolving account will provide an amount sufficient to make the required payments~~ notify the Treasurer of State of the amount necessary to make the required payments and the Treasurer of State shall transfer that amount from the Housing Opportunities for Maine Fund, established in Title 30-A, section 4853, to the revolving account.

5. ~~General Fund reimbursement~~ Reimbursement of funds. When the bureau determines that funds

in sufficient amounts are available in the revolving account, the bureau shall repay to the ~~General Fund~~ Housing Opportunities for Maine Fund, established in Title 30-A, section 4853, the amounts advanced as ~~appropriations under subsection 2, plus accrued interest transfers under subsection 4.~~

Sec. AA-20. 36 MRSA §6267, as enacted by PL 1993, c. 707, Pt. G, §10, is repealed.

Sec. AA-21. Application. This Act applies to property taxes based on the status of property on or after April 1, 2022.

Sec. AA-22. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Elderly Tax Deferral Program 0650

Initiative: Provides funding to reimburse municipalities for deferred property taxes.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$844,370	\$2,390,889

FEDERAL EXPENDITURES	\$844,370	\$2,390,889
FUND - ARP STATE FISCAL RECOVERY TOTAL		

Revenue Services, Bureau of 0002

Initiative: Provides funding for one limited-period Property Appraiser position, computer programming costs and other related costs to review, approve and audit applications. This position will end on or before June 30, 2023.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
Personal Services	\$42,538	\$86,099
All Other	\$113,092	\$23,012

FEDERAL EXPENDITURES	\$155,630	\$109,111
FUND - ARP STATE FISCAL RECOVERY TOTAL		

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
	\$1,000,000	\$2,500,000

DEPARTMENT TOTAL - ALL FUNDS	\$1,000,000	\$2,500,000
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PART BB

Sec. BB-1. 22 MRSA §2602-A, sub-§2, as amended by PL 1991, c. 499, §3 and affected by §26, is further amended to read:

2. Fees. ~~The~~ Except as provided in subsection 3, the department shall charge the average cost of the analysis for an examination, testing or analysis of private residential water supplies requested under this chapter. These fees must be recalculated and deposited according to section 565, subsection 3 and section 568, ~~provided~~ except that the fee charged for testing a private residential water supply may not exceed \$150 when:

A. In the opinion of the department, initial testing or screening performed at the expense of the owner indicates the need for additional testing at a cost in excess of \$150 to determine whether that water supply contains contaminants potentially hazardous to human health and that additional testing is essential to the maintenance of public health; or

B. In the opinion of the department, there is reason to suspect that a private residential water supply may be affected by contamination potentially hazardous to human health and that additional testing is essential to the maintenance of public health. In making such a determination, the department shall consider the following:

- (1) The proximity of the private residential water supply to a known or suspected source of contamination;
- (2) The proximity of the private residential water supply to another private well or water supply known to be contaminated;
- (3) Information provided in writing to the department by a physician who has seen or treated a person and who has identified contaminated drinking water as a possible cause of the person's condition or symptoms; or
- (4) Information provided by the owner or a user of the private residential water supply voluntarily or in response to questions asked by personnel of the department.

The department ~~may~~ shall waive all fees incurred in connection with the testing of a private residential water supply upon a showing of indigency.

Sec. BB-2. 22 MRSA §2602-A, sub-§3 is enacted to read:

3. Well water testing for low-income residents. The department shall establish and maintain a program through the Health and Environmental Testing Laboratory established in section 565 to provide free testing for arsenic of the private residential water supplies of low-income residents of the State. The department may not charge any fee or recover any cost as otherwise permitted by this chapter for a test of a private residential water supply performed for a low-income resident of

the State under the program established pursuant to this subsection. As used in this subsection, "low-income resident" means a person who receives assistance under the MaineCare program or the food supplement program under section 3104.

Sec. BB-3. 22 MRSA §2660-U, as amended by PL 2017, c. 475, Pt. C, §7, is further amended to read:

§2660-U. Fees

~~The~~ Except as provided in section 2602-A, subsection 3, the Health and Environmental Testing Laboratory established in section 565 shall collect a fee not to exceed \$10 from a person or entity ordering a water test for a water sample from a residential private drinking water well. The fees collected must be credited to the Private Well Safe Drinking Water Fund established in section 2660-W and used for the purpose of increasing testing of residential private drinking water wells. If more than one test of a water sample from the same residential private drinking water well is conducted, the department may waive payment of a fee established under this section for a one-year period. A fee collected under this section is in addition to any fee charged by the department pursuant to section 2602-A, subsection 2.

Sec. BB-4. 22 MRSA §2660-W, sub-§3, ¶B, as enacted by PL 2017, c. 230, §3, is amended to read:

B. For educational outreach programs consistent with section 2660-V; ~~and~~

Sec. BB-5. 22 MRSA §2660-W, sub-§3, ¶C, as enacted by PL 2017, c. 230, §3, is amended to read:

C. To defray the department's costs in administering this subchapter and in waiving fees under section 2602-A, ~~subsection~~ subsections 2- and 3; and

Sec. BB-6. 22 MRSA §2660-W, sub-§3, ¶D is enacted to read:

D. To implement the program established pursuant to section 2602-A, subsection 3 to provide free testing for arsenic of private residential water supplies to low-income residents of the State.

Sec. BB-7. 22 MRSA §2660-Y is enacted to read:

§2660-Y. Landlord arsenic testing

Beginning January 1, 2022 and every 5 years thereafter, a landlord of a residential building shall test for arsenic each private drinking water well used to provide water to a tenant of the landlord. The landlord shall conduct testing under this section through a laboratory certified or accredited pursuant to section 567 and shall, within 10 days of notification of the results, provide to each of the landlord's tenants the results of any test conducted under this section of the private drinking water well used to provide water to the tenant. The landlord shall, within 10 days of notification of the results, notify

any new tenant of the most recent results of a test conducted under this section on a private drinking water well that will be used to provide water to the tenant.

Sec. BB-8. Department of Health and Human Services to amend rules. The Department of Health and Human Services shall review recent research regarding arsenic toxicity and levels suitable for consumption and shall amend 10-144 C.M.R. Chapter 231, Rules Relating to Drinking Water, to revise the maximum contaminant level for arsenic.

Sec. BB-9. Report on arsenic rulemaking. The Department of Health and Human Services, Maine Public Drinking Water Commission shall include in its annual report required pursuant to the Maine Revised Statutes, Title 22, section 2660-C, subsection 4, paragraph H information about the status of adopting rules in accordance with section 8 until the rules have been finally adopted.

Sec. BB-10. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

**Maine Center for Disease Control and Prevention
0143**

Initiative: Provides funding to the department to establish and maintain a program through the Maine Center for Disease Control and Prevention's Health and Environmental Testing Laboratory offering free well water testing for low-income residents of the State.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$51,484	\$51,484
FEDERAL EXPENDITURES	\$51,484	\$51,484
FUND - ARP STATE FISCAL RECOVERY TOTAL		

PART CC

Sec. CC-1. Definitions. As used in this Part, unless the context otherwise indicates, the following terms have the following meanings.

1. "Department" means the Department of Health and Human Services.
2. "Eligible family caregivers" means:
 - A. Adult family members or other informal caregivers 18 years of age or older providing care to individuals 60 years of age or older;
 - B. Adult family members or other informal caregivers 18 years of age or older providing care to individuals of any age with Alzheimer's disease or related disorders;

C. Relatives, not including parents, 55 years of age or older providing care to children under 18 years of age; and

D. Relatives, including parents, 55 years of age or older providing care to adults 18 to 59 years of age with disabilities.

3. "Pilot program" means the Family Caregiver Grant Pilot Program established pursuant to section 2.

4. "Respite Care Fund" means the Respite Care Fund under the Maine Revised Statutes, Title 22, section 7308.

Sec. CC-2. Department of Health and Human Services to establish Family Caregiver Grant Pilot Program. The department, in cooperation with area agencies on aging, shall establish the Family Caregiver Grant Pilot Program to increase the number of families served by the Respite Care Fund, alleviate costs associated with providing in-home care of an adult, provide a family caregiver grant to increase economic security for family caregivers and examine the needs and preferences of the families served by the Respite Care Fund and the pilot program.

Sec. CC-3. Grant amounts. Under the pilot program, an eligible family caregiver who is not otherwise receiving payment for caring for the person in the caregiver's care may receive up to \$2,000 a year. Eligible family caregivers may choose annually to receive either the services specified in the Maine Revised Statutes, Title 22, section 7308 or services under the pilot program.

Sec. CC-4. Stakeholder group. No later than November 1, 2021, the department shall convene a stakeholder group to meet periodically to assist in designing the pilot program, including eligibility and payment methods; implementing the pilot program; and developing outreach strategies to eligible family caregivers, application assistance and evaluation planning. The stakeholder group must include representatives of the department, area agencies on aging, family caregivers, home and community-based support services providers, nursing facilities, residential care services providers and advocacy organizations for aging adults.

Sec. CC-5. Pilot program period; expenditures capped. The pilot program shall provide services or grants to eligible family caregivers from October 1, 2022 to September 30, 2024. The expenditures for the pilot program over the period of the pilot program are capped at \$5,100,000.

Sec. CC-6. Guidelines; rulemaking. The department and the stakeholder group convened pursuant to section 4 shall determine guidelines for how eligible family caregivers are identified to receive assistance and the amount of grants distributed pursuant to section 3. The department may adopt rules to implement this Part. Rules adopted pursuant to this section

are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. CC-7. Evaluation; report. The department shall contract with a 3rd-party organization with expertise in evaluating public policy programs for ongoing evaluation of the success of the pilot program and the services provided under the Respite Care Fund. The department shall submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than January 15, 2025. The report must include the following:

1. An unduplicated count of individuals receiving respite care, assistive technology, home modification and family caregiver grants under section 3;
2. The amount of funds that were expended for respite care, assistive technology, home modification and family caregiver grants;
3. The demographics of eligible family caregivers receiving services under the pilot program, including, but not limited to, age, race, ethnicity, gender identity, income and county of residence;
4. The number of eligible family caregivers on waiting lists for services under the pilot program and the demographics of those family caregivers, including, but not limited to, age, race, ethnicity, gender identity, income and county of residence;
5. The time between application and eligibility determination by the department or its contracted designee;
6. The time between application for and receipt of services provided under the pilot program;
7. An assessment of the extent to which services provided under the pilot program kept individuals cared for by eligible family caregivers out of institutional care or delayed transfer to an institutional level of care; and
8. Any recommendations for changes related to the adequacy of the Respite Care Fund and the scope of services provided and recommendations for continuing the pilot program.

The joint standing committee of the Legislature having jurisdiction over health and human services matters is authorized to report out legislation related to the report to the First Regular Session of the 132nd Legislature.

Sec. CC-8. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

**Office of Aging and Disability Services Central
Office 0140**

Initiative: Provides one-time funding to the Respite Care Fund within the department to provide family caregiver grants for the pilot program.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$4,500,000	\$0
	\$4,500,000	\$0
FEDERAL EXPENDITURES		
FUND - ARP STATE FISCAL RECOVERY TOTAL		

**Office of Aging and Disability Services Central
Office 0140**

Initiative: Provides one-time funding to the Respite Care Fund within the department to cover administrative costs of the pilot program.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$450,000	\$0
	\$450,000	\$0
FEDERAL EXPENDITURES		
FUND - ARP STATE FISCAL RECOVERY TOTAL		

**Office of Aging and Disability Services Central
Office 0140**

Initiative: Provides one-time funding to the Respite Care Fund within the department to contract with a 3rd party for an evaluation of the pilot program.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$150,000	\$0
	\$150,000	\$0
FEDERAL EXPENDITURES		
FUND - ARP STATE FISCAL RECOVERY TOTAL		

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF
DEPARTMENT TOTALS**

	2021-22	2022-23
FEDERAL EXPENDITURES	\$5,100,000	\$0
FUND - ARP STATE FISCAL RECOVERY		
DEPARTMENT TOTAL - ALL FUNDS	\$5,100,000	\$0

PART DD

Sec. DD-1. Department of Health and Human Services to establish pilot program for in-home personal care services to minors. The Department of Health and Human Services shall establish a pilot program to allow the parent of a child who is eligible for in-home personal care services under the MaineCare program to register as a personal care agency and receive reimbursement for providing those services to the child. To qualify for reimbursement

under this section, the parent must have made reasonable efforts to obtain regular in-home personal care services and have satisfied the requirements of the applicable background check required of providers of in-home personal care services. For the purposes of this section, "personal care agency" has the same meaning as in the Maine Revised Statutes, Title 22, section 1717, subsection 1, paragraph C.

Sec. DD-2. Personal care agency requirements. In order for a parent to be registered as a personal care agency under section 1, another individual who is not a parent of the child must be designated the employer. The person designated as the employer must be approved by both the Department of Health and Human Services and the parent to act in the child's interest.

Sec. DD-3. Pilot program period; expenditures capped. Reimbursement provided under the pilot program established in section 1 is available through fiscal years 2021-22 and 2022-23. The expenditures for the pilot program are capped at \$465,000 over the entire period of the pilot program.

Sec. DD-4. Guidelines; rulemaking. The Department of Health and Human Services shall determine guidelines for implementing the pilot program established in section 1. The department may adopt any rules necessary to implement the pilot program as long as the rules are adopted no later than January 1, 2022. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. DD-5. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Medical Care - Payments to Providers 0147

Initiative: Provides one-time funding for a pilot program for the reimbursement of a parent providing in-home personal care services to the parent's child by allowing the parent to register as a personal care agency.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$155,000	\$310,000
	\$155,000	\$310,000
FEDERAL EXPENDITURES		
FUND - ARP STATE FISCAL RECOVERY TOTAL		

PART EE

Sec. EE-1. Appropriations and allocations. The following appropriations and allocations are made.

**ECONOMIC AND COMMUNITY
DEVELOPMENT, DEPARTMENT OF**

**Administration - Economic and Community
Development 0069**

Initiative: Provides one-time funds to complete the renovation of a wharf and bulkhead at the Gulf of Maine Research Institute in Portland to bring the wharf back into operation for a fishing vessel berthing resource to support marine research at sea and for continued long-term marine job development.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$2,000,000	\$0
	\$2,000,000	\$0
FEDERAL EXPENDITURES		
FUND - ARP STATE FISCAL RECOVERY TOTAL		

**ECONOMIC AND COMMUNITY
DEVELOPMENT,
DEPARTMENT OF
DEPARTMENT TOTALS**

	2021-22	2022-23
FEDERAL EXPENDITURES	\$2,000,000	\$0
FUND - ARP STATE FISCAL RECOVERY		
DEPARTMENT TOTAL - ALL FUNDS	\$2,000,000	\$0

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Child Care Services 0563

Initiative: Provides allocations for grants for the establishment and administration of the Help Maine Grow System and the First 4 ME Early Care and Education Program. Funds from this allocation may be allotted only if child care development block grant funds are not available as provided in Public Law 2021, chapter 457.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$1,114,916	\$4,121,559
	\$1,114,916	\$4,121,559
FEDERAL EXPENDITURES		
FUND - ARP STATE FISCAL RECOVERY TOTAL		

**Department of Health and Human Services Central
Operations 0142**

Initiative: Establishes 3 limited-period Social Services Program Specialist II positions through June 17, 2023 and provides funding for related All Other costs.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
Personal Services	\$280,095	\$293,268
All Other	\$19,062	\$19,062

FEDERAL EXPENDITURES	\$299,157	\$312,330
FUND - ARP STATE FISCAL RECOVERY TOTAL		

Medical Care - Payments to Providers 0147

Initiative: Provides one-time funding for the department to provide equal monthly supplemental payments from January 2022 through December 2022 to all providers of services under the department's rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 2, Section 17, Section 26, Section 28 and Section 65 in equal proportion to the services provided by providers in the previous 12-month period. Funds from this allocation may be allotted only if Federal Medical Assistance Percentage matching funds are not available as provided in Public Law 2021, chapter 398, Part AAAAA.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$3,544,552	\$2,413,462

FEDERAL EXPENDITURES	\$3,544,552	\$2,413,462
FUND - ARP STATE FISCAL RECOVERY TOTAL		

HEALTH AND HUMAN SERVICES, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
FEDERAL EXPENDITURES	\$4,958,625	\$6,847,351
FUND - ARP STATE FISCAL RECOVERY		

DEPARTMENT TOTAL - ALL FUNDS	\$4,958,625	\$6,847,351
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HOUSING AUTHORITY, MAINE STATE

Shelter Operating Subsidy 0661

Initiative: Provides one-time funds for grants to existing emergency homeless shelters, including those that assist homeless youth, to be used for operations, maintenance or capital improvements.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$10,000,000	\$0

FEDERAL EXPENDITURES	\$10,000,000	\$0
FUND - ARP STATE FISCAL RECOVERY TOTAL		

HOUSING AUTHORITY, MAINE STATE DEPARTMENT TOTALS

	2021-22	2022-23
FEDERAL EXPENDITURES	\$10,000,000	\$0
FUND - ARP STATE FISCAL RECOVERY		

DEPARTMENT TOTAL - ALL FUNDS	\$10,000,000	\$0
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INDIGENT LEGAL SERVICES, MAINE COMMISSION ON

Maine Commission on Indigent Legal Services Z112

Initiative: Allocates additional funds for counsel fees due to a backlog of cases caused by the COVID-19 pandemic.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$4,000,000	\$0

FEDERAL EXPENDITURES	\$4,000,000	\$0
FUND - ARP STATE FISCAL RECOVERY TOTAL		

INDIGENT LEGAL SERVICES, MAINE COMMISSION ON DEPARTMENT TOTALS

	2021-22	2022-23
FEDERAL EXPENDITURES	\$4,000,000	\$0
FUND - ARP STATE FISCAL RECOVERY		

DEPARTMENT TOTAL - ALL FUNDS	\$4,000,000	\$0
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LABOR, DEPARTMENT OF

Employment Services Activity 0852

Initiative: Establishes 16 limited-period CareerCenter Consultant positions through June 10, 2023.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
Personal Services	\$1,240,592	\$1,293,376
All Other	\$9,189	\$9,189

FEDERAL EXPENDITURES	\$1,249,781	\$1,302,565
FUND - ARP STATE FISCAL RECOVERY TOTAL		

LABOR, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
FEDERAL EXPENDITURES	\$1,249,781	\$1,302,565
FUND - ARP STATE FISCAL RECOVERY		

DEPARTMENT TOTAL - ALL FUNDS	\$1,249,781	\$1,302,565
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MARITIME ACADEMY, MAINE

Maritime Academy - Operations 0035

Initiative: Provides one-time funds for the renovation and restoration of state-owned waterfront and shoreside infrastructure in Castine.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$2,000,000	\$0
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$2,000,000	\$0

MARITIME ACADEMY, MAINE DEPARTMENT TOTALS	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$2,000,000	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$2,000,000	\$0

**PUBLIC BROADCASTING CORPORATION,
MAINE**

Maine Public Broadcasting Corporation 0033

Initiative: Provides one-time funds to replace transmitter and studio components of existing infrastructure systems that carry the emergency alert system that have reached the end of their useful lifespans.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$5,000,000	\$5,000,000
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$5,000,000	\$5,000,000

PUBLIC BROADCASTING CORPORATION, MAINE DEPARTMENT TOTALS	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$5,000,000	\$5,000,000
DEPARTMENT TOTAL - ALL FUNDS	\$5,000,000	\$5,000,000

**STATUS OF RACIAL, INDIGENOUS AND
TRIBAL POPULATIONS, PERMANENT
COMMISSION ON THE**

Racial, Indigenous and Tribal Populations N329

Initiative: Provides one-time funds to support development of a strategy and one-time investments in public health infrastructure to reduce disparities in outcomes for residents of the State in minority groups.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$500,000	\$500,000

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$500,000	\$500,000
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**STATUS OF RACIAL,
INDIGENOUS AND TRIBAL
POPULATIONS, PERMANENT
COMMISSION ON THE
DEPARTMENT TOTALS**

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
	\$500,000	\$500,000
DEPARTMENT TOTAL - ALL FUNDS	\$500,000	\$500,000

SECTION TOTALS	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$29,708,406	\$13,649,916

SECTION TOTAL - ALL FUNDS	\$29,708,406	\$13,649,916
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PART FF

Sec. FF-1. 10 MRSA §1019, sub-§2, as enacted by PL 2005, c. 417, §1, is amended to read:

2. Criteria. For an applicant to participate in the nursing education loan repayment program established under subsection 1, the applicant must:

- A. Be a nurse;
- B. ~~Complete~~ Be currently enrolled in a master's or doctoral degree program in nursing or have completed a master's or doctoral degree in nursing;
- C. Possess an outstanding education loan relating to the master's or doctoral nursing degree; and
- D. Sign a statement of intent in a form acceptable to the authority to work as full-time nursing faculty in a nursing education program in the State for a minimum of ~~3~~ 5 years after acceptance into the nursing education loan repayment program.

Sec. FF-2. 10 MRSA §1019, sub-§4, as enacted by PL 2005, c. 417, §1, is amended to read:

4. Administration. The nursing education loan repayment program and the nursing education loan repayment fund are administered by the authority. The authority shall repay the loan of an applicant who meets the criteria in subsection 2 in the amount of up to ~~\$4,500~~ \$20,000 for a master's degree and up to ~~\$6,000~~ \$40,000 for a doctoral degree. The authority may adopt rules to carry out the purposes of this subchapter. Rules adopted pursuant to this subsection are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. FF-3. Appropriations and allocations. The following appropriations and allocations are made.

FINANCE AUTHORITY OF MAINE

Nursing Education Loan Repayment Program N362

Initiative: Provides one-time funds to the nursing education loan repayment program to enable it to begin making loan repayments and to accommodate the increased loan repayment amounts.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$1,000,000	\$0
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$1,000,000	\$0

PART GG

Sec. GG-1. Extend funding for specified civil legal aid projects. Notwithstanding any provision of law to the contrary, the funds allocated in this Part must be deposited in the Maine Civil Legal Services Fund established in the Maine Revised Statutes, Title 4, section 18-A, referred to in this section as "the fund," and distributed as follows. The administrator of the fund shall disburse for use in calendar year 2022 and again for use in calendar year 2023, to each legal services provider that received an award from the Maine Justice Foundation under its Bank of America grant program for calendar year 2021, the same amount as the award made under the Bank of America grant program for 2021. These distributions must be separate from the competitive selection process undertaken by the Civil Legal Services Fund Commission appointed pursuant to Title 4, section 18-A, subsection 6. The amounts allocated to the fund and distributed in accordance with this Part may not be considered by the commission in determining its distribution of funds under its periodic competitive grant selection process, but the recipients of these amounts shall include in their regular reports to the commission covering calendar years 2022 and 2023 a statement of the manner in which these disbursements have been used to address the effects of the pandemic related to coronavirus disease 2019, or COVID-19, on persons with low incomes requiring legal assistance.

Sec. GG-2. Appropriations and allocations. The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: Provides funding for civil legal services for persons unable to afford a lawyer to assist in recovery from the COVID-19 pandemic by providing additional funds to continue foreclosure assistance and community

redevelopment legal assistance projects previously funded by grants from Bank of America settlement funds administered by the Maine Justice Foundation. These funds will be distributed by the administrator of the Maine Civil Legal Services Fund to the same providers in the same amounts as those expiring grants, notwithstanding and in addition to the amounts otherwise distributed pursuant to the Maine Revised Statutes, Title 4, section 18-A.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$295,504	\$295,504
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$295,504	\$295,504

PART HH

Sec. HH-1. Housing Navigation Pilot Program. The Housing Navigation Pilot Program is established as a 2-year pilot program within the Maine State Housing Authority. The authority shall hire individuals referred to as "housing navigators" affiliated with local housing authorities, general assistance programs or nonprofit organizations to assist tenants with locating housing and the rental application process and to provide supportive services to promote successful landlord-tenant relationships.

Sec. HH-2. Report. The Maine State Housing Authority shall submit a report no later than March 31, 2023 to the joint standing committee of the Legislature having jurisdiction over housing matters detailing by county the number of households that received assistance from housing navigators pursuant to section 1.

Sec. HH-3. Appropriations and allocations. The following appropriations and allocations are made.

HOUSING AUTHORITY, MAINE STATE

Housing Authority - State 0442

Initiative: Provides one-time funds to hire individuals to act as "housing navigators" to work with local housing authorities, general assistance programs or nonprofit organizations to assist tenants with locating housing and completing the rental process and to provide mentoring services to promote successful landlord-tenant relationships.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$1,500,000	\$0
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$1,500,000	\$0

PART II

Sec. II-1. Commissioner of Economic and Community Development to establish pilot project to conduct outreach and to provide support services for active duty military members who are transitioning to civilian life in the State.

The Commissioner of Economic and Community Development, in consultation with the Director of the Maine Bureau of Veterans' Services within the Department of Defense, Veterans and Emergency Management, shall establish a pilot project, commencing November 1, 2021, to conduct outreach to encourage active duty military members who are transitioning to civilian life to relocate to the State and to provide personalized and proactive support for those military members and their families, including assistance with securing employment and navigating transition services and with community reintegration. The pilot project must be administered by one or more nonprofit or for-profit entities selected through a competitive bidding process.

Sec. II-2. Report. By December 1, 2023, the Commissioner of Economic and Community Development, in consultation with the Director of the Maine Bureau of Veterans' Services within the Department of Defense, Veterans and Emergency Management, shall submit a written report of the results of the pilot project under section 1 and make recommendations to the joint standing committee of the Legislature having jurisdiction over veterans affairs. The report must include, at a minimum, information on the outreach conducted, the services provided, the number of military members and families served, the number of military members and families who successfully relocated to the State and the employment status of those individuals. The joint standing committee of the Legislature having jurisdiction over veterans affairs may report out legislation based on the report to the Second Regular Session of the 131st Legislature.

Sec. II-3. Appropriations and allocations. The following appropriations and allocations are made.

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Administration - Economic and Community Development 0069

Initiative: Provides one-time funds in fiscal year 2021-22 for the first year of a pilot project for outreach and support services for active duty military members who are transitioning to civilian life in the State and their families.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND - ARP STATE FISCAL RECOVERY		
All Other	\$200,000	\$0
FEDERAL EXPENDITURES	<hr/>	<hr/>
FUND - ARP STATE FISCAL RECOVERY TOTAL	\$200,000	\$0

PART JJ

Sec. JJ-1. Public service campaign promoting direct care worker jobs. The Department of Labor, in coordination with the Department of Economic and Community Development and the Department of Health and Human Services, shall develop and implement a multimedia public service campaign that promotes direct care worker jobs as a career choice. In developing the campaign materials, the Department of Labor shall ensure that new residents in the State, racial and ethnic minorities, men, younger persons including high school students, older persons and persons with disabilities are represented. The Department of Labor shall also seek grants and other funds from public and private sources in developing the campaign.

PART KK

Sec. KK-1. 5 MRSA §12004-J, sub-§1-A is enacted to read:

1-A.

<u>Agriculture</u>	<u>Maine Agriculture, Food Expenses Only System and Forest Products Infrastructure Investment Advisory Board</u>	<u>7 MRSA §320-C</u>
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Sec. KK-2. 7 MRSA c. 10-C is enacted to read:

CHAPTER 10-C

AGRICULTURE, FOOD AND FOREST PRODUCTS

§320-A. Agriculture, food system and forest products infrastructure investment

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

A. "Food system" means all processes, infrastructure and persons involved in feeding a population, including growing, harvesting, collecting, processing, manufacturing, packaging, transporting, marketing, selling, consuming and disposing of food and food-related items in the State.

B. "Infrastructure" means property, equipment, networks and supporting services associated with the production, harvesting, processing, manufacturing, storage, packaging, transporting, marketing, sales and disposal of food.

C. "Producer" means a person in the State that grows, manufactures, harvests or otherwise creates agricultural, food or forest products and value-added products, including a person engaged in farming, harvesting or other agricultural and forestry manufacturing activities.

D. "Supply chain" means the chain of distribution by which agricultural, food and forest products are

moved from the producer to the consumer and may include intermediate entities, including aggregators of various products, manufacturers, value-added producers, processors, packagers, warehouse operators and other storage entities, distributors, wholesalers and retailers.

E. "Value-added" means changing the physical state or form of a product through processing or manufacturing to enhance or increase the product's value, including making the product suitable to generate renewable energy.

2. Goals; investment; inclusiveness. The commissioner, in coordination with the Department of Economic and Community Development, industry stakeholders, representatives of Indian tribes, communities of color and other underserved communities and populations and other relevant agencies, shall:

A. Strengthen the State's agricultural, food and forest products economy with a priority of making resulting efforts more inclusive of and increasing investments in historically marginalized, underrepresented and underserved communities, including communities of color, low-income communities and rural communities that typically lack access to capital to start, sustain, scale and innovate businesses;

B. Expand infrastructure investments in the agricultural, food and forest products economy to increase access to new markets and opportunities for producers, processors, small businesses and consumers in the State in the producing, processing, manufacturing, packaging, distribution, marketing, sale and consumption of products; and

C. Collaborate with other state agencies, economic development organizations and other key institutional partners to establish technical assistance programs to support the objectives of this chapter.

3. Powers. In carrying out the purposes of this chapter, the commissioner may:

A. Hire or assign staff or contractors, including community development financial institutions, economic development organizations, quasi-governmental entities or other capital or technical assistance providers;

B. Seek and accept funds from public and private sources; and

C. Administer funds, grants and programs.

§320-B. Maine Agriculture, Food and Forest Products Investment Fund

1. Fund established. The Maine Agriculture, Food and Forest Products Investment Fund, referred to in this chapter as "the fund," is established and administered by the department to support public-private partnerships to carry out the purposes of this chapter. The

fund consists of money appropriated to the fund or received from any other private or public source. Interest in investment of money of the fund is credited to the fund. Unexpended balances at the end of the fiscal year do not lapse but carry over into the next fiscal year. The Maine Agriculture, Food System and Forest Products Infrastructure Investment Advisory Board established in section 320-C shall oversee and determine expenditures from the fund.

§320-C. Maine Agriculture, Food System and Forest Products Infrastructure Investment Advisory Board

1. The Maine Agriculture, Food System and Forest Products Infrastructure Investment Advisory Board. The Maine Agriculture, Food System and Forest Products Infrastructure Investment Advisory Board established in Title 5, section 12004-J, subsection 1-A, referred to in this section as "the board," is created to oversee and determine expenditures from the Maine Agriculture, Food and Forest Products Investment Fund in section 320-B.

2. Membership. The board consists of the commissioner or the commissioner's designee, the Commissioner of Economic and Community Development or the commissioner's designee and 15 members appointed jointly by the commissioner and the Commissioner of Economic and Community Development as follows:

A. One member of a statewide industry group representing conventional nondairy farming;

B. One member of a statewide industry group representing organic nondairy farming;

C. One member of a statewide industry group representing dairy producers;

D. One member of a statewide industry group representing the forest products industry;

E. Two members from relevant financial institutions with experience in the agricultural and forest products industries;

F. One manufacturer of forest products;

G. One manufacturer of value-added agricultural products or representative of the value-added agricultural products industry;

H. Two members representing the supply chain in processing, manufacturing or distribution;

I. One member actively engaged in providing marketing assistance, market development or business and financial planning;

J. One member from a statewide group representing the logging and trucking industry;

K. One member who is a member of a federally recognized Indian nation, tribe or band in this State; and

L. Two members who represent historically underserved racial populations in nondairy farming.

Board membership must reflect a diversity of skills and experience relevant to investment in agricultural, food and forest products processing and manufacturing industries and represent the racial diversity of the food system in the State with specific representation by Indian tribes, communities of color and other underserved communities and populations.

3. Terms; officers; committees; rules. Board members serve for 3-year terms and may serve no more than 2 consecutive terms. The members shall elect a chair and may elect officers, establish one or more committees or subcommittees and adopt such procedural rules as the members determine necessary and appropriate to perform the board's work.

4. Quorum; meeting; voting. A majority of the sitting members constitute a quorum, and action taken by the board may be authorized by a majority of the members present and voting at any regular or special meeting at which a quorum is present. The board may permit any or all members to participate in a regular or special meeting by or conduct the meeting through the use of any means of communication, including electronic telecommunications or a telephone conference call, by which all members participating may communicate with each other during the meeting. A member participating in a meeting by means approved by the board under this subsection is deemed to be present in person at the meeting.

5. Reimbursement. A member of the board is entitled to reimbursement of mileage and other incidental expenses, if funds are available for such purposes, pursuant to Title 5, chapter 379.

6. Powers and duties of board. The board, in determining disbursements of the Maine Agriculture, Food and Forest Products Investment Fund, shall:

A. Facilitate strategic investments in the State's agricultural, food and forest products processing and manufacturing industries, including value-added products;

B. Foster an environment that encourages innovation, sustainable growth, equity and inclusion;

C. Implement and maintain business technical assistance programs in support of the fund and other funds as needed;

D. Determine and devise a process for requests for proposals to perform 3rd-party services in support of and for the management and administration of the fund and other potential natural resource-related funds as needed and for technical assistance programs that ensure that economic development organizations, capital providers and community development financial institutions in any region of

the State are able to fairly compete for disbursements from the fund to meet identified infrastructure investment needs and fulfill the objectives of the funding and technical assistance programs;

E. Enter into performance contracts with one or more persons in order to provide investment and services to agricultural, food and forest products industries, including:

(1) Technical assistance and product research services;

(2) Marketing assistance, market development and business and financial planning;

(3) Organizational, regulatory and development assistance, including feasibility studies of facilities or capital investments to optimize construction and other cost efficiencies; and

(4) Identification of workforce needs and programs in order to develop training and incentive opportunities for the agricultural, food and forest products industries after consulting with the Department of Labor; and

F. Oversee, analyze and evaluate programs, contractors and other recipients of funds disbursed by the board annually, including:

(1) Analyzing fund and technical assistance program use;

(2) Recommending program changes and improvements; and

(3) Preparing a comprehensive report, in collaboration with the Department of Economic and Community Development and other appropriate agencies and organizational partners, on the performance, use and sustainability of funds and supporting programs of the Maine Agriculture, Food and Forest Products Investment Fund to submit to the commissioner.

Sec. KK-3. State agriculture, food and forest products infrastructure funding assessment.

The Department of Agriculture, Conservation and Forestry shall undertake, either directly or with suitable 3rd parties, an assessment to identify specific opportunities for investment in agricultural, food and forest products industries to inform development and structuring of disbursements from the Maine Agriculture, Food and Forest Products Investment Fund under the Maine Revised Statutes, Title 7, section 320-B and other potential natural resource industry-related funds.

1. Assessment. The assessment must be designed and conducted in collaboration with the Department of Economic and Community Development and other relevant state agencies, community and economic development organizations, industry stakeholder groups, financial institutions and experts in related subjects.

The assessment must be in alignment with a state 10-year economic development strategy produced by the Department of Economic and Community Development. The assessment must:

- A. Identify the highest priority areas for policy interventions, including legislation, capital investments, technical assistance and value chain coordination in agricultural, food and forest products industries;
- B. Recommend how State Government may collaborate with other entities to minimize duplication in efforts and programs and bridge gaps in technical assistance, services, education, research and development;
- C. Recommend initiatives that improve regulation, marketing, transportation or distribution systems that enhance market opportunities for state agricultural, food and forest products industries;
- D. Balance the State's desire for near-term returns on investment with the State's commitments to redress racial and other inequities;
- E. Gather new information and leverage existing research, data and understanding related to current state grant and loan programs, gaps or market failures surrounding existing processing infrastructure, stakeholder perspectives and any other relevant informational resources;
- F. Determine key criteria relative to a state food system investment or fund, including eligibility, size, scale, type and other parameters as appropriate;
- G. Determine key criteria relative to a business technical assistance program to support a state food system investment fund, including eligibility, size, scale, type and other parameters as appropriate; and
- H. Determine how to best support additional investments in the agricultural, food and forest products industries, including recommendations for multiple funds and a variety of investment tools and mechanisms.

2. Report. No later than December 1, 2021, the Commissioner of Agriculture, Conservation and Forestry shall submit a report relating to the assessment in subsection 1 with findings and recommendations, including suggested legislation, to the Joint Standing Committee on Agriculture, Conservation and Forestry. The committee may submit legislation based upon the report to the Second Regular Session of the 130th Legislature.

Sec. KK-4. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Bureau of Agriculture 0393

Initiative: Provides one-time funds for reimbursement of board expenses of the Maine Agriculture, Food System and Forest Products Infrastructure Investment Advisory Board.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$4,800	\$4,800
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FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$4,800	\$4,800

Bureau of Agriculture 0393

Initiative: Provides one-time funds for contracted facilitation services.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$72,400	\$0
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FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL	\$72,400	\$0

**AGRICULTURE,
CONSERVATION AND
FORESTRY, DEPARTMENT OF
DEPARTMENT TOTALS**

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$77,200	\$4,800
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DEPARTMENT TOTAL - ALL FUNDS	\$77,200	\$4,800

PART LL

Sec. LL-1. Career advancement and navigation pilot program. The Commissioner of Education shall establish a 2-year pilot program, referred to in this Part as "the pilot program," to provide educational and career guidance, support and services to help underemployed and unemployed individuals acquire education, skills, licensure or other preparation needed to participate to their fullest potential in the workforce.

Sec. LL-2. Administration. The office within the Department of Education that coordinates adult education programs and services shall administer and fund the pilot program through career advancement and navigation specialists, who are persons employed by school administrative units to help participants in the pilot program access education and training and obtain employment. The office shall designate one school administrative unit in each service area designated in section 4 to employ a career advancement and navigation specialist for a group of local education providers located within a geographic area specified by the Commissioner of Education. The office shall collect and

analyze aggregate data about pilot program participants, including, but not limited to, participant demographics, engagement in classes, training and other services accessed directly or by referral under the pilot program and employment outcomes following participation.

Sec. LL-3. Career advancement and navigation specialist duties. Career advancement and navigation specialists shall collaborate and partner with public and private sector entities to develop and implement the pilot program and shall deliver and coordinate services for pilot program participants in accordance with this section. Duties of career advancement and navigation specialists include, but are not limited to:

1. Collaborating with the Department of Education, the office described in section 2 and other state agencies, including, but not limited to, the Department of Labor, the Department of Professional and Financial Regulation, the Department of Economic and Community Development and the Department of Health and Human Services, to develop a program or set of programs to serve the needs of pilot program participants and carry out the purposes of this Part;

2. Creating partnerships with private employers and industry-specific trade associations in the State, including, but not limited to, employers and associations in industries identified by the Department of Labor as paying high wages or having high workforce demand, and collaborating with these private sector partners to:

A. Identify the employer and industry-specific workforce needs and corresponding skills, including job skills, academic skills and English language proficiency, required by employers in the State; and

B. Design appropriate training classes to address identified needs, which may include, but are not limited to, training in workplace culture, on-site training or other vocational training elements and contextualized skills or industry-specific English language acquisition instruction;

3. Creating partnerships with state and local government agencies or other organizations that provide employment and workforce services and support to address pilot program participants' needs related to occupational licensure and credentialing;

4. Providing direct services and assistance to pilot program participants, including, but not limited to:

A. Guidance and assistance accessing appropriate education and training to prepare for entry into gainful employment within 12 to 24 months of the beginning of the education or training. Such training may include intensive workforce preparation classes that cover habits of work, workplace culture and basic skills necessary to obtain, maintain and advance in employment;

B. Assessment, career planning and case management services, including services to assess pilot program participants' education and training levels, qualifications, skill sets, credentials, work experience, work-readiness and English language proficiency; and

C. Assistance for pilot program participants who have limited English language proficiency or who are foreign-educated, foreign-trained or foreign-experienced workers to facilitate:

(1) Enrollment in English language acquisition instruction, including industry-specific English language and vocabulary classes to meet the needs both of pilot program participants and of employers; and

(2) Obtaining English translations and equivalency evaluations of educational credentials, references and other evidence of skills, training and experience acquired abroad; and

5. Referring pilot program participants to legal aid services to address any legal issues that pose barriers to workforce participation and employment, when appropriate.

Sec. LL-4. Service areas. During the pilot program a career advancement and navigation specialist shall serve participants and adult education programs within the following geographic areas:

1. Kennebec County;
2. Androscoggin County and Oxford County;
3. Lincoln County, Knox County, Sagadahoc County and Waldo County; and
4. York County.

Sec. LL-5. Report. The Commissioner of Education shall prepare and submit a report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs no later than November 4, 2022 regarding the pilot program. The report must include, but is not limited to, information regarding the services, training and referrals provided by career advancement and navigation specialists employed by school administrative units; aggregate data regarding pilot program participants, participating employers, employment opportunities and employment placements of pilot program participants; and an evaluation of programs and services most effective in carrying out the purposes of the pilot program. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may report out a bill to the First Regular Session of the 131st Legislature to expand or amend the pilot program based upon the report.

Sec. LL-6. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Adult Education 0364

Initiative: Establishes one limited-period Regional Education Representative position and provides funding for related All Other costs to implement and administer the career advancement and navigation pilot program effective November 1, 2021. The position will end on June 8, 2024.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
Personal Services	\$67,869	\$107,737
All Other	\$3,880	\$3,880
	\$71,749	\$111,617
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL		

Adult Education 0364

Initiative: Provides one-time funds for local school administrative units to hire 4 limited-period career advancement and navigation specialists to support the career advancement and navigation pilot program effective November 1, 2021.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$253,851	\$338,468
	\$253,851	\$338,468
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL		

Learning Systems Team Z081

Initiative: Provides one-time funds for technology costs to implement and administer the career advancement and navigation pilot program beginning November 1, 2021.

FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	2021-22	2022-23
All Other	\$2,503	\$2,503
	\$2,503	\$2,503
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY TOTAL		

EDUCATION, DEPARTMENT OF

DEPARTMENT TOTALS

DEPARTMENT TOTALS	2021-22	2022-23
FEDERAL EXPENDITURES FUND - ARP STATE FISCAL RECOVERY	\$328,103	\$452,588
DEPARTMENT TOTAL - ALL FUNDS	\$328,103	\$452,588

PART MM

Sec. MM-1. Report. No later than October 31, 2021 and thereafter upon request of the chairs of the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs, the Department of Administrative and Financial Services shall submit to the joint standing committee a report on the progress of initiatives created or funded in this Act. The report must include the identification of any initiatives or funding determined to be an ineligible use of funds from the Coronavirus State Fiscal Recovery Fund established in the federal American Rescue Plan Act of 2021, Public Law 117-2.

PART NN

Sec. NN-1. 20-A MRSA §13451, sub-§3, as amended by PL 2021, c. 312, §7, is further amended to read:

3. Payment by State. The State shall pay a percentage of the retired teacher members' share of this insurance according to the following schedule:

- A. Thirty percent until July 1, 2002;
- B. Thirty-five percent from July 1, 2002 to July 31, 2003;
- C. Forty percent from August 1, 2003 to December 31, 2005; ~~and~~
- D. Forty-five percent ~~after December 31, 2005, from January 1, 2006 to June 30, 2021; and~~
- E. Fifty-five percent after June 30, 2021.

Except for individuals who are receiving or who have received retirement benefits under Title 5, section 17907 or 17929, for a teacher who retires after July 1, 2012, the State shall begin paying the percentage of the retired teacher member's share pursuant to this subsection when the retiree reaches normal retirement age.

~~For the fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014 and June 30, 2015, the State's total cost for retired teachers' health insurance premiums is budgeted at the fiscal year 2010-11 funding level adjusted for projected membership growth. The increase in the State's total cost for retired teachers' health insurance premiums for fiscal years ending after June 30, 2015 is budgeted at no more than any percentage increase in the Consumer Price Index as defined in Title 5, section 17001, subsection 9 plus 3%. A provider of a health insurance benefit plan for retired teachers must make available data related to the provider's premium costs and any related data as requested by the Executive Director of Employee Health and Wellness within the Department of Administrative and Financial Services.~~

PART OO

Sec. OO-1. PL 2021, c. 398, Pt. ZZZ, §7 is amended to read:

Sec. ZZZ-7. Transfers from Highway and Bridge Reserve Other Special Revenue Account. Notwithstanding any provision of law to the contrary, the State Controller shall transfer up to \$50,000,000 from the Highway and Bridge Reserve Other Special Revenue Account established in section 5 to the Department of Transportation, Highway and Bridge Capital program, Other Special Revenue Funds account to replace allocations to the Department of Transportation, Highway and Bridge Capital program, Federal Expenditures Fund—ARP State Fiscal Recovery fund authorized by the Legislature but not funded by the Federal Government. Funds transferred pursuant to this section may be used only to support the capital highway and bridge program at the department, consisting of projects to construct, reconstruct, rehabilitate and preserve state Priority 1, Priority 2 and Priority 3 highways statewide, to replace and rehabilitate bridges statewide and to fund the municipal partnership initiative and associated activities, including projects for calendar year 2021. Funds transferred from the Highway and Bridge Reserve Other Special Revenue Account to the Department of Transportation, Highway and Bridge Capital program, Other Special Revenue Funds may be allotted by financial order upon recommendation of the State Budget Officer and approval of the Governor.

Sec. OO-2. Transfer within 30 days. The State Controller shall make the transfer from the Highway and Bridge Reserve Other Special Revenue Account to the Department of Transportation, Highway and Bridge Capital program, Other Special Revenue Funds account specified in section 1 of this Part within 30 days of the effective date of this Part.

See title page for effective date.

**CHAPTER 484
S.P. 592 - L.D. 1736**

**An Act To Clarify Funding for
the Office of Affordable Health
Care**

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

Sec. 1. PL 2021, c. 459, §9 is enacted to read:

Sec. 9. Appropriations and allocations. The following appropriations and allocations are made.

**OFFICE OF AFFORDABLE HEALTH CARE
Office of Affordable Health Care N344**

Initiative: Establishes and appropriates funds for the costs of one Director position, one Public Service Coordinator II position, one Office Specialist II position and related costs for the new Office of Affordable Health Care beginning October 1, 2021.

GENERAL FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE	3.000	3.000
COUNT		
Personal Services	\$257,085	\$364,769
All Other	\$34,297	\$39,062
GENERAL FUND TOTAL	\$291,382	\$403,831

See title page for effective date.

**CHAPTER 485
S.P. 593 - L.D. 1737**

**An Act To Clarify the
Definition of "Qualified
Investment" for Purposes of
the Income Tax Credit for
Paper Manufacturing Facility
Investment**

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

Sec. 1. 36 MRSA §5219-YY, sub-§1, ¶I, as enacted by PL 2021, c. 482, §3 and affected by §5, is amended to read:

I. "Qualified investment" means expenditures of at least \$15,000,000 to design, permit, build, rebuild, modify, replace, repair or acquire machinery or equipment, including supporting equipment, to modernize or improve a paper manufacturing facility. The expenditures of a qualified applicant and other entities, whether or not incorporated, that are part of a single business enterprise must be aggregated to determine whether a qualified investment has been made. A qualified investment includes any amount spent, prior to the issuance of a certificate of approval, on machinery, equipment, repair parts, replacement parts or replacement equipment, including additions and accessions to other machinery and equipment, as long as the machinery, equipment, parts, additions or accessions are placed in service after the issuance of a certificate of approval. A qualified investment does not include an investment made prior to January 1, ~~2021~~ ~~2019~~ or after December 31, ~~2025~~ ~~2023~~. "Qualified investment" does not include any amount expended to qualify for Pine Tree Development Zone program benefits under Title 30-A, chapter 206, subchapter 4.

Sec. 2. 36 MRSA §5219-YY, sub-§3, ¶A, as enacted by PL 2021, c. 482, §3 and affected by §5, is amended to read:

A. Subject to the limitations under paragraph B, beginning with the tax year during which a certificate of completion is issued under subsection 2, paragraph E or the tax year beginning in ~~2023~~

2024, whichever is later, and for each of the following 9 tax years, a certified applicant is allowed a credit against the tax due under this Part for the taxable year in an amount equal to 4% of the certified applicant's qualified investment.

The credit allowed under this subsection is refundable.

Sec. 3. PL 2021, c. 482, §5 is repealed.

See title page for effective date.

CHAPTER 486

H.P. 1299 - L.D. 1735

An Act To Fund Collective Bargaining Agreements with Executive Branch Employees

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

Sec. 1. Adjustment of salary schedules for fiscal years 2021-22 and 2022-23. The salary schedules for the executive branch employees in bargaining units represented by the American Federation of State, County and Municipal Employees, the Maine State Troopers Association, the Maine State Law Enforcement Association, the Maine Service Employees Association and any other certified bargaining representative for an executive branch bargaining unit must be adjusted consistent with the terms of any agreements ratified by December 31, 2021.

Sec. 2. New, temporary and seasonal employees; similar and equitable treatment. The Governor is authorized to grant similar and equitable treatment consistent with this Act for employees in classifications included in bargaining units subject to collective bargaining agreements described in section 5 of this Act who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs E and F.

Sec. 3. Confidential employees; similar and equitable treatment. The Governor is authorized to grant similar and equitable treatment consistent with this Act for confidential employees. For the purposes of this section, "confidential employees" means those employees within the executive branch, including probationary employees, who are in positions excluded from bargaining units pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs B, C, D, I and J.

Sec. 4. Employee salaries subject to Governor's adjustment or approval. The Governor is authorized to grant similar and equitable treatment consistent with this Act for those unclassified employees whose salaries are subject to the Governor's adjustment or approval.

Sec. 5. Costs to General Fund and Highway Fund. Costs to the General Fund and Highway Fund must be provided wholly or in part through a transfer of Personal Services appropriations within and between departments and agencies from the Salary Plan program, General Fund account in the Department of Administrative and Financial Services up to \$30,000,000 for the fiscal year ending June 30, 2022 and up to \$45,000,000 for the fiscal year ending June 30, 2023 to implement the economic terms of the most recent collective bargaining agreements made from July 2021 to December 2021 by the State and the American Federation of State, County and Municipal Employees, the Maine State Troopers Association, the Maine State Law Enforcement Association, the Maine Service Employees Association and any other certified bargaining representative for an executive branch bargaining unit, to provide equitable treatment of employees excluded from bargaining pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs E and F and, notwithstanding Title 26, section 979-D, subsection 1, paragraph E, subparagraph (3), to implement equitable adjustments for confidential employees.

Sec. 6. Transfer of Personal Services appropriations between programs and departments; General Fund. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law to the contrary, available balances in the General Fund for Personal Services in fiscal year 2021-22 and fiscal year 2022-23 may be transferred by financial order between programs and departments within the General Fund upon recommendation of the State Budget Officer and approval of the Governor to be used for costs associated with collective bargaining agreements for state employees.

Sec. 7. Transfer from Salary Plan program and special account funding. The Salary Plan program, General Fund account in the Department of Administrative and Financial Services may be made available as needed in allotment by financial order upon the recommendation of the State Budget Officer and approval of the Governor to be used for the implementation of the collective bargaining agreements for state employees and for other economic items contained in this Act in fiscal years 2021-22 and 2022-23. Positions supported from sources of funding other than the General Fund and the Highway Fund must be funded from those other sources.

Sec. 8. Transfer of Personal Services allocations between programs and departments; Highway Fund. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law to the contrary, available balances in the Highway Fund for Personal Services in fiscal year 2021-22 and fiscal year 2022-23 may be transferred by financial order between programs and departments within the Highway Fund upon recommendation of the State Budget Officer and approval of the Governor to be used

for costs associated with collective bargaining agreements for state employees.

Sec. 9. Authorization for reimbursement of costs associated with contract resolution. The Department of Administrative and Financial Services may be reimbursed from the Salary Plan program, General Fund account in the Department of Administrative and Financial Services for the costs of contract resolution, administration and implementation and other costs required by the process of collective bargaining and negotiation procedures.

See title page for effective date.

PRIVATE AND SPECIAL LAWS OF THE STATE OF MAINE
AS PASSED AT
THE FIRST SPECIAL SESSION OF THE
ONE HUNDRED AND THIRTIETH LEGISLATURE
2021

CHAPTER 2
H.P. 1147 - L.D. 1542

**An Act To Repeal and Replace
the Kittery Water District
Charter**

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

Whereas, this legislation adds 2 trustees to the board of trustees of the Kittery Water District to provide for better representation of all those residing within the district boundaries; and

Whereas, the election of new trustees needs to occur before 90 days after the adjournment of the First Special Session of the 130th Legislature in order to meet municipal needs; and

Whereas, the current charter of the Kittery Water District does not appropriately reflect the territory of the district and does not allow for equal representation for all persons residing within the boundaries of the district; 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:

Sec. 1. Corporate limits; purpose. Pursuant to the Maine Revised Statutes, Title 35-A, chapter 64, the territory described as follows and its inhabitants constitute a standard district under the name "Kittery Water District," referred to in this Act as "the district," for the purpose of supplying the inhabitants of that district with potable water for domestic, commercial, industrial, municipal and governmental purposes, except that the district may supply water pursuant to any contract with the United States Government: all of the Town of Kittery in the County of York, the Portsmouth Naval Shipyard, and so much of the Town of York in the County of York, beginning: At the intersection of the Kittery, Eliot and York town lines, near the intersection of Beech Ridge Road and Birch Hill Road, York, -70-43-59.334577 W 43-08-53.8973311 N, to the intersection of Kingsbury Lane and the northerly end of Boulter Pond, York, -70-42-49.6480387 W 43-10-

45.3033869 N, to the Kittery Water District Treatment Plant, New Boston Road, York, -70-41-26.9790881 W 43-09-47.4562265 N, to the intersection of Cider Hill Road and Cider Hill Creek, near #63 Cider Hill Road, York, -70-40-52.4809683 W 43-09-14.843154 N, to U.S. Route 1, at a valve in front of #4 U.S. Route 1, York, -70-42-07.4670456 W 43-07-58.9788246 N, and so much of the Town of Eliot: Beginning at the intersection of River Road and Shapleigh Old Mill Pond, Eliot, -70-49-17.1735813 W 43-07-55.5036442 N, thence running northeasterly to the intersection of Fore Road and State Road, Eliot, -70-48-22.2209294 W, 43-08-18.0445193 N, thence running northeasterly to the Harold L. Dow Highway near the intersection of Arc Road, thence 500' northeasterly along Arc Road, to a point, -70-47-08.7509814 W 43-08-39.169043 N, thence running southeasterly, 500' from and parallel to the Harold L. Dow Highway, to the intersection of the Kittery and Eliot town lines, near the intersection of Hanscom Road and Bolt Hill Road, Eliot, -70-45-30.1957606 W 43-07-20.8098403 N.

Sec. 2. Powers; authority; duties. The district has all the powers and authority and is subject to all the requirements and restrictions provided in the Maine Revised Statutes, Title 35-A, chapter 64, except as otherwise provided in this Act.

The district is hereby authorized and empowered to extend its business into the Town of Eliot for the purpose of supplying the Town of Eliot and the inhabitants thereof with water for domestic, commercial, industrial and municipal purposes.

For accomplishing the purposes of this Act, the district, through its trustees, is authorized to issue its notes or bonds to an amount sufficient to procure funds to pay the expenses necessary to install its business in the Town of Eliot.

The district is hereby authorized and empowered to extend its business into the Town of York within the territory identified in section 1.

Sec. 3. Power to take water; purchase water. The district is authorized to take water from any spring, pond or streams in the district or adjoining towns within or outside of the district, including surface and groundwater sources, except that no water except as provided in this Act may be taken from springs or ponds now used for similar purposes without consent of the owner, to erect and maintain pumping stations, with all necessary appurtenances required thereto, to erect and maintain reservoirs and standpipes and to lay down

and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing and disbursing of water, and forming proper reservoirs therefor. The district may take and hold by purchase or otherwise any lands, or real estate necessary therefor, may excavate through any lands when necessary for the purposes of the district and may purchase water from another water district.

Sec. 4. Trustees. Except as otherwise provided in this section, the board of trustees of the district is composed of 5 trustees governed and elected in accordance with the Maine Revised Statutes, Title 35-A, section 6410. A trustee must be a resident of the district and a legal voter and may not be a municipally elected official. Trustees serving on the board of the district on the effective date of this Act continue to serve until their terms expire. Two additional trustees must be elected after the effective date of this Act, one trustee for a term of one year and one trustee for a term of 2 years. A trustee must be chosen by ballot, including by absentee or mail-in ballot, by the legal voters within the district. Whenever the term of office of a trustee expires or to otherwise fill an unoccupied office of trustee, the legal voters of the district shall elect a successor to serve for a full term of 3 years, and if any other vacancy occurs it may be filled in like manner for the unexpired term. In the event of a tied vote, a run-off election must be conducted pursuant to Title 30-A, section 2528, subsection 10 within 6 weeks of the election, with 30 days' public notice, and the incumbent, if any, continues to hold office until the election is decided.

Sec. 5. Continuance of district; contracts. This Act updates the charter of the district. The district is neither dissolved, replaced nor transferred to any other entity by this Act. All contracts existing on the effective date of this Act between the district as established by Private and Special Law 1907, chapter 424, as amended, and any persons or corporations or the United States Government for supplying water within the district and any remaining portion of the Town of Kittery, the Town of Eliot, the Town of York or other adjoining town remain contracts of the district under this Act. Except as otherwise expressly provided, nothing in this Act affects the outstanding debts, obligations, liabilities and responsibilities of the district or any plants, properties, assets, franchises, rights, privileges and operations of the district, including, without limitation, lands, buildings, waters, water rights, springs, wells, reservoirs, tanks, standpipes, mains, pumps, pipes, machinery, fixtures, hydrants, meters, services, tools, equipment, apparatus, appliances and appurtenances used or useful in supplying water for domestic, commercial, industrial, municipal and governmental purposes, in possession of the district, established by Private and Special Law 1907, chapter 424, as amended.

Sec. 6. P&SL 1907, c. 424, as amended, is repealed.

Sec. 7. P&SL 1909, c. 109, as amended, is repealed.

Sec. 8. P&SL 1911, c. 2, as amended, is repealed.

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

Effective June 8, 2021.

CHAPTER 3

S.P. 54 - L.D. 123

An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2022

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

Sec. 1. Allocation. Gross revenues of the Maine Turnpike Authority for the calendar year ending December 31, 2022 must be segregated, apportioned and disbursed as designated in the following schedule.

MAINE TURNPIKE AUTHORITY	2022
Administration	
Personal Services	\$1,309,210
All Other	1,694,050
TOTAL	\$3,003,260
Accounts and Controls	
Personal Services	\$3,460,126
All Other	1,580,310
TOTAL	\$5,040,436
Highway Maintenance	
Personal Services	\$4,982,887
All Other	3,621,426
TOTAL	\$8,604,313
Equipment Maintenance	
Personal Services	\$1,293,660
All Other	2,629,234
TOTAL	\$3,922,894
Fare Collection	
Personal Services	\$10,982,571

All Other	4,432,852
TOTAL	\$15,415,423
Public Safety and Special Services	
Personal Services	\$642,640
All Other	7,612,755
TOTAL	\$8,255,395
Building Maintenance	
Personal Services	\$716,688
All Other	667,567
TOTAL	\$1,384,255
Subtotal of Line Items Budgeted	\$45,625,976
General Contingency - 10% of line items budgeted for 2022 (10% allowed)	\$4,562,598
MAINE TURNPIKE AUTHORITY	
TOTAL REVENUE FUNDS	\$50,188,574

Sec. 2. Transfer of allocations. Any balance of the allocation for "General Contingency" made by the Legislature for the Maine Turnpike Authority may be transferred at any time prior to the closing of the books to any other allocation or subdivision of any other allocation made by the Legislature for the use of the Maine Turnpike Authority for the same calendar year. Any balance of any other allocation or subdivision of any other allocation made by the Legislature for the Maine Turnpike Authority that at any time is not required for the purpose named in the allocation or subdivision may be transferred at any time prior to the closing of the books to any other allocation or subdivision of any other allocation made by the Legislature for the use of the Maine Turnpike Authority for the same calendar year subject to review by the joint standing committee of the Legislature having jurisdiction over transportation matters. Financial statements describing the transfer, other than a transfer from "General Contingency," must be submitted by the Maine Turnpike Authority to the Office of Fiscal and Program Review 30 days before the transfer is to be implemented. In the case of extraordinary emergency transfers, the 30-day prior submission requirement may be waived by vote of the committee. These financial statements must include information specifying the accounts that are affected, amounts to be transferred, a description of the transfer and a detailed explanation as to why the transfer is needed.

Sec. 3. Encumbered balance at year-end. At the end of each calendar year, encumbered balances may be carried to the next calendar year.

Sec. 4. Supplemental information. As required by the Maine Revised Statutes, Title 23, section

1961, subsection 6, the following statement of the revenues in 2022 that are necessary for capital expenditures and reserves and to meet the requirements of any resolution authorizing bonds of the Maine Turnpike Authority during 2022, including debt service and the maintenance of reserves for debt service and reserve maintenance, is submitted.

Turnpike Revenue Bond	2022
Resolution Adopted April 18, 1991; Issuance of Bonds Authorized Pursuant to the Maine Revised Statutes, Title 23, section 1968, subsections 1 and 2-A	
Debt Service Fund	\$41,243,000
Reserve Maintenance Fund	40,000,000
General Reserve Fund, to be applied as follows:	
Capital Improvements	20,678,953
Debt Service Fund under the General Special Obligation Bond Resolution Adopted May 15, 1996; Issuance of Bonds Authorized Pursuant to the Maine Revised Statutes, Title 23, section 1968, subsection 2-A	2,446,000
TOTAL	\$104,367,953

See title page for effective date.

CHAPTER 4

H.P. 329 - L.D. 453

An Act To Establish a Permanent Appointment of a Member of the Wabanaki Tribes to the Board of Trustees of the University of Maine System

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

Sec. 1. P&SL 1865, c. 532, §4, sub-§2, as amended by PL 1983, c. 799, §4, is further amended to read:

2. Members appointed by the Governor. Fourteen members ~~shall~~ must be appointed for 5-year terms by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over education matters and confirmation by the Legislature. Each term ~~shall expire~~ expires on May 26th of the appropriate year, except that the retiring member ~~shall~~

~~serve~~ serves until a successor is appointed by the Governor and confirmed by the Legislature. ~~No~~ A person accepting ~~such~~ an appointment under this subsection may not be a member of the State Board of Education. In making appointments, the Governor shall strive to achieve a membership ~~which~~ that is representative of the population of this State. In so far as feasible when selecting qualified nominees to the board, the Governor shall consider affirmative action criteria, professional education and experience and an equitable geographical representation among the members. At least one member appointed by the Governor must be a member of a federally recognized Indian nation, tribe or band in the State. The appointment of the member of a federally recognized Indian nation, tribe or band in the State must be based on the joint recommendation of the tribal governments of the Aroostook Band of Micmaacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe at Motahkomikuk, the Passamaquoddy Tribe at Sipayik and the Penobscot Nation. If the tribal governments do not make a unanimous joint recommendation, the Governor shall appoint a member of a federally recognized Indian nation, tribe or band in the State and rotate the appointment among members of each federally recognized Indian nation, tribe or band in the State. Trustees may serve a maximum of 2 terms, except that an individual appointed to fill an unexpired term of 3 years or less is eligible for appointment to 2 full terms. Vacancies ~~shall~~ must be filled by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over education matters and confirmation by the Legislature, for the unexpired balance of the term. In order to restore and maintain rotation of terms of office of trustees, an incumbent trustee who was appointed for a term of 5 years at a time subsequent to the expiration of the term of ~~his~~ that trustee's predecessor in office ~~shall be~~ is deemed to have commenced ~~his~~ that trustee's 5-year term upon the date of the expiration of the term of office of ~~his~~ that trustee's predecessor rather than from the date of ~~his~~ that trustee's appointment and qualification. Trustees ~~shall~~ serve without compensation, but may be reimbursed for travel and other expenses incurred in the performance of their official duties.

See title page for effective date.

CHAPTER 5
S.P. 494 - L.D. 1520

**An Act To Terminate the
Augusta Downtown Parking
District**

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

Sec. 1. P&SL 1947, c. 124, as amended by P&SL 2013, c. 4, §1, is repealed.

See title page for effective date.

CHAPTER 6
H.P. 29 - L.D. 63

**An Act Regarding the
Northeastern Interstate Forest
Fire Protection Compact**

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

Whereas, this legislation extends liability protection for the State and firefighters who travel to fight wildfires or other emergencies outside of the Northeastern Interstate Forest Fire Protection Compact area; and

Whereas, it is important that this legislation take effect immediately in order that the liability protection be extended as soon as possible; 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:

Sec. 1. P&SL 1949, c. 75, §1 is amended by adding at the end a new Article to read:

ARTICLE XV

The provisions of Article IX that relate to mutual aid in combating, controlling or preventing forest fires are operative as between any member state and any other state that is party to a regional forest fire protection compact in another region, as long as the legislature of that other state has given its consent to those mutual aid provisions of this compact.

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

Effective June 11, 2021.

**CHAPTER 7
H.P. 665 - L.D. 909**

**An Act Regarding the Depth of
Phillips Lake in the Town of
Dedham**

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

Whereas, this legislation is necessary to provide the Lucerne-in-Maine Village Corporation the authority to adopt a water level ordinance to regulate water level regimes and minimum flow requirements for Phillips Lake in the Town of Dedham; and

Whereas, it is necessary for this legislation to take effect prior to the expiration of the 90-day period in order to ensure sufficient time for any necessary research regarding seasonal changes in water flow associated with the dam at the north end of Phillips Lake; 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:

Sec. 1. P&SL 2005, c. 17, §1, as amended by P&SL 2005, c. 44, §1, is further amended to read:

Sec. 1. Lucerne-in-Maine Village Corporation authorized to construct, operate and maintain dam. The Lucerne-in-Maine Village Corporation in the Town of Dedham, Hancock County is authorized to construct, operate and maintain a dam at the outlet at the north end of Phillips Lake in the Town of Dedham. Unless a water level regime is established by the ~~Commissioner of Environmental Protection pursuant to the Maine Revised Statutes, Title 38, chapter 5, subchapter 1, article 3-A, subarticle 4 ordinance adopted pursuant to section 2,~~ the dam, including any flashboards, must be constructed, operated and maintained at no higher than 227 feet above sea level as established by the National Geodetic Survey and at a width that is no less than the current width of the dam.

Sec. 2. P&SL 2005, c. 17, §2 is enacted to read:

Sec. 2. Lucerne-in-Maine Village Corporation authorized to adopt water level ordinance; interlocal agreement with Town of Dedham authorized. The Lucerne-in-Maine Village Corporation in the Town of Dedham, Hancock County may adopt a water level ordinance pursuant to the Maine Revised Statutes, Title 30-A, chapter 187, subchapter 6 to regulate water level regimes and minimum flow requirements for Phillips Lake in the Town of Dedham, subject

to the same guidelines and standards that apply to municipalities under Title 30-A, chapter 187, and may enter into an interlocal agreement under Title 30-A, section 4456 with the Town of Dedham to regulate water level regimes and minimum flow requirements for Phillips Lake. The Town of Dedham is not required to separately adopt a water level ordinance pursuant to Title 30-A, chapter 187, subchapter 6 to enter into an interlocal agreement under Title 30-A, section 4456 with the Lucerne-in-Maine Village Corporation pursuant to this section.

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

Effective June 14, 2021.

**CHAPTER 8
H.P. 457 - L.D. 621**

**An Act To Increase the
Number of Franklin County
Commissioners**

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Sec. 1. Apportionment plans for Franklin County. The legislative apportionment commission established in 2021 pursuant to the Constitution of Maine, Article IV, Part Third, Section 1-A, hereinafter referred to as "the apportionment commission," shall create 2 apportionment plans for Franklin County, both established in accordance with the Constitution of Maine, Article IV, Part First, Section 2; Article IV, Part Second, Section 2; and Article IV, Part Third, Section 1-A; and the Maine Revised Statutes, Title 21-A, section 1206-A. One plan must apportion Franklin County into 3 districts and one plan must apportion Franklin County into 5 districts as follows.

1. Plan for 3 districts. The apportionment plan dividing Franklin County into 3 districts must align as closely as practicable with the following.

A. Commissioner District Number 1, in the County of Franklin, consists of the minor civil divisions and unorganized territories of Carthage, Jay, South Franklin, Temple and Wilton.

B. Commissioner District Number 2, in the County of Franklin, consists of the minor civil divisions of Chesterville, Farmington and New Sharon.

C. Commissioner District Number 3, in the County of Franklin, consists of the minor civil divisions and unorganized territories of Avon, Carrabassett Valley, Coplin, Dallas, East Central Franklin, Eustis, Industry, Kingfield, New Vineyard, North Franklin, Phillips, Rangeley, Rangeley Plantation, Sandy River, Strong, Weld, West Central Franklin and Wyman Township.

2. Plan for 5 districts. The apportionment plan dividing Franklin County into 5 districts must align as closely as practicable with the following.

A. Commissioner District Number 1, in the County of Franklin, consists of the minor civil divisions of Temple and Wilton. The term of office of the commissioner from this district expires in 2028 and every 4 years thereafter.

B. Commissioner District Number 2, in the County of Franklin, consists of Farmington. The term of office of the commissioner from this district expires in 2028 and every 4 years thereafter.

C. Commissioner District Number 3, in the County of Franklin, consists of the minor civil divisions and unorganized territories of Avon, Carthage, Coplin, Eustis, North Franklin, Phillips, Rangeley, Rangeley Plantation, Sandy River, South Franklin, Strong, Weld and West Central Franklin. The term of office of the commissioner from this district expires in 2028 and every 4 years thereafter.

D. Commissioner District Number 4, in the County of Franklin, consists of the minor civil divisions and unorganized territories of Carrabassett Valley, Dallas, East Central Franklin, Industry, Kingfield, New Sharon, New Vineyard and Wyman Township. The term of office of the commissioner from this district expires in 2026 and every 4 years thereafter.

E. Commissioner District Number 5, in the County of Franklin, consists of the minor civil divisions of Chesterville and Jay. The term of office of the commissioner from this district expires in 2026 and every 4 years thereafter.

Sec. 2. Apportionment of Franklin County if referendum question passes; term of office. If the referendum question submitted to the legal voters of Franklin County in accordance with section 4 passes by majority vote, the apportionment commission shall submit a plan dividing Franklin County into 3 commissioner districts until the election in November 2024 and thereafter dividing Franklin County into 5 districts aligned as closely as practicable to the apportionment described in section 1. The plan must ensure that the terms of office for the 3 commissioners expire in 2024.

Sec. 3. Apportionment of Franklin County if referendum question fails. If the referendum question submitted to the legal voters of Franklin County in accordance with section 4 fails to pass by majority vote, the apportionment commission shall submit a plan dividing Franklin County into 3 commissioner districts with terms of office for the commissioners following the terms established in the Maine Revised Statutes, Title 30-A, section 66-B, subsection 4.

Sec. 4. Referendum. The county commissioners of Franklin County shall submit the following question to the legal voters of the county by ballot at the referendum election to be held in November 2021. The method of voting and the conduct of the referendum are governed by the Maine Revised Statutes, Title 21-A, and the county commissioners or county administrators shall perform the duties of the Secretary of State prescribed by Title 21-A in the same manner as the county commissioners are required to do in the case of a county bond referendum election held pursuant to Title 30-A, section 938. The subject matter of this Act must be reduced to the following question:

"Do you favor increasing the number of Franklin County commissioner districts from 3 to 5 and staggering the terms of the 5 county commissioners beginning in 2024 following redistricting conducted pursuant to the Constitution of Maine in 2021?"

The voters shall indicate their opinion on this question by a cross or check mark placed against the word "Yes" or "No." The question must be approved by a majority of the legal voters casting ballots at the referendum election.

The results of the referendum must be declared by the county commissioners or county administrator and due certificate filed with the Secretary of State within 10 days after the date of the election.

Effective pending referendum.

CHAPTER 9

H.P. 1209 - L.D. 1625

An Act To Increase the Number of Lincolnville Sewer District Trustees from 3 to 5

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

Sec. 1. P&SL 2009, c. 32, §5 is amended to read:

Sec. 5. Number of trustees; quorum. The board of trustees of the district is composed of ~~3~~ 5 trustees; notwithstanding any law to the contrary, 2 of the trustees are alternates, and an alternate may vote only if

a quorum has not yet been reached. Notwithstanding the Maine Revised Statutes, Title 35-A, section 6410, subsection 6, a quorum consists of 2 members of the board. Trustees must be residents and voters of the district.

Sec. 2. P&SL 2009, c. 32, §5-A is enacted to read:

Sec. 5-A. Trustees; alternates. The 2 trustees of the district next elected pursuant to section 5 after the effective date of this section are alternate members who may vote only if a quorum has not yet been reached, and the trustees subsequently elected to those positions are alternates.

See title page for effective date.

CHAPTER 10

H.P. 1278 - L.D. 1723

An Act Regarding Winter Maintenance on Private Roads in the Town of Windham

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 Town of Windham has provided winter maintenance service to approximately 101 private ways in the town for several years; and

Whereas, approximately 1,700 residents live on the private ways maintained in the winter by the Town of Windham and have come to rely on this service; and

Whereas, continuation of this service may expose the Town of Windham to legal liability; and

Whereas, cessation of this service may expose the Town of Windham to legal liability; and

Whereas, the Town of Windham has been unable, despite its best efforts, to find an appropriate resolution to this complicated and long-standing situation and is now asking the Legislature for assistance; and

Whereas, the Legislature recognizes the difficulties facing the Town of Windham and is willing to assist the town for a reasonable period of time; and

Whereas, part of the solution for the Town of Windham involves working with the residents living along the private ways prior to the beginning of the next winter maintenance season; and

Whereas, the span of time between 90 days after adjournment of this Legislature and the beginning of the next winter maintenance season is not sufficient time for the Town of Windham to make sufficient progress working with residents; 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:

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

1. Council. "Council" means the town council of the Town of Windham.

2. Designated private way. "Designated private way" means a private way located in the Town of Windham that satisfies the criteria listed in section 3, subsection 1.

3. Private way. "Private way" has the same meaning as in the Maine Revised Statutes, Title 23, section 1903, subsection 10-A.

4. Road association. "Road association" means a road association created pursuant to the Maine Revised Statutes, Title 23, chapter 305, subchapter 2.

5. Road commissioner. "Road commissioner" means the road commissioner, as described by the Maine Revised Statutes, Title 23, section 2701, of the Town of Windham.

6. Town way. "Town way" has the same meaning as in the Maine Revised Statutes, Title 23, section 3021, subsection 3.

7. Winter maintenance. "Winter maintenance" means the snow removal and surface treatment, including sanding and salting, performed on designated private ways.

Sec. 2. Authorization of winter maintenance on designated private ways. The council and the Town of Windham may use public equipment to perform winter maintenance on a designated private way, regardless of the existence of a public easement over the designated private way for the purpose of ensuring the health and safety of the residents of the Town of Windham.

Sec. 3. Ordinance; roster; maintenance standards; termination. The council may enact an ordinance to provide for the winter maintenance of designated private ways according to this section.

1. Identification of designated private ways. The council may identify a private way in the Town of Windham as a designated private way if:

A. The council has evidence that the Town of Windham has performed winter maintenance on the private way for at least 20 years prior to the effective date of this Act; and

B. The road commissioner has determined that the private way cannot meet standards developed or required by generally applicable local ordinances for dedication and acceptance of the private way as a town way pursuant to the Maine Revised Statutes, Title 23, section 3025.

2. Creation and maintenance of designated private way roster and map. The Town of Windham may create and maintain a roster and map of all designated private ways. If a private way is included on the roster and map of designated private ways, no road association or owner of property benefited by the private way may bring a claim asserting that the private way has become a town way by any method or mechanism other than dedication and acceptance pursuant to the Maine Revised Statutes, Title 23, section 3025.

3. Development of basic maintenance standards. The road commissioner may, in consultation with the council, develop basic maintenance standards for designated private ways that the road commissioner may use to determine the necessary maintenance a road association or owners of property benefited by a private way must perform for the private way to be a designated private way.

4. Conditions of suspension and termination. The Town of Windham may suspend or cease to perform winter maintenance on a designated private way as follows.

A. The Town of Windham has no obligation to perform winter maintenance on a designated private way if:

- (1) The council or road commissioner has notified the road association or owners of property benefited by the private way of maintenance necessary to satisfy the road commissioner's basic maintenance standards under subsection 3 and the maintenance is not performed to the road commissioner's satisfaction by September 1st following the date on which notice was given; or
- (2) Owners of property benefited by the private way have not formed a road association within 2 years of the effective date of this Act or before a later date set by the council.

Within 60 days of the creation of the roster and map of designated private ways pursuant to subsection 2, the council may notify the road association or owners of property benefited by a designated private way of the conditions for continued winter maintenance contained in this paragraph.

B. A private way may be removed from the roster and map of designated private ways created pursuant to subsection 2 if:

(1) The council accepts the private way as a town way pursuant to the Maine Revised Statutes, Title 23, section 3025 and any applicable local ordinance; or

(2) The road association of the private way or a majority of the owners of property benefited by the private way present a petition to the council for the removal of the private way from the roster and map.

5. Ordinance. The council may by ordinance establish additional policies and procedures to effectuate the provisions of this Act.

Sec. 4. Town of Windham report. The Town of Windham may submit a report to the Joint Standing Committee on State and Local Government by February 1, 2022. The report, if submitted, must include the following information:

- A. A detailed description of the progress made by the council and the town manager to conform the use of public funds to provide winter maintenance on private ways with applicable constitutional and statutory laws;
- B. An assessment by the Town of Windham fire-rescue chief regarding the use of fire-rescue vehicles on private ways in the town for fire and safety protection;
- C. An assessment by the Town of Windham police chief regarding the use of police vehicles on private ways in the town for public health and safety; and
- D. An assessment of whether winter maintenance by the Town of Windham of its designated private ways has an environmental impact on the surrounding water bodies.

The joint standing committee may report out a bill based on the report to the Second Regular Session of the 130th Legislature.

Sec. 5. Repeal. This Act is repealed June 30, 2022.

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

Effective June 17, 2021.

**CHAPTER 11
H.P. 1281 - L.D. 1731**

**An Act To Create the Belgrade
Water District**

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

Whereas, a number of private wells in the Town of Belgrade have evidenced chloride contamination stemming from nearby sand and salt storage facilities, and this poses a serious threat to the health and well-being of the inhabitants of the area; and

Whereas, an adequate supply of pure water is essential to the health and well-being of the inhabitants of the Town of Belgrade; and

Whereas, with an affirmative vote by the inhabitants of the Town of Belgrade, the Department of Transportation will pay the upfront costs to have the distribution system designed, installed and connected to the currently affected properties in order to provide safe water to inhabitants of the Town of Belgrade;

Whereas, the formation of a water district in the Town of Belgrade will ensure the supply of pure water for the town's inhabitants and is necessary in order for the Department of Transportation to transfer the distribution system to the Town of Belgrade; 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:

Sec. 1. Territorial limits; corporate name. Pursuant to the Maine Revised Statutes, Title 35-A, chapter 64, that part of the Town of Belgrade described, as of June 1, 2021, as tax map 7, lots 34, 35, 42, 43, 44, 45, 47-1, 47-14, 53, 55, 55-A, 55-B, 55-C, 55-D, 55-E, 55-F, 55-G, 56-1, 56-2, 56-3, 56-4, 58, 59, 59-A, 59-B, 60, 61, 61-A, 62, 62-B and 63 and its inhabitants constitute a standard water district under the name "Belgrade Water District," referred to in this Act as "the district."

Sec. 2. Powers; authority; duties. The district has all the powers and authority and is subject to all the requirements and restrictions provided in the Maine Revised Statutes, Title 35-A, chapter 64, except as otherwise provided by this Act.

Sec. 3. Power to take water. The district is authorized to take, to hold and to convey within the Town of Belgrade and from any part of the town water from any surface or groundwater source within the town.

Sec. 4. Number of trustees. The board of trustees of the district is composed of 3 trustees. A trustee must be a resident of the Town of Belgrade but notwithstanding the Maine Revised Statutes, Title 35-A, section 6410 need not reside in a household to which the district's service is provided. Notwithstanding Title 35-A, section 6410, subsection 3, any municipal officer, as defined in Title 30-A, section 2001, subsection 10, or other elected official is eligible for appointment as a

trustee of the district. At no time may more than 2 municipal officers or elected officials serve as trustees of the district.

Sec. 5. First board. The first board of trustees of the district is appointed by the municipal officers of the Town of Belgrade in accordance with this Act. The terms of the first board are governed by the Maine Revised Statutes, Title 35-A, section 6410, subsection 4.

Sec. 6. Terms of trustees. After the appointment of the first board of trustees of the district, trustees are appointed to 3-year terms by the municipal officers of the Town of Belgrade pursuant to the Maine Revised Statutes, Title 35-A, section 6410, subsection 2.

Sec. 7. Referendum; effective date. This Act takes effect when approved only for the purpose of permitting its submission to the legal voters within the Town of Belgrade at an election called for that purpose and held within 3 years of the effective date of this Act. The election must be called, advertised and conducted according to the law relating to municipal elections, except that the registrar of voters is not required to prepare or the clerk to post a new list of voters. For the purpose of registration of voters, the registrar of voters must be in session the secular day preceding the election. The subject matter of this Act is reduced to the following question:

"Do you favor creating the Belgrade Water District?"

The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion of the same.

The results must be declared by the municipal officers of the Town of Belgrade and due certificate of the results filed by the clerk with the Secretary of State.

This Act takes effect for all other purposes immediately upon its approval by a majority of the legal voters voting at the election. Failure to achieve the necessary approval in any referendum does not prohibit subsequent referenda consistent with this section, as long as the referenda are held within 3 years of the effective date of this Act.

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

Effective pending referendum.

**CHAPTER 12
S.P. 554 - L.D. 1699**

**An Act To Establish the
Southern Aroostook County
Emergency Medical Services
Authority**

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 provision of emergency medical services to the people of southern Aroostook County requires the formation of the Southern Aroostook County Emergency Medical Services Authority immediately for the public health and welfare; 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:

Sec. 1. Establishment. The Southern Aroostook County Emergency Medical Services Authority, referred to in this Act as "the authority," is established to facilitate the provision of emergency medical services to the residents of the towns of Amity, Hammond, Hodgdon, Linneus, Littleton, Ludlow, Merrill, Monticello and Smyrna, and such other towns that elect to join the authority, referred to in this Act as "the member towns."

Sec. 2. Board of directors. The authority is governed by a board of directors, referred to in this Act as "the board." The board consists of the following members:

1. One from Amity, appointed by its municipal officers;
2. One from Hammond, appointed by its municipal officers;
3. One from Hodgdon, appointed by its municipal officers;
4. One from Linneus, appointed by its municipal officers;
5. One from Littleton, appointed by its municipal officers;
6. One from Ludlow, appointed by its municipal officers;
7. One from Merrill, appointed by its municipal officers;
8. One from Monticello, appointed by its municipal officers;

9. One from Smyrna, appointed by its municipal officers; and

10. One from each town that elects to join the authority after the effective date of this section, appointed by the municipal officers of the town.

The municipal officers of each member town shall appoint an alternate who may serve in the absence of the appointed member for that town.

For the purposes of this section, "municipal officers" has the same meaning as in the Maine Revised Statutes, Title 30-A, section 2001, subsection 10.

The members of the board are appointed for terms of 3 years, except that the initial members from the towns of Amity, Hodgdon, Littleton, Merrill and Smyrna are appointed for terms of 2 years. The members may be reappointed at the pleasure of the municipal officers.

Sec. 3. Powers. The authority may:

1. Employ and compensate personnel, consultants, technical and professional assistants and an emergency medical services medical director;
2. Make and enter into contracts and agreements and, pursuant to the bylaws of the authority, purchase or lease all vehicles and equipment necessary to provide emergency medical services to members;
3. Hold public hearings and sponsor public forums;
4. Sue and be sued in its own name;
5. Accept funds, grants and services from federal, state, county and municipal governments or any agency thereof, gifts and stipends from its member towns and private gifts from individuals and entities; and
6. Apply for and accept loans and allocate and disburse funds received to carry out the purposes of the authority.

Debts of the authority authorized under this Act do not constitute or create any debt or liability on behalf of the State. Debts incurred under this Act do not directly, indirectly or contingently obligate the State to levy or to pledge any form of taxation or to make any appropriation for their payment. This section may not be construed to prevent the authority from pledging its full faith and credit to the payment of loans or other debts authorized pursuant to this Act.

Sec. 4. Duties. The authority shall:

1. Prepare an annual budget and require an annual audit that is made available for public inspection;
2. Follow uniform standards provided in the Maine Revised Statutes insofar as they relate to Department of Public Safety rules;

3. Make provisions for emergency medical services in the member towns and, on a contract basis, other areas where new services are to be provided; however, where emergency medical services are already provided by existing services, they are not abolished by this Act without the express consent of the governing body of the area where services are being provided and vote of the existing medical services board;

4. Implement a subscription membership program unless otherwise prohibited by law; and

5. Set and annually adjust an approved cost-basis schedule that is uniform throughout the member towns.

Sec. 5. Organization; conduct of business.

The board must be organized and its business must be conducted in accordance with the following.

1. The board shall elect a chair, vice-chair, secretary and treasurer from among its members.

2. The secretary shall keep a record of the board's meetings. These records are public records as defined in the Maine Revised Statutes, Title 1, section 402, subsection 3.

3. The treasurer shall keep records of the board's transactions. These records are public records as defined in the Maine Revised Statutes, Title 1, section 402, subsection 3.

4. The treasurer must be bonded in an amount to be determined by the board.

5. A quorum of the board is established in the bylaws of the authority and must include the chair or vice-chair and the secretary or treasurer of the board.

6. The board shall adopt such bylaws and mission statements as are necessary for the legal operation and proper management of the authority.

Sec. 6. Meetings. The bylaws must establish the annual meeting of the board. Additional meetings may be scheduled at the call of the chair or at the written request of any 4 members of the board.

A member who fails to attend board meetings 5 consecutive times may be replaced by the municipal officers. Notification of such absences from the secretary of the board to the municipal officers is sufficient to trigger the appointment of a replacement board member by the municipal officers.

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

Effective June 30, 2021.

RESOLVES OF THE STATE OF MAINE
AS PASSED AT
THE FIRST SPECIAL SESSION OF THE
ONE HUNDRED AND THIRTIETH LEGISLATURE
2021

CHAPTER 10
H.P. 142 - L.D. 207

**Resolve, Regarding Legislative
Review of Portions of Chapter
1: Fee Schedule, a Major
Substantive Rule of the
Department of Agriculture,
Conservation and Forestry,
Maine Land Use Planning
Commission**

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, a major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 1: Fee Schedule, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Maine Land Use Planning Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized. Notwithstanding the Maine Revised Statutes, Title 5, section 8072, the Maine Land Use Planning Commission shall finally adopt rules no later than October 1, 2021.

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

Effective May 5, 2021.

CHAPTER 11
H.P. 346 - L.D. 472

**Resolve, Regarding Legislative
Review of Chapter 104:
Certain Payments Not
Immediate, a Major
Substantive Rule of the
Treasurer of State**

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, a major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of Chapter 104: Certain Payments Not Immediate, a provisionally adopted major substantive rule of the Treasurer of State that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective May 5, 2021.

**CHAPTER 12
H.P. 420 - L.D. 577**

Resolve, Regarding Legislative Review of Chapter 6: Crisis Prevention and Intervention Services, a Major Substantive Rule of the Department of Health and Human Services, Office of Aging and Disability Services

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, a major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of Chapter 6: Crisis Prevention and Intervention Services, a provisionally adopted major substantive rule of the Department of Health and Human Services, office of aging and disability services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective May 5, 2021.

**CHAPTER 13
H.P. 421 - L.D. 578**

Resolve, Regarding Legislative Review of Portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs: Infection Prevention and Control, a Major Substantive Rule of the Department of Health and Human Services, Division of Licensing and Certification

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, a major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 113: Regulations Governing the Licensing and Functioning of Assisted Housing Programs: Infection Prevention and Control, a provisionally adopted major substantive rule of the Department of Health and Human Services, division of licensing and certification that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized. Notwithstanding Title 5, section 8072, subsection 8, when finally adopted in accordance with this resolve, this rule takes effect immediately upon filing with the Secretary of State.

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

Effective May 5, 2021.

**CHAPTER 14
H.P. 1116 - L.D. 1506**

**Resolve, To Continue until July
1, 2021 Limited-period
Positions Expiring in June 2021**

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

Whereas, certain positions in State Government are scheduled to expire prior to July 1, 2021, which is prior to the end of the 90-day period; and

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

Sec. 1. Continuation of limited-period positions. Resolved: That, notwithstanding any provision of law to the contrary, all limited-period positions throughout State Government that are scheduled to expire during June 2021 are continued until July 1, 2021.

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

Effective May 5, 2021.

**CHAPTER 15
S.P. 81 - L.D. 193**

**Resolve, To Name a Mountain
in Oxford County**

Sec. 1. Jason's Mountain. Resolved: That a certain mountain located at the south end of Twitchell Pond of the Town of Greenwood, lying opposite Rowe's Ledge and north of Sheepskin Bog and unofficially known as Jason's Mountain or Oak Hill, is named Jason's Mountain.

See title page for effective date.

**CHAPTER 16
H.P. 363 - L.D. 500**

**Resolve, Regarding Legislative
Review of Portions of Chapter
895: Underground Facility
Damage Prevention
Requirements, a Major
Substantive Rule of the Public
Utilities Commission**

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, a major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 895: Underground Facility Damage Prevention Requirements, a provisionally adopted major substantive rule of the Public Utilities Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following change is made:

1. The rule must be amended in section 4(D)(2) to clarify that a damage prevention incident may be reported by an excavator to the Public Utilities Commission via e-mail.

The Public Utilities Commission is not required to hold hearings or undertake further proceedings prior to final adoption of the rule in accordance with this section.

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

Effective May 25, 2021.

**CHAPTER 17
H.P. 326 - L.D. 450**

Resolve, To Increase Public Awareness Regarding Bone Marrow Donation

Sec. 1. Department of Health and Human Services to post to its publicly accessible website informational and educational materials regarding the bone marrow transplant list. Resolved: That the Department of Health and Human Services shall post to its publicly accessible website informational and educational materials, including a downloadable pamphlet, regarding bone marrow donation through the national marrow donor program in order to increase public awareness of bone marrow donation. In order to implement this section, the department shall obtain its informational and educational materials from a source that has already developed and distributed those materials for public use.

See title page for effective date.

**CHAPTER 18
S.P. 192 - L.D. 486**

Resolve, Directing the Bureau of Parks and Lands To Provide Annual Updates on Efforts To Consolidate the Bureau's Unconsolidated Public Lots

Sec. 1. Director of Bureau of Parks and Lands directed to report progress on consolidating common and undivided parcels. Resolved: That, until March 1, 2026, the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry shall include in the bureau's annual report on public reserved, nonreserved public and submerged lands, which is submitted on or before March 1st each year, a progress report on the bureau's efforts to consolidate common and undivided public lot parcels that are held in common with private landowners.

See title page for effective date.

**CHAPTER 19
H.P. 409 - L.D. 564**

Resolve, Directing the State Librarian and the State Archivist To Study Which State Agency Reports and Publications Do Not Need To Be Printed

Sec. 1. Study. Resolved: That the State Librarian and the State Archivist shall work together to study the potential cost savings that may be achieved by reducing or eliminating the requirements in laws, rules and regulations that regularly produced reports and other publications of state agencies and departments be printed and distributed. In conducting the study, the State Librarian and the State Archivist shall consider the goals of providing public access to the reports and publications and preserving the reports and publications for archival purposes. The State Librarian and the State Archivist shall identify all reports and publications regularly produced by state agencies and departments that must be distributed in print form, the number of copies required to be printed and to whom print copies must be distributed, the number of additional copies printed and to whom the additional copies are distributed, the cost to print and distribute the copies and whether the reports and publications are available on an agency's or department's publicly accessible website.

Sec. 2. Agencies and departments to provide information. Resolved: That state agencies and departments shall provide, upon request, information to the State Librarian and the State Archivist necessary for the State Librarian and the State Archivist to conduct the study and produce the report required by this resolve. The agencies and departments may provide an opinion to the State Librarian and the State Archivist on whether the continued distribution of print copies of a particular report or publication serves an important purpose.

Sec. 3. Report. Resolved: That, by December 1, 2021, the State Librarian and the State Archivist shall jointly submit a report on the study's findings, with suggested legislation, to the Joint Standing Committee on State and Local Government. The committee may report out legislation related to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

**CHAPTER 20
S.P. 231 - L.D. 594**

**Resolve, Directing the
Department of Labor To
Submit to the United States
Secretary of Labor a Plan for a
Self-employment Assistance
Program**

Sec. 1. Development and submission of plan. Resolved: That the Department of Labor shall prepare and submit a plan to the Joint Standing Committee on Labor and Housing, including any suggested legislation, to reinstate the self-employment assistance program pursuant to Public Law 1993, chapter 710 and the Maine Revised Statutes, Title 26, section 1197, no later than December 1, 2021. The committee may submit a bill regarding the program to the Second Regular Session of the 130th Legislature.

Sec. 2. Plan submitted to United States Secretary of Labor. Resolved: That the Department of Labor shall submit a copy of the plan prepared pursuant to section 1 to the United States Secretary of Labor no later than August 1, 2022.

See title page for effective date.

**CHAPTER 21
H.P. 461 - L.D. 625**

**Resolve, Directing a Review of
Crucial Needs and Lapses in
Responding to and Preventing
Sexual Trauma in the Maine
National Guard**

Sec. 1. Adjutant General review. Resolved: That the Adjutant General shall conduct a review of the implementation of the recommendations made to the Joint Standing Committee on Veterans and Legal Affairs in the report submitted pursuant to Resolve 2013, chapter 66 regarding the Adjutant General's assessment of the Maine Code of Military Justice and other provisions of law that deal with military personnel as they relate to federal laws in addressing the investigation, prosecution and adjudication of sexual assault by members of the Maine National Guard and the appropriate treatment of Maine National Guard members who are victims of sexual assault. The Adjutant General shall identify any crucial needs and lapses in responding to and preventing military sexual trauma and determine if additional action is necessary.

Sec. 2. Report. Resolved: That, by March 1, 2022, the Adjutant General shall submit a report, including suggested legislation, on the review conducted pursuant to section 1 to the Joint Standing Committee

on Veterans and Legal Affairs. The committee is authorized to submit legislation related to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

**CHAPTER 22
S.P. 216 - L.D. 529**

**Resolve, To Direct the
Department of Health and
Human Services To Review the
Needs of Persons with Low-
incidence Health Conditions**

Sec. 1. Department of Health and Human Services to review the needs of persons with low-incidence health conditions. Resolved: That the Department of Health and Human Services shall undertake a review of the needs of persons with low-incidence health conditions. The review required by this section must:

1. Identify common low-incidence health conditions that occur in children, including, but not limited to, cystic fibrosis, cerebral palsy, Lowe syndrome, muscular dystrophy, spina bifida, cleft lip and cleft palate, chromosomal disorders such as Down syndrome and neurological disorders;
2. Identify the conditions identified under subsection 1 that require services or supports into adulthood and what the scope of the needs may be;
3. Identify the conditions identified under subsection 1 for which funds are currently provided through the children with special health needs program within the Department of Health and Human Services, Maine Center for Disease Control and Prevention, including, for each condition, the source of the funding and the amount of expenditures;
4. Identify the conditions identified under subsection 1 for which funds are not currently provided through the children with special health needs program within the Department of Health and Human Services, Maine Center for Disease Control and Prevention;
5. Describe the unmet needs of persons with each condition identified under subsection 1.

The department shall develop a plan to address the unmet needs described in subsection 5 and to improve the ability of the children with special health needs program within the Department of Health and Human Services, Maine Center for Disease Control and Prevention to meet those needs.

Sec. 2. Report. Resolved: That the Commissioner of Health and Human Services shall present the findings of the review and recommendations of the department pursuant to section 1 to the Joint Standing

Committee on Health and Human Services no later than January 15, 2022. The Joint Standing Committee on Health and Human Services is authorized to report out legislation relating to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 23

H.P. 349 - L.D. 475

**Resolve, To Create the
Frequent Users System
Engagement Collaborative**

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 COVID-19 pandemic has exacerbated homelessness for the most frequent users of high-cost services, such as psychiatric hospitals, emergency shelters, emergency rooms, police, jails and prisons; and

Whereas, this legislation establishes the Frequent Users System Engagement Collaborative, which will develop a plan to provide stable housing and community services to 200 persons who are homeless or at risk of homelessness and who are frequent users of high-cost services; and

Whereas, establishing this collaborative as soon as possible will help to put the stable housing and community services plan in place earlier; and

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

Sec. 1. Frequent Users System Engagement Collaborative established. Resolved: That the Frequent Users System Engagement Collaborative, referred to in this resolve as "the collaborative," is established.

Sec. 2. Membership. Resolved: That the collaborative consists of the director of the Maine State Housing Authority or the director's designee, who shall serve as chair, and other members appointed by the director as follows:

1. The Commissioner of Health and Human Services or the commissioner's designee;
2. The Commissioner of Corrections or the commissioner's designee;

3. One member representing the Statewide Homeless Council;
4. One member representing the Maine Sheriffs' Association;
5. One member representing providers of emergency health services;
6. One member representing municipal officers;
7. One member representing a psychiatric hospital;
8. One member representing providers of community-based behavioral health services; and
9. Any other members with relevant expertise as determined by the director and the members.

In appointing members to the collaborative, the director shall ensure that the members represent a wide geographic area of the State.

Sec. 3. Duties. Resolved: That the collaborative shall develop a plan to provide stable housing and community services to 200 persons who are homeless or at risk of homelessness who are the most frequent consumers of high-cost services, such as psychiatric hospitals, emergency shelters, emergency rooms, police, jails and prisons.

Sec. 4. Report. Resolved: That, no later than January 1, 2022, the collaborative shall submit a report to the Joint Standing Committee on Health and Human Services. The report must include the collaborative's plan to provide stable housing and community services developed pursuant to section 3, including the cost savings that could be achieved by reductions in the use of high-cost services and any recommendations developed by the collaborative on providing stable housing and community services to persons consuming high-cost services. The Joint Standing Committee on Health and Human Services may report out legislation to the Second Regular Session of the 130th Legislature related to the report.

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

Effective June 8, 2021.

**CHAPTER 24
H.P. 360 - L.D. 497**

**Resolve, To Direct the
Department of Health and
Human Services To Report on
Child Abuse Prevention Efforts
To Implement the Family First
Prevention Services Act**

Sec. 1. Department of Health and Human Services to report on child abuse prevention efforts to implement the Family First Prevention Services Act. Resolved: That the Department of Health and Human Services shall, no later than January 15, 2022, report to the Joint Standing Committee on Health and Human Services on the department's comprehensive review of the continuum of child abuse prevention services, including primary, secondary and tertiary prevention, undertaken as part of the State's plan to implement the federal Family First Prevention Services Act, Public Law 115-123. The department shall report on its work as part of the State Agency Partnership for Prevention, including, but not limited to, the inventory of prevention services that target support for youth and families and an examination of the gaps in and needs for prevention services that state agencies can collectively work together to fill. The joint standing committee is authorized to report out legislation related to this report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

**CHAPTER 25
H.P. 533 - L.D. 722**

**Resolve, To Study the
Establishment of the Maine
Climate Corps**

Sec. 1. Service projects; Maine Climate Corps. Resolved: That the Maine Commission for Community Service, established under the Maine Revised Statutes, Title 5, section 7501, shall study and identify short-term projects and tasks in state agencies that could be made into service projects for residents of the State. The commission shall provide the basis for an establishment of the Maine Climate Corps as proposed in the Maine Climate Council's climate action plan, "Maine Won't Wait: A Four-year Plan for Climate Action." The study under this section must include consideration of how to best structure a Maine Climate Corps program to address shifting and expanding climate challenges that can be addressed by the Maine Climate Corps in the future and to allow for long-term service projects. The commission shall also study existing service programs to identify potential hosts for the

Maine Climate Corps, along with identifying possible public and private partnerships. The commission shall submit a report based on its findings to the Joint Standing Committee on Environment and Natural Resources by January 31, 2022.

See title page for effective date.

**CHAPTER 26
S.P. 206 - L.D. 820**

**Resolve, To Convene a
Working Group To Develop
Plans To Protect Maine's
Agricultural Lands When
Siting Solar Arrays**

Sec. 1. Department of Agriculture, Conservation and Forestry to convene working group. Resolved: That the Department of Agriculture, Conservation and Forestry shall convene a working group of stakeholders to develop plans and consider ways to discourage the use of land of higher agricultural value and encourage the use of more marginal agricultural lands when siting a solar array. The department shall submit its report and recommendations, including any suggested legislation, to the Joint Standing Committee on Agriculture, Conservation and Forestry; the Joint Standing Committee on Energy, Utilities and Technology; and the Joint Standing Committee on Environment and Natural Resources no later than January 14, 2022.

See title page for effective date.

**CHAPTER 27
H.P. 638 - L.D. 870**

**Resolve, Directing the
Permanent Commission on the
Status of Racial, Indigenous
and Maine Tribal Populations
To Study the Impact of Policies
Regarding Agriculture, Access
to Land, Access to Grants and
Access to Financing on African
American and Indigenous
Farmers in the State**

Sec. 1. Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations study. Resolved: That the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations, established under the Maine Revised Statutes, Title 5, section 12004-I, subsection 74-J and referred to in this resolve as "the commission," shall study the impact of policies regarding agriculture, access to land, access to grants and access to financing

on African American and indigenous farmers in the State. The commission shall report its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Agriculture, Conservation and Forestry by January 17, 2022. The joint standing committee may submit a bill to the Second Regular Session of the 130th Legislature relating to the subject matter of the report.

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LABOR, DEPARTMENT OF

**Racial, Indigenous and Maine Tribal Populations
Z287**

Initiative: Provides one-time funds for a study of the impact of policies regarding agriculture, access to land, access to grants and access to financing on African American and indigenous farmers in the State.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$20,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,000	\$0

See title page for effective date.

CHAPTER 28

H.P. 693 - L.D. 937

Resolve, To Direct the Department of Agriculture, Conservation and Forestry and the Department of Inland Fisheries and Wildlife To Jointly Develop Recommendations Regarding Carbon Storage Programs and Policies

Sec. 1. Department of Agriculture, Conservation and Forestry and Department of Inland Fisheries and Wildlife to develop recommendations regarding carbon storage programs and policies. Resolved: That the Department of Agriculture, Conservation and Forestry and the Department of Inland Fisheries and Wildlife shall jointly develop recommendations for the establishment of programs and policies to promote and incentivize, where appropriate, practices that increase sequestration of soil carbon on natural and working lands by farmers, landowners and land managers, including, but not limited to, technical assistance and financial incentives for that purpose. The departments shall consult with stakeholders with expertise on carbon storage programs, agriculture, forestry, land management and economic incentives for

carbon storage and with members of the Maine Climate Council's working lands working group established pursuant to the Maine Revised Statutes, Title 38, section 577-A, subsection 7, paragraph D.

Sec. 2. Reports regarding carbon storage programs and policies. Resolved: That, on or before March 1, 2022, the departments under section 1 shall submit an interim report with findings and recommendations to the Joint Standing Committee on Agriculture, Conservation and Forestry, and the joint standing committee may submit a bill to the 130th Legislature relating to the subject matter of the interim report. On or before September 1, 2022, the departments shall submit a final report with findings and recommendations to the joint standing committee of the Legislature having jurisdiction over agricultural, conservation and forestry matters, and the joint standing committee may submit a bill to the First Regular Session of the 131st Legislature relating to the subject matter of the report.

See title page for effective date.

CHAPTER 29

H.P. 962 - L.D. 1306

Resolve, To Facilitate the Inclusion of Crisis Response Services in Emergency Services Offered through the E-9-1-1 System

Sec. 1. Emergency Services Communications Bureau; report. Resolved: That, in consultation with the Department of Public Safety, the E-9-1-1 Council, established in the Maine Revised Statutes, Title 5, section 12004-I, subsection 74-A, crisis response services providers and other stakeholders, the Public Utilities Commission, Emergency Services Communications Bureau shall research and review protocols and procedures necessary to ensure the delivery of crisis response services under the State's E-9-1-1 system. On or before February 1, 2022, the Emergency Services Communications Bureau shall submit a report to the Joint Standing Committee on Energy, Utilities and Technology outlining protocols and procedures necessary to ensure the delivery of crisis response services under the State's E-9-1-1 system and including any recommendations, including proposed legislation, necessary to implement such protocols and procedures. The report under this section may also include measures for the training of dispatch staff in the provision of crisis response services. After reviewing the report, the joint standing committee may report out related legislation to the 130th Legislature.

As used in this section, "crisis response services" means services offered to individuals experiencing mental health emergencies, emergencies relating to substance use disorder or other emergencies for which fire,

emergency medical or police services are determined not to be required.

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

Emergency Services Communication Bureau 0994

Initiative: Provides a one-time allocation for consulting services.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$100,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$100,000</u>	<u>\$0</u>

See title page for effective date.

CHAPTER 30

H.P. 1041 - L.D. 1425

Resolve, To Dedicate a Portion of Route 6 from Lee to Springfield in Honor of Sgt. Blair Emery

Sec. 1. Designate a portion of Route 6 the Sgt. Blair Emery Road. Resolved: That the Department of Transportation shall designate Route 6 in the Town of Lee and the Town of Springfield the Sgt. Blair Emery Road.

See title page for effective date.

CHAPTER 31

S.P. 502 - L.D. 1560

Resolve, Authorizing the State To Convey to the Passamaquoddy Tribe the State's Interest in a Certain Parcel of Land in the Town of Meddybemps

Sec. 1. Authority to convey state land. Resolved: That, notwithstanding any provision of law to the contrary, the State may transfer a certain parcel of land described in section 2 to the Passamaquoddy Tribe, subject to such terms and conditions described in sections 3 to 6.

Sec. 2. Description of land transferred. Resolved: That the land authorized to be conveyed pursuant to this resolve is a parcel of land of approximately 3.2 acres located on the northern side of State Route 191 in Meddybemps, Washington County, described in a

deed recorded in the Washington County Registry of Deeds, Book 2462, Page 212.

Sec. 3. Land subject to terms and conditions. Resolved: That the State may convey the parcel described in section 2 upon such terms and conditions as the Commissioner of Environmental Protection considers appropriate and necessary to ensure access to the property transferred, compliance with encumbrances of record and inclusion of any new restrictions determined necessary by the Department of Environmental Protection or the United States Environmental Protection Agency.

Sec. 4. Land to be transferred as is. Resolved: That the land described in section 2 must be transferred by release deed "as is" with no representations or warranties as to title, subject to any and all terms, conditions, encumbrances, restrictions and liens of record, including those described in section 3.

Sec. 5. Release of liability for historical contamination. Resolved: That the Passamaquoddy Tribe's compliance with the terms, conditions, encumbrances and restrictions described in section 3 releases the Passamaquoddy Tribe of any state environmental contamination claims, including natural resource damage claims, that have or in the future may accrue to the State or its agencies as a result of the historic contamination of the land by parties other than the Passamaquoddy Tribe.

Sec. 6. Repeal. Resolved: That sections 1 to 4 of this resolve are repealed 5 years from its effective date.

See title page for effective date.

CHAPTER 32

S.P. 41 - L.D. 33

Resolve, Directing the Department of Agriculture, Conservation and Forestry To Seek Input from Stakeholders on the State's Hemp Program

Sec. 1. Department of Agriculture, Conservation and Forestry to seek input from stakeholders on the State's hemp program. Resolved: That the Department of Agriculture, Conservation and Forestry shall meet with and seek input from stakeholders on the United States Department of Agriculture Domestic Hemp Production Program requirements. The department shall study and monitor other state hemp programs, including states that are following federal hemp program regulations and states that are not in compliance with federal hemp program regulations. The department shall submit a report with findings and recommendations to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than

December 15, 2021. The joint standing committee may submit a bill to the 130th Legislature relating to the subject matter of the report.

See title page for effective date.

CHAPTER 33

H.P. 111 - L.D. 155

Resolve, Directing the Board of Pesticides Control To Prohibit the Use of Certain Neonicotinoids for Outdoor Residential Use

Sec. 1. Prohibit the use of certain neonicotinoids for outdoor use. Resolved: That, pursuant to the Maine Revised Statutes, Title 7, section 610, the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control shall prohibit the use of any product containing the active ingredient dinotefuran, clothianidin, imidacloprid or thiamethoxam used for application in outdoor residential landscapes such as on lawn, turf or ornamental vegetation. Products used for preserving wood, controlling or treating indoor pests, controlling or treating insects outside around structural foundations and other parts of structures and treating pets, as defined under Title 7, section 712, subsection 16, are specifically exempt from the prohibition under this section. The board shall allow the use of any product containing the active ingredient dinotefuran, clothianidin, imidacloprid or thiamethoxam by certified applicators as defined under Title 22, section 1471-C, subsection 4 on ornamental vegetation to manage emerging invasive insect pests, including but not limited to the Asian long-horned beetle, emerald ash borer and hemlock wooly adelgid in order to safeguard the public health, safety and welfare of the State and to protect the natural resources of the State. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 34

H.P. 190 - L.D. 274

Resolve, Directing the Maine Health Data Organization To Determine the Best Methods and Definitions To Use in Collecting Data To Better Understand Racial and Ethnic Disparities in the Provision of Health Care in Maine

Sec. 1. Data for racial and ethnic disparities in health care. Resolved: That the Maine Health

Data Organization shall determine the best methods and definitions to use in collecting data to assist in analyzing the origins of racial and ethnic disparities in health care in the State.

Sec. 2. Report. Resolved: That, by January 1, 2022, the Maine Health Data Organization shall submit a report, including suggested legislation, based on its evaluation in section 1 to the Joint Standing Committee on Health Coverage, Insurance and Financial Services. The Joint Standing Committee on Health Coverage, Insurance and Financial Services is authorized to submit legislation related to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 35

H.P. 197 - L.D. 281

Resolve, Directing the Department of Education To Analyze Funding To Address Student Achievement Gaps

Sec. 1. Department of Education to analyze funding to address student achievement gaps. Resolved: That the Department of Education shall conduct an analysis of current funding that is available through the Essential Programs and Services Funding Act related to student achievement gaps related to race and income.

Sec. 2. Report. Resolved: That the Department of Education shall report to the Joint Standing Committee on Education and Cultural Affairs, no later than January 15, 2022, on the analysis conducted pursuant to section 1, the effectiveness of current funding, any issues identified and any recommendations developed, including suggested legislation. The Joint Standing Committee on Education and Cultural Affairs may submit legislation related to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 36

S.P. 140 - L.D. 313

Resolve, To Advance Career and Technical Education Opportunities in Maine

Sec. 1. Department of Education to convene a work group. Resolved: That the Department of Education shall convene a work group, referred to in this resolve as "the work group," to explore innovative approaches to advancing career and technical education opportunities for middle and high school students.

Sec. 2. Membership. Resolved: That the Department of Education shall invite the following persons to participate in the work group:

1. One member of a regional chamber of commerce;
2. One member of the Maine State Chamber of Commerce;
3. One superintendent of a school administrative unit that has an industrial arts program;
4. One representative from a trade association;
5. One representative from the Maine Community College System;
6. One member of the Maine Association of Non-profits;
7. One parent of a current career and technical education student;
8. One student from a career and technical education and bridge program;
9. One representative from an organization representing superintendents;
10. One representative from an organization representing principals;
11. One representative from an organization representing career and technical education directors;
12. One principal of a school;
13. One member of the Maine Climate Council;
14. The Commissioner of Labor or the commissioner's designee; and
15. The Commissioner of Economic and Community Development or the commissioner's designee.

Sec. 3. Duties. Resolved: That the work group shall:

1. Conduct a statewide inventory of available career and technical education programs;
2. Identify existing systemic barriers to expanding access to career and technical education programs;
3. Explore options for career and technical education programs to be included in science, technology, engineering and mathematics, or STEM, endorsements;
4. Recommend changes to the career and technical education teacher certification process to address the shortage of career and technical education teachers by acknowledging skills demonstrated in a trade or profession;
5. Propose multiple college and career pathways for students to learn and demonstrate their knowledge in the career and technical education setting while creating programs that address the State's critical workforce shortage;

6. Consider new pathways within career and technical education programs by:

- A. Proposing career and technical education course work for school counselor certification;
- B. Exploring an industrial arts pathway under the career and technical education program framework;
- C. Considering technical mathematics and technical writing as equivalencies to local secondary school course work requirements; and
- D. Exploring the availability of internships and apprenticeships statewide related to a program of study;

7. Consider refinements to career and technical education certification including:

- A. Changing current endorsement codes to their assigned classification of instructional program codes;
- B. Creating an endorsement code for the career and technical education essential programs and services funded positions of career and technical education student services coordinator and career and technical education career counselor; and
- C. Initiating a career and technical education certification sub-workgroup composed of Department of Education representatives, career and technical education directors, career and technical education student services coordinators and career and technical education career counselors to review career and technical education certification rulemaking; and

8. Use the data provided by the Maine Education Policy Research Institute draft report available in the summer of 2021 to consider the following options:

- A. Fully funding the essential programs and services career and technical education funding formula as proposed by the Maine Education Policy Research Institute to support the State Board of Education goal of increasing statewide career and technical education enrollment, including an additional per-pupil weight for students with special needs and English language learners;
- B. Creating a formula approach to include an allowance for yearly building maintenance, capital improvements and equipment costs;
- C. Funding middle school career and technical education separately from high school career and technical education based on the data provided at the completion of the current pilot projects for middle school career and technical education exploration pursuant to the Maine Revised Statutes, Title 20-A, section 15688-A, subsection 8;

D. Developing a regional index for salary adjustments across the State with a specific career and technical education teacher and administrator salary matrix; and

E. Examining an adjustment to the student-to-teacher ratio for those career and technical education programs that have legal requirements or industry restrictions determining the student-to-teacher ratio.

Sec. 4. Report. Resolved: That the Department of Education shall submit an interim report to the Joint Standing Committee on Education and Cultural Affairs no later than December 15, 2021 on the work conducted by the work group and any recommendations developed. The Department of Education shall submit a final report no later than March 15, 2022. The Joint Standing Committee on Education and Cultural Affairs may submit legislation related to either report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 37

H.P. 260 - L.D. 362

Resolve, To Require the Department of Education To Report on Family Income Data Collection

Sec. 1. Report. Resolved: That, by January 15, 2022, the Department of Education shall submit a report to the Joint Standing Committee on Education and Cultural Affairs on strategies to use alternative databases and family income measures to determine eligibility for public school nutrition programs. The Joint Standing Committee on Education and Cultural Affairs may submit legislation related to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 38

H.P. 403 - L.D. 558

Resolve, Directing the Department of Agriculture, Conservation and Forestry To Develop a Study Plan Relating to Perfluoroalkyl and Polyfluoroalkyl Substances Contamination in the Agricultural Sector

Sec. 1. Department of Agriculture, Conservation and Forestry; study plan. Resolved: That

the Department of Agriculture, Conservation and Forestry shall develop a comprehensive research study plan to identify and aid farmers who are or may be affected by perfluoroalkyl and polyfluoroalkyl substances contamination. The department shall develop the study plan in consultation with research partners, including, but not limited to, the University of Maine; the University of Maine Cooperative Extension; the Department of Environmental Protection; and the Department of Health and Human Services, Maine Center for Disease Control and Prevention. In developing the study plan, the department may consult with a statewide organization working to protect the public and the environment from toxic chemicals and a statewide organization representing organic gardeners and farmers. The study plan must include research topic areas that may include alternative agricultural business planning including energy production and alternative cropping systems, study needs, possible roles of state agencies and research collaborators to conduct the work, proposed time frames and a proposed budget and target sources of funding for implementing the plan. The department shall submit a report regarding the comprehensive research study plan, including findings and recommendations, to the Joint Standing Committee on Agriculture, Conservation and Forestry by February 1, 2022.

See title page for effective date.

CHAPTER 39

H.P. 440 - L.D. 604

Resolve, Directing the Department of Education To Report on Charter School Funding Methods and Reporting Protocols

Sec. 1. Department of Education to report on charter school funding methods and reporting protocols. Resolved: That the Department of Education, in conjunction with the Maine Education Policy Research Institute, shall report to the Joint Standing Committee on Education and Cultural Affairs no later than February 1, 2022 on funding methods and reporting protocols of public charter schools. The report must include financing mechanisms and methods used across the country, how other states handle the reporting of public financing of charter schools and the methods for informing state legislatures, the public and other interested parties on how charter schools are funded within a particular state.

See title page for effective date.

**CHAPTER 40
H.P. 476 - L.D. 645**

**Resolve, To Create an
Electronic Titling Work Group**

Sec. 1. Electronic titling work group. Resolved: That the Department of the Secretary of State, Bureau of Motor Vehicles shall convene a work group to study electronic titling in accordance with this section, referred to in this section as "the work group."

1. The Secretary of State shall appoint to the work group:

- A. Staff of the Bureau of Motor Vehicles;
- B. A representative of the Secretary of State's computing and information services staff;
- C. A representative of state credit unions;
- D. A representative of state banks;
- E. A representative of other financing entities;
- F. A representative of a car dealership;
- G. A representative of a car dealership primarily selling used cars; and
- H. A representative of a statewide organization representing commercial motor carriers.

The Secretary of State or the Secretary of State's designee shall serve on the work group. Members of the work group may not be compensated for their work on the work group.

2. Duties of the work group include:

- A. Exploring efforts to develop a framework to clearly define electronic titling;
- B. Establishing standards to support and adopt electronic titling;
- C. Examining the benefits and challenges related to a paperless electronic titling program;
- D. Examining security measures related to a paperless electronic titling program;
- E. Examining standards and systems developed by industry experts and exploring ways in which the State can prepare to adopt such standards and systems; and
- F. Reviewing and recommending improvements to the State's titling laws, rules and procedures, with an emphasis on creating a streamlined titling system that is easy to use.

3. The Bureau of Motor Vehicles, at the direction of the chairs of the joint standing committee of the Legislature having jurisdiction over transportation matters, shall provide an annual report to the committee. The

work group is dissolved on the adjournment of the Second Regular Session of the 132nd Legislature.

See title page for effective date.

**CHAPTER 41
H.P. 778 - L.D. 1049**

**Resolve, To Promote the
Education of Students Who
Participate in Health
Education Classes Regarding
Common Cancer Symptoms,
the Bone Marrow Registry and
Organ Donation**

Sec. 1. Department of Education to create online content. Resolved: That the Department of Education shall work with oncologists and other medical professionals to create online content for school administrative units to use at no cost to educate high school and elementary school students who participate in health education classes about common early symptoms of cancer, the bone marrow registry and organ donation. The online content must be made available on the Department of Education's publicly accessible website.

See title page for effective date.

**CHAPTER 42
H.P. 890 - L.D. 1215**

**Resolve, To Require the State
Auditor To Report on
Corrective Actions Regarding
the Administration of Federal
Grants**

Sec. 1. State Auditor directed to report on corrective actions in administration of federal grants. Resolved: That the State Auditor shall issue a report on the compliance of state agencies with findings and corrective actions issued by the State Auditor as part of an audit of the agencies regarding the administration of federal grants. The report must contain all the outstanding corrective actions that have not been taken and are listed on the prior audit status of single audit reports of all agencies for the immediate 5 complete fiscal years prior to the effective date of this resolve and any recommendations as to further corrective action or audit needed.

Sec. 2. Report. Resolved: That, by December 2, 2022, the State Auditor shall submit the report under section 1, including suggested legislation, to each joint standing committee of the Legislature having jurisdiction over the same policy and substantive matters as a

state agency included in the report. Each committee may report out a bill related to the matters over which the committee has jurisdiction based on the report to the First Regular Session of the 131st Legislature.

See title page for effective date.

CHAPTER 43

S.P. 546 - L.D. 1690

Resolve, To Modify the Deed for a Parcel of Property in the Town of Carrabassett Valley

Sec. 1. Resolve 1999, c. 41, §4, amended. Resolved: That Resolve 1999, c. 41, §4, as amended by Resolve 2019, c. 73, §1, is further amended to read:

Sec. 4. Deed and restrictions. Resolved: That the property must be conveyed by ~~quit claim~~ quit-claim deed without covenants, subject to the following deed restrictions: The Town of Carrabassett Valley shall in perpetuity retain title to the property and may not sell or otherwise transfer any interest, in whole or in part, in the property except that the Town of Carrabassett Valley may lease portions of the property as long as the uses are consistent with the uses specified in this resolve. The property must remain open and available for use and enjoyment by the public at large. Use of the property must be dedicated for purposes of public outdoor recreation, including, but not limited to: natural history study; hiking; camping; cross-country skiing; hunting; fishing; fisheries and wildlife management; skating; timber management and harvesting under a management plan prepared by a licensed professional forester; and attendant roads and parking. The property must be maintained in an essentially natural and undeveloped condition, except that up to 25 contiguous acres in the aggregate, including any development in existence on the effective date of this resolve, may be developed for any municipal facility. The following uses are expressly prohibited: residential development of any type; and development for overnight accommodations, except camping, including commercial camping if development plans for commercial camping are approved by the State; ~~development for any type of commercial service center, shops, restaurants or other commercial development; or development for any purpose that will change the natural character of the area, except that those uses presently made of the Outdoor and Touring Center located on the property may continue.~~ If the Town of Carrabassett Valley fails to comply with any of the conditions or restrictions, in whole or in part, contained in this resolve, the State may give written notice to the Town of Carrabassett Valley, and if the Town of Carrabassett Valley fails to comply within 30 days, then the title to the property reverts to the State; such a reversion may not be effective until the State records a

notice of the reversion in the Franklin County Registry of Deeds.

See title page for effective date.

CHAPTER 44

H.P. 141 - L.D. 206

Resolve, Regarding Legislative Review of Chapter 234: Lead Testing in School Drinking Water Rule, a Major Substantive Rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 234: Lead Testing in School Drinking Water Rule, a provisionally adopted major substantive rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made:

1. The rule must be amended in sections 4.A, 5.A, 5.A.3, 5.B, 6.B.2, 6.B.3 and 6.B.4 to replace the term "15 ppb" with the term "4 ppb."
2. The rule must be amended in section 1.B.4 to delete the phrase "and a maximum of no more than 18 hours."
3. The rule must be amended in section 3.B.3 to replace the sentence "The Department, in accordance with the 3T's guidance, recommends that the water be motionless no longer than 18 hours, before the collection of samples begins." with the sentence "Excessive flushing of pipes may not take place immediately prior to the minimum 8-hour nonusage period in order to ensure that the sample represents a period of normal use."
4. The rule must be amended in section 6.C to replace the phrase "within 10 days" with the phrase "as soon as practicable within 5 days."

See title page for effective date.

**CHAPTER 45
H.P. 247 - L.D. 349**

**Resolve, Directing an
Examination of Issues Related
to Operation of Watercraft on
Waters of the State**

Sec. 1. Study. Resolved: That the Department of Inland Fisheries and Wildlife shall examine issues related to the operation of watercraft, including personal watercraft, on the waters of the State including how best to educate the public about current laws governing the safe and appropriate operation of watercraft. The department shall also monitor whether the Town of Sweden votes to support prohibiting personal watercraft on Keyes Pond. The department shall report the department's findings and recommendations to the Joint Standing Committee on Inland Fisheries and Wildlife prior to March 31, 2022. The committee may report out a bill related to the subject matter of the report, including relating to the operation of personal watercraft on Keyes Pond, to the 130th Legislature.

See title page for effective date.

**CHAPTER 46
S.P. 195 - L.D. 488**

**Resolve, To Expand Recovery
Community Organizations
throughout Maine**

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

Whereas, recovery community centers are a critical component of services for individuals with substance use disorder in recovery; and

Whereas, recovery community centers provide hope and connection to individuals in recovery and counter the effects of isolation; and

Whereas, the State is in the process of establishing new recovery community centers and those new centers should be prioritized in counties that do not have centers; and

Whereas, this legislation must take effect immediately upon enactment in order to promote as soon as possible the establishment of recovery community centers in counties without centers; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation

of the public peace, health and safety; now, therefore, be it

Sec. 1. Department of Health and Human Services to prioritize new recovery community center contracts. Resolved: That, in the process of awarding contract funding to establish or develop new recovery community centers to serve individuals with substance use disorder, the Department of Health and Human Services shall give preference in awarding contracts that establish or develop new recovery community centers in counties that have no state-funded recovery community centers or no other recovery community centers until every county has a center. For purposes of this resolve, "recovery community center" means a peer-operated organization whose primary purpose is to provide the community-based connections necessary for a person to enter and sustain recovery from substance use disorder by serving as a source of information on recovery, making referrals to local resources and providing or referring an individual to mutual-help or peer-support organization meetings or social activities.

Sec. 2. Report. Resolved: That the Department of Health and Human Services shall appear periodically before the joint standing committee of the Legislature having jurisdiction over health and human services matters to report on the geographical distribution of recovery community centers across the State and progress in establishing a center in every county in the State.

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

Effective June 11, 2021.

**CHAPTER 47
H.P. 573 - L.D. 768**

**Resolve, Directing the
Department of Economic and
Community Development and
a Representative from the
Office of the Governor To
Study the Softwood Pulp
Industry**

Sec. 1. Softwood pulp industry. Resolved: That the Department of Economic and Community Development and a representative from the Office of the Governor shall work together with representatives of the forest products industry to study and make recommendations relating to the surplus of low-grade softwood in the State as a result of the recent closure of pulp and paper mills in the State and the impact it has had on the softwood pulp industry and landowners. The department shall submit a report to the Joint Standing

Committee on Innovation, Development, Economic Advancement and Business by February 1, 2022. The report must include recommendations for supporting the forest products industry and employment in that sector in this State. The committee may report out a bill to the Second Regular Session of the 130th Legislature based on the report.

See title page for effective date.

CHAPTER 48

H.P. 614 - L.D. 846

Resolve, Directing the Department of the Secretary of State To Develop Website Information Related to Promoting Benefit Corporations

Preamble. Whereas, in 2019, the State enacted legislation establishing a process for the establishment of benefit corporations with the explicit purpose of creating a general public benefit; and

Whereas, "a general public benefit" means a material positive impact on society and the environment, including but not limited to providing a benefit to underserved and underrepresented populations, promoting economic opportunities, protecting the environment and improving the health and resiliency of communities; and

Whereas, since the establishment of benefit corporation law in this State, a limited number of organizations have incorporated under that law. Barriers to incorporation under that law include a general lack of awareness and education concerning benefit corporations and an absence of information regarding the process available for businesses; and

Whereas, the purpose of this resolve is to create a public awareness of the benefit corporation framework and its meaning and intention and to provide transparent and easy-to-use directions supporting businesses exploring the option of establishing themselves as benefit corporations; now, therefore, be it

Sec. 1. Department of Secretary of State. Resolved: That the Department of the Secretary of State shall create a webpage on the department's publicly accessible website that provides information for the public regarding benefit corporations and the process for establishing such a corporation. The information must include:

1. A description of what a benefit corporation is and the purposes for the establishment of a benefit corporation;
2. A list of forms and fees required to create a benefit corporation;

3. A list of frequently asked questions and answers to those questions; and

4. A link to at least one nonprofit entity that assists persons seeking to establish a benefit corporation.

When creating the webpage required in this resolve, the Department of the Secretary of State shall solicit and consider recommendations and information from individuals who are experts in the field of benefit corporations. The department shall also establish easily identifiable links on its website to the benefit corporation webpage and ensure that the webpage is accessible through its website search function.

Sec. 2. Department of Economic and Community Development. Resolved: That the Department of Economic and Community Development, Office of Business Development, shall:

1. Provide on its publicly accessible website a link to information about benefit corporations available on the website of the Department of the Secretary of State;

2. Require organizations with which the department partners to provide business development resources to businesses in this State to include on their publicly accessible websites information about benefit corporations, including links to information about benefit corporations on the website of the Department of the Secretary of State and resources available on websites of organizations specifically supporting benefit corporations; and

3. Provide information about benefit corporations and resources supporting the development of benefit corporations to organizations that the department supports with funding and other resources to assist the department in its mission of enhancing and sustaining economic prosperity in the State.

See title page for effective date.

CHAPTER 49

H.P. 888 - L.D. 1213

Resolve, Regarding Electronic Tagging of Big Game Animals

Sec. 1. Study. Resolved: That the Department of Inland Fisheries and Wildlife shall examine electronic tagging of big game animals. The examination must determine the direct costs of and timeline required for implementing an electronic tagging option for hunters of big game animals and must include an evaluation of whether and how electronic tagging systems can effectively be implemented and any related costs and benefits of system options. The department shall report the department's findings and recommendations, including suggested legislation, to the Joint Standing Committee on Inland Fisheries and Wildlife by January 3, 2022. The committee may report out a bill related to big game

tagging to the Second Regular Session of the 130th Legislature.

Sec. 2. Registration stations. Resolved: That the Department of Inland Fisheries and Wildlife shall take actions necessary to increase the number of big game animal registration stations to meet registration needs. In taking actions under this section, the department may allow wild game processing facilities, hunting outfitters and other appropriate hunting-related businesses to apply to be selected as registration agents and may waive any requirements in the department's rules for registration stations to operate for a minimum number of days per week or a minimum number of hours per day or to satisfy restrictions related to location.

See title page for effective date.

CHAPTER 50

H.P. 1208 - L.D. 1624

Resolve, To Create a Stakeholder Group To Identify the Needs of Long-term Care Family Caregivers

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

Whereas, family caregivers are critical to the health of individuals receiving long-term care assistance; and

Whereas, this resolve requires the long-term care ombudsman program to convene a stakeholder group to consider and make recommendations for the implementation of an assessment measure for the needs of family caregivers in the State; and

Whereas, this assessment must be initiated before the 90-day period expires in order that the work may be completed and a report submitted in time for submission to the next legislative session; and

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

Sec. 1. Long-term care ombudsman program to establish stakeholder group. Resolved: That the long-term care ombudsman program, established pursuant to the Maine Revised Statutes, Title 22, section 5106, subsection 11-C and referred to in this resolve as "the long-term care ombudsman," shall estab-

lish a stakeholder group to consider and make recommendations for the implementation of an assessment measure for the needs of family caregivers.

Sec. 2. Stakeholder group membership. Resolved: That the long-term care ombudsman shall invite the participation of representatives of the Department of Health and Human Services, the area agencies on aging, service coordination agencies for recipients of home care services, Legal Services for the Elderly, Disability Rights Maine, the agency designated by the State to provide statewide assessments as required by the federal Centers for Medicare and Medicaid Services, hospitals, a statewide organization representing home care service providers and a home care service provider, as well as family caregivers and any other interested parties, in the stakeholder group established in section 1.

Sec. 3. Duties. Resolved: That the stakeholder group established in section 1 shall consider and make recommendations for the implementation of an assessment measure of the needs of family caregivers. The stakeholder group shall consider all relevant data including data currently collected by the Department of Health and Human Services or stakeholders relating to the needs of family caregivers and family members of individuals receiving long-term care services at home for referrals for support services and resources, apparent gaps in resources and information regarding family caregiver assessment services and resources provided in other states. The stakeholder group shall also develop a plan to implement improved referrals to services for family caregivers.

Sec. 4. Report. Resolved: That the long-term care ombudsman shall submit a report with its findings and recommendations pursuant to section 3, along with any recommended legislation, to the Joint Standing Committee on Health and Human Services no later than January 2, 2022. The committee is authorized to submit legislation to the Second Regular Session of the 130th Legislature related to the report.

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

Effective June 11, 2021.

**CHAPTER 51
H.P. 1224 - L.D. 1653**

**Resolve, Regarding Legislative
Review of Chapter 124:
Emergency Medical Services
Personnel Reporting Rule, a
Late-filed Major Substantive
Rule of the Department of
Health and Human Services,
Maine Center for Disease
Control and Prevention**

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, a major substantive rule has been submitted to the Legislature outside the legislative rule acceptance period; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

Sec. 1. Adoption. Resolved: That final adoption of Chapter 124: Emergency Medical Services Personnel Reporting Rule, a provisionally adopted major substantive rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized.

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

Effective June 11, 2021.

**CHAPTER 52
S.P. 258 - L.D. 672**

**Resolve, To Direct the
Department of Transportation
To Use a Rail Corridor Use
Advisory Council in Reviewing
the Mountain Division Line for
Potential Nonrail Uses**

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

Whereas, Maine's rail corridors that are not currently in use have been the subject of much discussion and review by the Legislature and communities that live along the corridors; and

Whereas, there is a strong and urgent interest in evaluating the potential economic benefits and costs of alternative uses of the Mountain Division Line rail corridor, including, but not limited to, rail use, trail use or bikeways; and

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

Sec. 1. Rail corridor use advisory council. Resolved: That, upon petition by one or more governmental entities that represent communities along the approximately 28 miles of state-owned railroad track on the Mountain Division Line connecting the Town of Standish and the Town of Fryeburg, the Commissioner of Transportation shall establish a rail corridor use advisory council, referred to in this resolve as "the council," to facilitate discussion, gather information and provide advice to the commissioner regarding future use of that approximately 28-mile portion of the rail corridor. The council shall review and make recommendations on the likelihood, economic benefits and costs of potential uses of the rail corridor, including, but not limited to, rail use, trail use or bikeways. Any nonrail use of a rail corridor must be considered by a council to be interim in nature, and all such rail corridors must be preserved for future rail use as provided in the Maine Revised Statutes, Title 23, chapter 615.

Sec. 2. Meetings; chair. Resolved: That the Commissioner of Transportation shall designate the chair of the council. The Department of Transportation shall provide staff support to the council. The council may adopt bylaws and other policies to effectively govern its proceedings. The council shall meet at the call of

the chair and shall hold a minimum of one public hearing located in the geographic area along the Mountain Division Line.

Sec. 3. Report. Resolved: That, within 9 months of convening its first meeting, the council shall submit a report to the Commissioner of Transportation on its findings and recommendations regarding the use of the Mountain Division Line, including majority and minority reports if necessary.

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

Effective June 14, 2021.

**CHAPTER 53
S.P. 95 - L.D. 227**

Resolve, To Conduct a Transit Propensity Study for Communities between Portland and Bangor

Sec. 1. Transit propensity study. Resolved: That, if the Department of Transportation receives funding in accordance with section 2, the department shall conduct a transit propensity study to assess the demand and viability for new or enhanced transit service, including passenger rail, between the communities of Portland and Bangor. The study must include a review of relevant traffic counts, most recent data from the United States Census Bureau, population and employment data, all reasonably feasible corridors of service and primary trip generators that could significantly affect demand. The department shall submit a report of its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than January 1, 2023. The report must include estimates of the propensity of transit service demand, an estimated range of incremental growth in transit service and cost estimates of capital required for operating new or enhanced transit service. The joint standing committee of the Legislature having jurisdiction over transportation matters may submit a bill to the First Regular Session of the 131st Legislature based on the findings provided in the department's report.

Sec. 2. Municipal partnership. Resolved: That the Department of Transportation shall seek funding contributions to fully fund the costs of the study under section 1. The total costs of the study must be determined by the department. No funds may be collected by or transferred to the department for the purpose of conducting the study unless the department receives from municipalities for which new or enhanced transit service will be assessed as part of the study commitments for no less than 25% of the overall costs of the study.

The department may enter into agreements with municipalities for the municipalities to pay their portions to fund the study in a single installment or in multiple installments. If municipalities have not fulfilled their commitment to provide 25% of the overall costs of the study by the dates agreed upon with the department, the department may discontinue the study. If the department discontinues the study, any remaining funds received from municipalities must be returned to the municipalities and any remaining department funds for the study must be returned to the accounts from which they were received.

Sec. 3. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**TRANSPORTATION, DEPARTMENT OF
Multimodal - Passenger Rail Z139**

Initiative: Provides one-time funding for a transit propensity study to assess the demand and desire for transit, including but not limited to passenger rail, between the communities of Portland and Bangor.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$150,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$150,000</u>	<u>\$0</u>

See title page for effective date.

**CHAPTER 54
S.P. 209 - L.D. 524**

Resolve, Directing the Board of Pesticides Control To Research Workable Methods To Collect Pesticide Sales and Use Records for the Purpose of Providing Information to the Public

Sec. 1. Department of Agriculture, Conservation and Forestry, Board of Pesticides Control to research workable methods to collect pesticide sales and use records. Resolved: That the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control shall research workable methods to collect pesticide sales and use records for the purpose of providing information to the public. The board shall explore the best methods for collecting pesticide use information from schools as defined in the board's rule Chapter 27: Standards for Pesticide Applications and Public Notification in Schools; private applicators as defined in the Maine Revised Statutes, Title 22, section 1471-C, subsection 22; and commercial ap-

plicators as defined in Title 22, section 1471-C, subsection 5. The board shall explore the best methods for collecting information on pesticide sales in the State. The board shall submit a report with findings and recommendations to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 1, 2022. The joint standing committee may submit a bill to the 130th Legislature relating to the subject matter of the report.

See title page for effective date.

CHAPTER 55

S.P. 180 - L.D. 814

Resolve, Directing the Maine Community College System To Evaluate the Need To Expand Workforce Training Options in Waldo County

Sec. 1. Expanding workforce training options in Waldo County; evaluation. Resolved: That the Maine Community College System shall evaluate the unmet need and capacity for expanding workforce training options in Waldo County with the goal of providing additional capacity for training in the most accessible platform possible in industries with identified employee shortages. In conducting the evaluation, the Maine Community College System shall examine the following industries and trades:

1. Nursing or other medical trades;
2. Composites manufacturing;
3. Carpentry;
4. Electrical trades;
5. Millwright trades; and
6. Ventilation, air conditioning, refrigeration, plumbing and heating.

The Maine Community College System shall use its established methods and practices in assessing the need for expanded workforce training options in Waldo County.

Sec. 2. Strategies for expanding workforce training options. Resolved: That, if the Maine Community College System, while conducting the study in section 1, finds that a need for workforce training options exists in any of the industries and trades examined, the Maine Community College System shall assess the best way to increase capacity and opportunity. Potential strategies for the consideration include but are not limited to:

1. Expanding access through Maine Quality Centers under the Maine Revised Statutes, Title 20-A, section 12727;

2. Long-distance learning options; and
3. Colocation or collaboration with other learning institutions.

Sec. 3. Report. Resolved: That, by December 1, 2021, the Maine Community College System shall submit a report based on its evaluation in section 1 identifying if and where needs exist and outlining the best options to meet those needs to the Joint Standing Committee on Education and Cultural Affairs. The report, including suggested legislation, must include but is not limited to:

1. What unmet workforce training needs exist;
2. What industries should be prioritized for expanded workforce training options;
3. The best methods for expanding workforce training options;
4. Costs and facility needs for expanding workforce training programming; and
5. A timeline for implementation of expanded workforce training options.

The Joint Standing Committee on Education and Cultural Affairs is authorized to submit legislation related to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 56

S.P. 317 - L.D. 991

Resolve, Directing the Department of Transportation To Conduct an Economic Evaluation Study for Commuter and Passenger Train Service between Portland and the Lewiston and Auburn Area

Sec. 1. Economic evaluation study. Resolved: That the Department of Transportation shall conduct an economic evaluation study for commuter and passenger train service between Portland and the Lewiston and Auburn area. The study must include an economic evaluation of commuter and passenger rail service that builds upon data and potential next steps included in the Lewiston-Auburn Passenger Rail Service Plan published in May 2019. The economic evaluation must incorporate 2 of the "Full Build Preferred Alignments" contained in that report as follows: "Alignment 1A" for the Pan Am Railroad corridor; and "Alignment 1B" for the state-owned St. Lawrence and Atlantic Railroad corridor from Auburn to Yarmouth

Junction and connecting to the Pan Am Railroad corridor from Yarmouth Junction to Portland.

The department shall also conduct a high-level alternatives analysis for both rail corridors identified in this section to support selection of a preferred alignment and for comparison to other transportation connections between Portland and the Lewiston and Auburn area. The department shall submit a report of its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over transportation matters by March 1, 2022. The joint standing committee of the Legislature having jurisdiction over transportation matters may submit a bill to the Second Regular Session of the 130th Legislature based on the findings and recommendations provided in the department's report.

Sec. 2. Funding. Resolved: That the Department of Transportation may accept funding contributions to fully fund the costs of the study under section 1. The total cost of the study may not exceed \$200,000. No funds may be collected by or transferred to the department for the purpose of conducting the study unless the department receives commitments for no less than 10% of the overall cost of the study from municipalities that would be affected by the expansion of passenger rail service between Portland and the Lewiston and Auburn area. The department may enter into agreements with the relevant municipalities for the municipalities to pay their relevant portions to fund the study in installments. If the municipalities have not fulfilled their commitment to provide 10% of the overall costs of the study by the dates agreed upon with the department, the department may discontinue the study. If the department discontinues the study, any remaining municipal funds must be returned to the relevant municipalities and any remaining department funds appropriated for the study must be returned to the accounts from which they were appropriated.

Sec. 3. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**TRANSPORTATION, DEPARTMENT OF
Multimodal - Passenger Rail Z139**

Initiative: Provides a one-time allocation for an economic evaluation study for commuter and passenger train service between Portland and the Lewiston and Auburn area. Ten percent of the cost of the study must be provided by municipalities that would be directly impacted by the train service with the remaining cost provided by existing funding within this account.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$180,000	\$0

OTHER SPECIAL REVENUE	\$180,000	\$0
FUNDS TOTAL		

See title page for effective date.

**CHAPTER 57
H.P. 182 - L.D. 261**

Resolve, Directing the Advisory Committee on Truancy, Dropouts and Alternative Education To Study Truancy and Attendance in the State and Develop Recommendations To Improve Student Attendance

Sec. 1. Advisory committee on truancy, dropouts and alternative education study. Resolved: That the advisory committee on truancy, dropouts and alternative education established pursuant to the Maine Revised Statutes, Title 20-A, section 5152 shall conduct a study on truancy and attendance data in the State and submit a report based on the study, in conjunction with the advisory committee's annual report, no later than February 1, 2022, to the Joint Standing Committee on Education and Cultural Affairs. The report must include an in-depth analysis of the data on truancy and attendance, including an analysis of what is and is not working regarding student attendance and recommendations on how to improve attendance of all school-age children. The Joint Standing Committee on Education and Cultural Affairs may submit legislation relating to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

**CHAPTER 58
H.P. 381 - L.D. 518**

Resolve, Directing the Department of Education To Review and Assess State-mandated Instruction and Training for Students

Sec. 1. Department of Education to study state-mandated instruction and training for students. Resolved: That the Department of Education shall study current instruction and training for pre-kindergarten to grade 12 students mandated by the State and the process by which mandated instruction and training for these students are established.

Sec. 2. Report. Resolved: That, no later than January 1, 2022, the Department of Education shall submit a report based on the study under section 1 and any recommended legislation to the Joint Standing Committee on Education and Cultural Affairs. The report must include, but is not limited to:

1. A full list of all mandated instruction and training. For each mandated instruction or training, the report must identify:
 - A. The ages of the students affected;
 - B. The broad academic subject area affected; and
 - C. An estimate of the required time and cost to implement each mandated instruction or training;
2. Identification of and recommendations for continuance of mandated instruction and training that are appropriate and effective and recommendations for discontinuance of mandated instruction and training that are onerous, outdated or otherwise ineffective;
3. The impact of mandated instruction and training on the system of learning results pursuant to the Maine Revised Statutes, Title 20-A, section 6209 and the Department of Education's guidelines on early learning and development standards; and
4. Any other findings the department determines relevant.

The Joint Standing Committee on Education and Cultural Affairs may submit legislation on the subject of the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 59

H.P. 445 - L.D. 609

Resolve, To Establish a Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions

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

Whereas, this resolve establishes the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

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

Sec. 1. Commission established. Resolved: That the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 15 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature;
2. Two members of the House of Representatives appointed by the Speaker of the House, including a member from each of the 2 parties holding the largest number of seats in the Legislature;
3. The Director of the Maine State Housing Authority, or the director's designee;
4. One member representing the Office of the Governor, appointed by the Governor;
5. Four public members, one representing a statewide municipal association, one representing a statewide organization that advocates for affordable housing, one representing statewide agricultural interests and one who is in the building trades, appointed by the President of the Senate; and
6. Five public members, one representing a regional planning association or a statewide organization that advocates for smart growth policies and projects, one representing the real estate industry, one who is a residential developer, one representing an organization that advocates for low-income or middle-income renters or homeowners and one representing a local or statewide organization promoting civil rights that has racial justice or racial equity as its primary mission, appointed by the Speaker of the House.

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene

the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

Sec. 5. Duties. Resolved: That the commission is authorized to meet 6 times and shall:

1. Review data on housing shortages in the State for low-income and middle-income households;
2. Review state laws that affect the local regulation of housing;
3. Review efforts in other states and municipalities to address housing shortages through changes to zoning and land use restrictions;
4. Consider measures that would encourage increased housing options in the State, including but not limited to municipal incentives, state mandates, eliminating or limiting single-family-only zones and allowing greater housing density near transit, jobs, schools or neighborhood centers; and
5. Review and consider the historical role of race and racism in zoning policies and the best measures to ensure that state and municipal zoning laws do not serve as barriers to racial equality.

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the commission, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

Sec. 7. Report. Resolved: That, notwithstanding Joint Rule 353, no later than November 3, 2021, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Joint Standing Committee on Labor and Housing.

Sec. 8. Outside funding. Resolved: That the commission shall seek funding contributions to fully fund the costs of the study. All funding is subject to approval by the Legislative Council in accordance with its policies. If sufficient contributions to fund the study have not been received within 30 days after the effective date of this resolve, no meetings are authorized and no expenses of any kind may be incurred or reimbursed.

Sec. 9. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Study Commissions - Funding 0444

Initiative: Allocates funds received from contributions for the costs to the Legislature of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$880	\$0
All Other	\$1,370	\$0
OTHER SPECIAL REVENUE	\$2,250	\$0
FUNDS TOTAL		

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

Effective June 15, 2021.

CHAPTER 60
H.P. 637 - L.D. 869

Resolve, Directing the Department of Health and Human Services To Review the Progressive Treatment Program and Processes by Which a Person May Be Involuntarily Admitted to a Psychiatric Hospital or Receive Court-ordered Community Treatment

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 processes by which a person may be involuntarily admitted to a psychiatric hospital or receive court-ordered treatment in the community are inconsistent; and

Whereas, the inconsistency is preventing access to timely treatment for individuals in crisis, and a more streamlined process could reduce the consequences of delayed treatment or lack of treatment; and

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

Sec. 1. Department of Health and Human Services to convene stakeholder group to review the progressive treatment program and processes by which a person may be involuntarily admitted to a psychiatric hospital or receive court-ordered community treatment. Resolved: That the Commissioner of Health and Human Services shall convene a stakeholder group to accomplish the following:

1. Review of the progressive treatment program. Review the entire process related to a progressive treatment program under the Maine Revised Statutes, Title 34-B, section 3873-A, including, but not limited to, the feasibility of and barriers to filing applications to the District Court by a person authorized to file applications under Title 34-B, section 3873-A, subsection 1; and

2. Review processes for consistency and efficiency. Review for consistency and efficiency the processes by which a person may be involuntarily admitted to a psychiatric hospital or receive court-ordered community treatment pursuant to the Maine Revised Statutes, Title 34-B, chapter 3, subchapter 4, article 3 and develop recommendations to make the processes more effective and easier to administer in order to reduce the consequences of delayed treatment or lack of treatment. The review must include a review of how the processes are working, the consistency of requirements and implementation of the processes, who is responsible for initiating the processes and who is responsible for payment for representation of the psychiatric hospitals in those processes.

Sec. 2. Membership of the stakeholder group. Resolved: That the Commissioner of Health and Human Services shall invite the following members to participate in the stakeholder group under section 1:

1. At least one representative from the Office of the Attorney General;
2. One representative from the Riverview Psychiatric Center;
3. One representative from Northern Light Acadia Hospital;
4. One representative from Spring Harbor Hospital;
5. One representative from the Maine Hospital Association;
6. One representative from Disability Rights Maine;
7. One representative from the Consumer Council System of Maine;
8. At least one individual who is or has been a patient under the Maine Revised Statutes, Title 34-B, chapter 3, subchapter 4, article 3;
9. One representative from an organization that advocates for family concerns;
10. At least one individual who is a family member of an individual who is or has been a patient under the Maine Revised Statutes, Title 34-B, chapter 3, subchapter 4, article 3;
11. One individual who is the legal guardian of a patient who is the subject of an application for the progressive treatment program under the Maine Revised Statutes, Title 34-B, section 3873-A;

12. One representative from the Alliance for Addiction and Mental Health Services, Maine;
13. One director of a team providing assertive community treatment;
14. At least one representative from a community provider who administers the treatment plan of a patient admitted to a progressive treatment program;
15. One representative from a private nonmedical institution;
16. One psychiatrist from the Maine Association of Psychiatric Physicians;
17. One psychiatric nurse practitioner from the Maine Nurse Practitioner Association; and
18. One law enforcement officer.

The Commissioner of Health and Human Services shall also invite the participation of at least one representative of the Judicial Department.

Sec. 3. Report. Resolved: That the Commissioner of Health and Human Services shall present the findings and recommendations of the stakeholder group based on the reviews pursuant to section 1 to the Joint Standing Committee on Health and Human Services no later than December 1, 2021. The committee may report out legislation to the Second Regular Session of the 130th Legislature related to the recommendations of the report.

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

Effective June 15, 2021.

CHAPTER 61

H.P. 1004 - L.D. 1370

Resolve, Directing the Department of Transportation To Develop and Adopt an Active Transportation Plan

Sec. 1. Active transportation plan. Resolved: That the Department of Transportation shall develop and adopt an active transportation plan, consistent with the department's comprehensive long-range planning, to serve as a prioritization framework for the development of trails for multimodal uses and other active transportation infrastructure of regional significance. For the purposes of this section, "active transportation" means any mode of transportation that is partially or wholly propelled by human power.

Sec. 2. Rail corridor evaluation. Resolved: That the Department of Transportation shall use the active transportation plan developed under section 1 to evaluate reasonable potential uses of state-owned rail

corridors over which there are no ongoing rail operations or contracts or agreements providing for operational rights. An evaluation conducted under this section must include the likelihood, benefits and costs of foreseeable restoration of the rail corridor for rail use and interim trail use consistent with the requirements of the Maine Revised Statutes, Title 23, chapter 615.

Sec. 3. Report. Resolved: That the Department of Transportation shall submit a report containing the active transportation plan developed under section 1 to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than January 18, 2023.

See title page for effective date.

CHAPTER 62

S.P. 465 - L.D. 1415

Resolve, To Direct the Department of Environmental Protection To Determine Staffing Needs To More Efficiently and Effectively Issue Decisions on New, Amendment and Minor Revision Applications

Sec. 1. Staffing resources determination. Resolved: That the Department of Environmental Protection shall determine the staffing resources necessary to efficiently and effectively review new permit applications submitted under the Maine Revised Statutes, Title 38, section 420-D and Title 38, chapter 3, subchapter 1, articles 5-A and 6 and to issue decisions on amendment and minor revision applications submitted under those same laws within timetables that are no longer than those established by the Commissioner of Environmental Protection pursuant to Title 38, section 344-B, subsection 1 for new permit applications submitted under those same laws.

Sec. 2. Report. Resolved: That, by November 1, 2021, the Department of Environmental Protection shall submit a report to the Joint Standing Committee on Environment and Natural Resources on the outcome of the staffing resources determination undertaken pursuant to section 1. The committee may report out a bill to the 130th Legislature based on the report.

See title page for effective date.

CHAPTER 63

H.P. 1237 - L.D. 1666

Resolve, To Require the Public Utilities Commission To Issue a Request for Information on a Statewide, Multiple-use Online Energy Data Platform

Preamble. Whereas, in order to implement comprehensive energy management and efficiency programs, it is necessary to provide customers and other stakeholders with safe, secure access to information about energy usage in homes, businesses and municipalities; and

Whereas, access to energy data is a foundational element for moving the State's natural gas and electric systems to a more efficient paradigm in which empowering customers is a critical element; and

Whereas, by enabling the aggregation of and removal of personally identifiable information from community-level energy data and requiring a consent-driven process for access to or sharing of customer-level energy usage data, as proposed by this legislation, the State can open the door to innovative business applications that will save customers money and allow for better use of the electricity grid and other utility services; and

Whereas, a multiple-use online energy data platform will enable both the private and the public sectors to plan and implement energy programs including energy efficiency, distributed generation, energy storage and transmission and distribution improvements that will help reduce emissions of greenhouse gases in accordance with emissions reduction goals established in law; and

Whereas, implementation of a multiple-use online energy data platform is essential to achieving the greenhouse gas emissions reduction goals established by the State and by municipalities; and

Whereas, information about energy usage is currently held by individual utility companies with varying capabilities to share data, directly affecting customer and stakeholder access to quality energy data; and

Whereas, a centralized online energy data platform with defined standards regarding aggregation, data privacy and data security will create administrative and operational efficiencies for all customers and stakeholders involved in the energy sector; now, therefore, be it

Sec. 1. Public Utilities Commission evaluation of statewide, multiple-use online energy data platform. Resolved: That the Public Utilities Commission shall issue a request for information to evaluate the feasibility of the commission's establishing and operating a statewide, multiple-use online energy

data platform, referred to in this section as "the platform," that will provide natural gas and electric utility customers with safe, secure access to information about their energy usage and will allow for the aggregation of and removal of personally identifiable information from community-level energy data. In issuing a request for information on the feasibility of the platform under this section, the commission shall define the relationships among the various categories of data to be included in the platform. The request for information must require that the platform:

1. Consist of a common base of energy data for use in a wide range of applications and business uses;
2. Adhere to specific and well-documented standards for data accuracy, retention, availability, privacy and security;
3. Allow 3rd-party access to customer energy data;
4. Allow for the sharing of individual customer energy data and provide an opt-in option for utility customers when sharing data with 3rd parties;
5. Protect utility customers from unauthorized disclosure of personally identifiable information and ensure customer privacy rights;
6. Provide for the voluntary participation of consumer-owned transmission and distribution utilities and municipal power districts; and
7. Meet the requirements for certification from the Green Button Alliance and support the Green Button "Connect My Data" standard and the energy service provider interface of the North American Energy Standards Board.

The request for information must include an evaluation of a platform that would be funded through the assessment of a fee to be collected by utilities on their customers and transferred to the commission. In evaluating the feasibility of establishing and operating the platform, the commission shall require consideration of online energy data platforms being used in other states. After receiving information, the commission shall evaluate whether the creation, operation and management of the platform can be performed by the commission or whether all or part of the creation, management or operation of the platform would need to be performed by a 3rd party. The commission shall allow public comment on the request for information.

Sec. 2. Report. Resolved: That, by January 31, 2022, the Public Utilities Commission shall submit a report to the Joint Standing Committee on Energy, Utilities and Technology that includes the results of the evaluation required under section 1. The committee may report out a bill to the Second Regular Session of the 130th Legislature based on the report.

See title page for effective date.

**CHAPTER 64
S.P. 562 - L.D. 1709**

Resolve, Directing the Maine State Housing Authority To Examine and Develop a Program Promoting Home Ownership by Reducing Education Debt

Sec. 1. Maine State Housing Authority to examine and develop a program for home ownership by reducing education debt. Resolved: That the Maine State Housing Authority, in consultation with the Finance Authority of Maine, shall examine programs that promote home ownership by reducing borrowers' education debt and shall develop such a program, including statutory language and budgetary requirements, for implementation in the State. In examining such programs, the Maine State Housing Authority, in consultation with the Finance Authority of Maine, shall consider, but is not limited to considering:

1. The total amount of student loan debt that could be reduced and the average amount of individuals' student loan debt in relation to the average purchase price of a home;
2. The minimum amount of student loan debt an individual must have to qualify to participate in such programs;
3. Whether a program participant is required to pay off any remaining student loan debt;
4. The financial process for reducing student loan debt through the purchase of a home;
5. Whether a program participant is required to remain in the home for a certain period of time;
6. A program participant's credit score;
7. The requirements a program participant must meet for assistance in making a down payment; and
8. Any other requirements necessary for a program participant to qualify for assistance with a home mortgage through such programs.

Sec. 2. Report. Resolved: That the Maine State Housing Authority shall submit a report, including suggested legislation with statutory language and budgetary requirements, with the authority's proposal for a program promoting home ownership by reducing education debt to the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters by December 1, 2021. The joint standing committee may report out a bill based on the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

**CHAPTER 65
H.P. 194 - L.D. 278**

**Resolve, Directing the
Department of Education To
Develop a Process for the
Consideration and
Implementation of Changes to
Mandated Instruction or
Training for Students**

Sec. 1. Department of Education to develop a process for the consideration and implementation of changes to mandated instruction or training for students. Resolved: That the Department of Education shall develop a process and a timeline for reviewing legislation that proposes to mandate instruction or training for students. No later than January 15, 2022, the Department of Education shall report to the Joint Standing Committee on Education and Cultural Affairs on the process it develops and recommendations regarding review of mandated instruction or training proposals. The Joint Standing Committee on Education and Cultural Affairs may report out a bill to the Second Regular Session of the 130th Legislature related to the report.

See title page for effective date.

**CHAPTER 66
S.P. 366 - L.D. 1105**

**Resolve, Directing the Maine
Public Employees Retirement
System To Convene a Working
Group To Investigate Public
Pension Options**

Sec. 1. Maine Public Employees Retirement System to convene working group. Resolved: That the Maine Public Employees Retirement System shall convene a working group of representatives of public employers, including the State and school administrative units, and public employees, including the Maine Service Employees Association and the Maine Education Association, to work together to develop new designs for public employee pensions that are based on social security and have comparable benefits to the current defined benefit plan. The working group shall build on work completed by the working group that was convened pursuant to Public Law 2011, chapter 380, Part U to refine and further develop options. The Maine Public Employees Retirement System shall submit to the Legislature no later than December 1, 2021 a report containing options for public pensions

developed by the working group and proposed plans and timelines for implementation.

See title page for effective date.

**CHAPTER 67
H.P. 1169 - L.D. 1572**

**Resolve, To Analyze the Impact
of Sea Level Rise**

Preamble. Whereas, the scientific and technical subcommittee of the Maine Climate Council determined it is likely that the sea level in Maine will rise between 3 and 5 feet by the year 2100 based on an intermediate sea level rise scenario, although scenarios of higher rise are physically plausible; and

Whereas, a one-foot increase in sea level in the future will lead to a 15-fold increase in the frequency of nuisance flooding and would cause a 100-year storm flood level to have a probability of occurring once every 10 years; and

Whereas, communities with a strong dependence on waterfront and shorefront industries such as tourism, ports and fishing will be heavily disrupted by increased flood frequency; and

Whereas, sea level rise of 4 feet by 2100 is projected to cause more than \$671,000,000 in cumulative building losses and \$665,000,000 in gross domestic product losses in Maine; and

Whereas, 1.5 feet of relative sea level rise by 2050 and 4 feet by 2100 would cause immersion and submersion of land and accompanying materials, structures and facilities that are not currently designed for those conditions and, therefore, present a threat of release of pollutants to the environment; and

Whereas, the scientific and technical subcommittee of the Maine Climate Council has recommended that the State manage for 1.5 feet of relative sea level rise by 2050 and 4 feet by 2100; now, therefore, be it

Sec. 1. Department review of laws and rules. Resolved: That the Department of Agriculture, Conservation and Forestry, the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency, the Department of Environmental Protection, the Department of Inland Fisheries and Wildlife, the Department of Marine Resources, the Department of Transportation and the Office of the Attorney General shall conduct a review of the laws and rules they are charged with administering under the Maine Revised Statutes and, by January 1, 2022, shall recommend to the Joint Standing Committee on Environment and Natural Resources any changes necessary to:

1. Incorporate consideration of 1.5 feet of relative sea level rise by 2050 and 4 feet by 2100 into administration of those laws and rules; and

2. Implement the strategy designated as "Strategy F3" in the state climate action plan issued by the Maine Climate Council in 2020 pursuant to the Maine Revised Statutes, Title 38, section 577 to enhance community resilience to flooding and other climate impacts.

The Joint Standing Committee on Environment and Natural Resources may report out legislation to implement the recommendations to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 68

H.P. 1253 - L.D. 1684

**Resolve, To Strengthen
Maine's Workforce by
Expanding English Language
Acquisition and Workforce
Training Programs**

Sec. 1. Department of Education to establish a grant process for adult education programs for English language acquisition and workforce training programs. Resolved: That the Department of Education's office of adult education, referred to in this resolve as "the office," shall establish a grant process to provide funding on a competitive basis to adult education programs of school administrative units in communities experiencing an increase in immigrant populations or demand to reduce the waiting list for English language acquisition classes or to increase the levels, frequency or intensity of English language acquisition instruction offered as needed by the communities and to provide industry-specific English language acquisition combined with workforce training in the specific skill areas required for identified workforce needs of employers in this State in accordance with this resolve. The office shall award grants to eligible adult education programs in a number and amount determined by available funding.

Sec. 2. English language acquisition courses and workforce training grants. Resolved: That the amount of a grant under this resolve is determined by the office based upon the needs of the area to be served and the availability of funding. The office shall consider grants to cover all areas of the State with an emphasis on areas with large immigrant populations, where there is a need for skilled workers that training under this resolve may provide or areas with growing industries.

1. English language acquisition courses grants. An eligible proposal for an English language acquisition course grant under this subsection must include

provisions for initiating or expanding English language acquisition courses for participating students.

2. Industry-specific English language acquisition workforce training grants. An eligible proposal for a grant under this subsection must include provisions for:

A. Intensive industry-specific English language and vocabulary classes for participating potential employees, including immigrants who have not yet received federal work permits, newly hired employees and incumbent employees;

B. Intensive workforce training classes for participating potential employees, including immigrants who have not yet received federal work permits, newly hired employees and incumbent employees that include habits of work, including but not limited to basic skills necessary to obtain, maintain and advance in employment, such as interviewing and communications skills, and that acquaint immigrants with the culture of the workplace;

C. Interviewing immigrant participants and identifying the education level, English language ability, skill sets, work experience, qualifications and credentials of each immigrant participant;

D. Collaboration with participating employers to:

(1) Identify the employers' specific workforce needs;

(2) Identify skills needed for positions required by the employers;

(3) Receive input from the employers for the design of the training classes under this subsection, including information on required English language proficiency, workplace culture, on-site space or other vocational training elements such as tools, manuals or site tours;

(4) For proposals by specific employers to train newly hired or incumbent employees, ensure that the employers provide the time and space to offer training classes under this subsection on site at the employers' workplaces or, where that is not feasible, that employers provide at no cost to participants supports such as transportation and incentives to prioritize, encourage and facilitate employee participation;

(5) Unless participating employers can establish that they have already undergone such training within the 12 months prior to the grant submission date, ensure that, within the first 12 months of participating in the grant process, employers receive at least 12 hours of formal training on systemic bias and inequities and cultural competency regarding bridging effectively across a wide variety of cultural similar-

ities and differences to help establish an inclusive workplace environment. The office is not responsible for arranging for or providing this training; and

(6) Create industry-specific skills trainings in which small employers in a specific sector can participate collectively where it is not practicable for them to offer trainings as individual employers. These collective trainings need not take place at an employer's workplace;

E. One or more training classes to prepare the immigrant participants as potential employees to enter into and retain livable wage employment within 6 to 24 months of the beginning of the training; and

F. Collection and reporting of data including outcomes of employment and job retention.

The office shall give special consideration to proposals for grants under this subsection that provide incentives for immigrants to participate in the training classes under this subsection, such as agreements by employers to pay an employee the employee's hourly rate while attending the training classes.

3. Criteria for applicants. An applicant for a grant under subsection 2 must have demonstrated expertise and experience in the following:

A. Providing English language acquisition training, including the administration of appropriate academic and vocational assessments and research-based instructional approaches appropriate for English language learners;

B. Working with employers to develop relevant employee training; and

C. Working with partners in the state workforce and state agencies with expertise in serving and preparing immigrants for employment through a case management approach.

Sec. 3. Report. Resolved: That the office shall provide a report concerning grants awarded pursuant to this resolve to the Joint Standing Committee on Education and Cultural Affairs by November 1, 2022 that includes:

1. The number and amount of grants awarded;

2. The training and services provided by the grant recipients or progress toward establishing new programs to deliver the training and services;

3. Aggregate demographic information about immigrant participants in the training, participating employers, employment opportunities, employment placements and retention by employers of immigrant participants placed under this section; and

4. An evaluation of programs and services most effective in carrying out the purposes of this resolve.

The joint standing committee of the Legislature having jurisdiction over education matters may report out a bill to the First Regular Session of the 131st Legislature to continue the grant process or to make it permanent.

Sec. 4. Fund established. Resolved: That the Industry-specific English Language Acquisition and Workforce Training Grant Fund is established as a nonlapsing fund under the Department of Education for the purpose of administering state grants funded by state and federal allocations and other sources, including donations from private citizens, corporations and entities for the purposes of this resolve. The department shall distribute any available funds to support the purposes of this resolve.

Sec. 5. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Industry-specific English Language Acquisition and Workforce Training Grant Fund N386

Initiative: Provides base allocations to authorize expenditures of funds received from federal sources for grants to adult education programs for English language acquisition and workforce training programs.

FEDERAL EXPENDITURES	2021-22	2022-23
FUND		
All Other	\$500	\$500
FEDERAL EXPENDITURES	\$500	\$500
FUND TOTAL		

Industry-specific English Language Acquisition and Workforce Training Grant Fund N386

Initiative: Provides base allocations to authorize expenditures of funds received from private donations for grants to adult education programs for English language acquisition and workforce training programs.

OTHER SPECIAL REVENUE	2021-22	2022-23
FUNDS		
All Other	\$500	\$500
OTHER SPECIAL REVENUE	\$500	\$500
FUNDS TOTAL		

EDUCATION, DEPARTMENT OF

DEPARTMENT TOTALS	2021-22	2022-23
FEDERAL EXPENDITURES	\$500	\$500
FUND		
OTHER SPECIAL REVENUE	\$500	\$500
FUNDS		
DEPARTMENT TOTAL - ALL	\$1,000	\$1,000
FUNDS		

See title page for effective date.

**CHAPTER 69
H.P. 367 - L.D. 504**

**Resolve, Regarding
Certification for Certain
Mental Health Rehabilitation
Technicians**

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

Whereas, this legislation implements a recommendation of the Working Group on Mental Health to address critical workforce shortages and reduce barriers to employment for those providing mental health services; and

Whereas, this legislation requires the Department of Health and Human Services to amend its guidelines for mental health rehabilitation technician/community certification to allow an individual with a bachelor's degree or graduate-level degree in a mental health-related field to receive certification; and

Whereas, it is important that this legislation take effect as soon as possible so that the department can amend its guidelines no later than October 1, 2021; and

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

Sec. 1. Department of Health and Human Services to amend its guidelines on community-based mental health rehabilitation technician certification. Resolved: That, no later than October 1, 2021, the Department of Health and Human Services shall amend its guidelines for the mental health rehabilitation technician/community certification, also known as an MHRT/C certification, in order to allow an individual who has completed a 4-year postsecondary educational degree program in a mental health-related field or obtained a graduate degree in a mental health-related field to receive the MHRT/C certification notwithstanding any other guidelines for certification.

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

Effective June 17, 2021.

**CHAPTER 70
S.P. 457 - L.D. 1407**

**Resolve, Regarding Authority
of Municipalities To Regulate
Timber Harvesting**

Sec. 1. Stakeholder group regarding authority of municipalities to regulate timber harvesting. Resolved: That the Director of the Maine Forest Service within the Department of Agriculture, Conservation and Forestry shall convene a group of stakeholders, including, but not limited to, organizations representing municipalities, family woodland owners, logging contractors, farmers, outdoor recreation and environmental interests and consulting foresters who work in multiple municipalities, to review and assess the law in the Maine Revised Statutes, Title 12, section 8869, subsection 8 and the corresponding process relating to a municipal proposal to adopt or amend a timber harvesting ordinance. The director shall report the findings and recommendations of the stakeholder group, including suggested legislation, to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 15, 2021. The joint standing committee may submit a bill to the 130th Legislature relating to the subject matter of the report.

See title page for effective date.

**CHAPTER 71
S.P. 376 - L.D. 1113**

**Resolve, To Direct the
Permanent Commission on the
Status of Racial, Indigenous
and Maine Tribal Populations
To Study and Propose
Solutions to Disparities in
Access to Prenatal Care in the
State**

Sec. 1. Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations to study and propose solutions to disparities in access to prenatal care in the State. Resolved: That the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations, established under the Maine Revised Statutes, Title 5, section 12004-I, subsection 74-J and referred to in this resolve as "the commission," shall study the extent of disparities in access to prenatal care for the State's racial, indigenous and tribal populations through data and other information; study the causes of the disparities in access to prenatal care, including through interviews with those women who had no prenatal visit until the last trimester or had no prenatal care at all; and recommend solutions to disparities in access to prenatal

care in the State. The commission may submit legislation that serves to create equity in access to prenatal care in the State to the Second Regular Session of the 130th Legislature in accordance with Title 5, section 25007, subsection 2, paragraph D. Notwithstanding Title 5, section 12004-I, subsection 74-J, for their expenses incurred in the work of the commission pursuant to this section, members of the commission receive reimbursement pursuant to Title 5, section 12002-A.

Sec. 2. Report. Resolved: That, notwithstanding section 1 and no later than January 15, 2022, the commission shall submit a report to the Joint Standing Committee on Health and Human Services on the results of the study of disparities in access to prenatal care in accordance with section 1. The Joint Standing Committee on Health and Human Services may report out legislation to the Second Regular Session of the 130th Legislature related to the report.

See title page for effective date.

CHAPTER 72

H.P. 456 - L.D. 620

Resolve, To Develop a Plan for Teachers To Collect Social Security

Sec. 1. Develop plan for teachers to collect social security. Resolved: That the Maine Public Employees Retirement System shall examine options and make recommendations for a plan to allow teachers in the State to contribute, accumulate credit and collect benefits under the United States Social Security Act in addition to collecting benefits under the Maine Public Employees Retirement System. In examining options, the Maine Public Employees Retirement System shall consider and outline the process for an amendment to the State's so-called Section 218 Agreement with the United States Social Security Administration and any other available avenues to allow teachers to collect social security. In conducting its work under this section, the Maine Public Employees Retirement System shall consult, as needed, with experts in public retirement and social security issues. In making recommendations, the Maine Public Employees Retirement System shall develop implementation timelines and outline statutory and other changes necessary to implement the plan. For the purposes of this section, "teacher" has the same meaning as in the Maine Revised Statutes, Title 5, section 17001, subsection 42.

Sec. 2. Report. Resolved: That no later than December 1, 2021, the Maine Public Employees Retirement System shall submit to the Joint Standing Committee on Labor and Housing a report, including its findings and recommendations as required under section 1, for a plan to allow teachers to collect social security in addition to collecting benefits under the Maine

Public Employees Retirement System. Following receipt and review of the report, the committee is authorized to submit a bill to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 73

H.P. 474 - L.D. 643

Resolve, Directing the Department of Education To Establish a Working Group To Determine Best Practices and Accountability Standards for School Boards To Manage the Performance of Superintendents

Sec. 1. Department of Education to establish working group. Resolved: That the Commissioner of Education shall establish a working group to improve the training of school boards in their role of hiring, evaluating and overseeing superintendents. The working group shall develop a best practices module for diverse and inclusive executive hiring practices and create a standardized performance evaluation system that solicits feedback from multiple sources and from a variety of points of view, akin to a 360-degree performance evaluation system and that incorporates best practices and board member training tools. The commissioner shall invite the following members to participate in the working group:

1. One member from a statewide organization representing school board members;
2. One member from an organization with expertise in measurement and evaluation in service of strategic school systems and states;
3. One member from an organization with cross-sectoral specialization in organizational governance, goal setting based on specific, measurable, attainable, relevant, and time-bound criteria and 360-degree performance evaluation systems;
4. One member with expertise in diversity, equity and inclusion in hiring and evaluation; and
5. Three members who are active school board members or community volunteers.

Sec. 2. Report. Resolved: That the Commissioner of Education shall report to the Joint Standing Committee on Education and Cultural Affairs, no later than January 1, 2022, on the findings and any recommendations developed pursuant to section 1. The Joint Standing Committee on Education and Cultural Affairs

may report out a bill related to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 74

H.P. 482 - L.D. 655

Resolve, Directing the Department of Education To Survey School Administrative Units and Review the Feasibility of a 30-minute Lunch Period for Students

Sec. 1. Department of Education to survey schools regarding the feasibility of a 30-minute lunch period. Resolved: That the Department of Education shall conduct a survey of all school administrative units regarding the capacity of each school administrative unit to implement a minimum 30-minute lunch period for all students within each school building. The department shall report its findings no later than December 1, 2021 to the Joint Standing Committee on Education and Cultural Affairs. The committee may submit legislation related to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 75

H.P. 879 - L.D. 1201

Resolve, Directing the Maine State Housing Authority To Engage Stakeholders in an Examination of Fair Chance Housing Policy Options

Sec. 1. Fair chance housing examination. Resolved: That the Maine State Housing Authority shall in collaboration with stakeholders examine fair chance housing policies considered or adopted in other jurisdictions. This examination must consider policies that may be adopted in the State to address housing issues for formerly incarcerated individuals and to expand housing opportunities for formerly incarcerated individuals without creating an excessive burden for housing providers.

The authority shall invite stakeholders that include but are not limited to:

- 1. Formerly incarcerated individuals;
- 2. Housing providers that own, lease or manage residential housing units that:
 - A. Are owned or subsidized by the Federal Government or the State; or

B. Are financed in whole or part by government subsidies or tax credits;

3. Landlords or representatives of statewide organizations representing landowners and property managers;

4. Representatives from a statewide organization that represents the interests of currently incarcerated or formerly incarcerated individuals;

5. Representatives from a statewide civil legal aid and economic justice organization;

6. Representatives of civil rights organizations whose primary mission is racial equity and justice; and

7. Representatives of organizations that advocate for residents of the State in the following areas:

- A. Disability rights;
- B. Mental health;
- C. Substance use disorder and recovery; and
- D. Homelessness.

Sec. 2. Report. Resolved: That no later than February 15, 2022 the Maine State Housing Authority shall submit a report that includes findings and recommendations to the Joint Standing Committee on Labor and Housing. The report must include a summary of any meetings that occur pursuant to section 1, a list of participants in the examination of fair chance housing policies, suggestions to increase the awareness among housing providers of the challenges faced by formerly incarcerated individuals in finding housing and any other relevant information. The report may include suggested legislation. The Joint Standing Committee on Labor and Housing may report out legislation to the Second Regular Session of the 130th Legislature based on the report.

See title page for effective date.

CHAPTER 76

S.P. 83 - L.D. 195

Resolve, Directing the Department of Professional and Financial Regulation To Develop a Draft Registration Program for General Contractors for Home Improvement and Construction

Sec. 1. Registration for general contractors for home improvement and construction. Resolved: That the Commissioner of Professional and Financial Regulation shall develop a draft registration

program for general contractors for home improvement and construction.

Sec. 2. Requirements. Resolved: That, in developing a draft registration program as required by section 1, the Commissioner of Professional and Financial Regulation shall consider:

1. "Dwelling" to mean a residential structure that contains one to 4 units, including an individual condominium unit, cooperative unit or, if used as a residence, manufactured housing;

2. "General contractor" to include any individual who undertakes, offers to undertake or submits a bid to build a dwelling or perform any home improvement if the total cost of the project exceeds \$5,000. The commissioner may not consider the term "general contractor" to include:

A. Any individual who builds a dwelling or performs any home improvement on any dwelling that is intended to be used as the individual's residence unless the primary purpose of the structure is a commercial enterprise;

B. Any subcontractor working under the direction of a general contractor; or

C. Any individual licensed as an electrician or plumber or in another profession and who is acting exclusively within the scope of the individual's license;

3. "Home improvement" to include building or constructing a dwelling and fixing, replacing, altering, converting, modernizing, improving or making an addition to real property primarily designed or used as a residence. "Home improvement" includes structural work and the construction, installation, replacement and improvement of in-ground swimming pools, porches, kitchens, chimneys, chimney liners, garages, fallout shelters, central air conditioning, central heating, heat pumps, boilers, furnaces, hot water heaters, electric wiring, sewers, plumbing fixtures, storm doors, storm windows or siding and other improvements to structures within the residence or upon the land adjacent to the residence. "Home improvement" does not include landscaping; interior painting or wall covering; finished floor covering, including but not limited to carpeting, vinyl floor covering or tile; fencing or freestanding masonry walls; installation of aboveground swimming pools; shutter or awning installation; installation of ground-level patios; or asphalt and driveway installation and maintenance; and

4. The requirements for registration for general contractors to include:

A. Disclosure of years of experience in the home improvement and construction industry;

B. Workers' compensation insurance;

C. Liability insurance;

D. Disclosure of prior judgments against the applicant;

E. Disclosure of prior bankruptcy petitions filed by or against the applicant;

F. Disclosure of status of licensure or registration in other jurisdictions; and

G. Applicable fees.

Sec. 3. Draft registration program and legislation. Resolved: That the Department of Professional and Financial Regulation shall submit the draft registration program developed under section 1 and any proposed legislation to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business by December 1, 2021. The committee is authorized to submit a bill based on the draft registration program and proposed legislation to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 77

H.P. 575 - L.D. 770

Resolve, To Direct the Department of Inland Fisheries and Wildlife To Examine Issues Related to Hunting Dogs and Civil Trespass

Sec. 1. Examination. Resolved: That the Department of Inland Fisheries and Wildlife shall establish a stakeholder group to examine issues related to hunting dogs and civil trespass. The department shall ensure that the stakeholder group is as broadly representative of interested parties and groups as possible and shall invite participation from at least the following: representatives of affected landowners and persons who use dogs in hunting and others with interest in or expertise on the subject matter of the examination. The department may include or involve the Landowners and Sportsmen Relations Advisory Board under the Maine Revised Statutes, Title 12, section 10157 in the work of the stakeholder group.

Sec. 2. Report. Resolved: That the Department of Inland Fisheries and Wildlife shall report the findings and recommendations resulting from the examination under section 1 to the Joint Standing Committee on Inland Fisheries and Wildlife by January 3, 2022. The committee may report out a bill related to the subject matter of the report to the 130th Legislature.

See title page for effective date.

CHAPTER 78
S.P. 363 - L.D. 1102

**Resolve, Directing the Family
Law Advisory Commission To
Review Preliminary
Injunctions in Judicial
Separation and Divorce
Actions**

Sec. 1. Preliminary injunctions in judicial separation and divorce actions. Resolved: That the Family Law Advisory Commission shall review the elements of preliminary injunctions in judicial separation and divorce actions in the Maine Revised Statutes, Title 19-A and in the statutes of other states to analyze appropriate elements and when they should be applied. The commission may include interested parties in the review and analysis. The commission shall submit a report, including any recommendations, to the Joint Standing Committee on Judiciary no later than December 15, 2021. The committee may report out legislation related to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 79
H.P. 830 - L.D. 1152

**Resolve, To Require Maine
Postsecondary Educational
Institutions To Review the
Level of Student Debt and
Develop Plans To Limit
Student Debt**

Sec. 1. Postsecondary educational institutions to review student debt and develop plans. Resolved: That postsecondary educational institutions in this State, including the University of Maine System, the Maine Community College System, the Maine Maritime Academy and member schools of the Maine Independent Colleges Association, shall review the level of student debt of Maine residents at their institutions and develop plans to limit student debt, focusing on the following targeted goals:

1. Limit student debt to the maximum allowable federal direct subsidized and direct unsubsidized loans over a 4-year period;
2. Eliminate the gap in funding that exists between the expected family contribution and the sum of the average financial aid award provided to a student by the postsecondary educational institution, with reference to the affordability gap analysis conducted by the Commission To Study College Affordability and College

Completion established by Resolve 2013, chapter 109; and

3. Meet the financial need of their students in their financial aid awards.

Postsecondary educational institutions shall summarize in detail the results of their review, including best practices and recommendations for reform, and report the results of their review to the Joint Standing Committee on Education and Cultural Affairs no later than December 1, 2021. The Joint Standing Committee on Education and Cultural Affairs may report out legislation related to the reports to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 80
S.P. 412 - L.D. 1262

**Resolve, Directing the
Department of Health and
Human Services To Develop a
Comprehensive Statewide
Strategic Plan To Serve Maine
People with Behavioral Health
Needs throughout Their
Lifespans**

Sec. 1. Department of Health and Human Services to develop a comprehensive statewide strategic plan to serve people in the State with behavioral health needs throughout their lifespans. Resolved: That, within existing resources, the Department of Health and Human Services shall develop a vision and comprehensive statewide strategic plan to serve people in the State with behavioral health needs throughout their lifespans, referred to in this resolve as "the plan." For purposes of this resolve, "behavioral health" includes a wide range of mental disorders and illnesses, substance use disorder and developmental disabilities, including autism spectrum disorder.

Sec. 2. Plan participation. Resolved: That the Department of Health and Human Services shall draft the plan in collaboration with other agencies of the executive branch, indigenous and tribal populations of the State, the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations, consumer groups, service providers, public safety organizations, law enforcement organizations, hospitals, the LGBTQ community and any other interested parties and seek public input. For purposes of this resolve, "LGBTQ" includes but is not limited to lesbian, gay, bisexual, transgender, queer, questioning, intersex and asexual.

Sec. 3. Elements of plan. Resolved: That, in drafting the plan, the Department of Health and Human

Services shall address, as they relate to behavioral health:

1. Protection of consumer choice;
2. Evidence-based treatments;
3. Early screenings, detection and interventions for all children up to 6 years of age;
4. Identifying and serving children from 6 years of age to 20 years of age in school settings, including screenings and providing early interventions where appropriate;
5. Public health screenings for families at risk of adverse childhood experiences;
6. Children in state custody;
7. Children who are incarcerated;
8. Best practices for a successful transition from children's to adult services;
9. Adults who are incarcerated;
10. Workforce development at all levels;
11. Availability of diagnosis and treatment in the least restrictive environment at all levels, including:
 - A. Hotlines and so-called warmlines;
 - B. Suicide prevention;
 - C. Crisis services, including response to 9-1-1 calls, safety assessments and stabilization;
 - D. Outpatient treatment;
 - E. Medication management;
 - F. Intensive outpatient treatment;
 - G. Assertive community treatment;
 - H. Community integration and support;
 - I. Case management;
 - J. Medication-assisted treatment;
 - K. Residential treatment for children and adults;
 - L. In-home support services;
 - M. Supported employment;
 - N. Supported short-term and long-term housing;
 - O. Applied behavioral analysis;
 - P. Occupational therapy;
 - Q. Relationship development intervention;
 - R. Speech therapy;
 - S. Telehealth;
 - T. Technology-assisted interventions;
 - U. Peer support; and
 - V. Family support;

12. Discharge planning from inpatient settings;
13. Annual goals to best serve people in the State with behavioral health needs throughout their lifespans;
14. Methods of measuring and sharing progress toward carrying out the purposes of this resolve with the Legislature; and
15. A financial plan and budget and sources of revenue to best serve people in the State with behavioral health needs throughout their lifespans.

Sec. 4. Report. Resolved: That, by December 7, 2022, the Department of Health and Human Services shall submit the plan along with any recommendations and suggested legislation to the joint standing committee of the Legislature having jurisdiction over health and human services matters. The joint standing committee having jurisdiction over health and human services matters may report out legislation based upon the plan to the First Regular Session of the 131st Legislature.

See title page for effective date.

CHAPTER 81

H.P. 7 - L.D. 41

Resolve, Regarding Legislative Review of Portions of Chapter 570: Uniform Reporting System for Prescription Drug Price Data Sets, a Major Substantive Rule of the Maine Health Data Organization

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 570: Uniform Reporting System for Prescription Drug Price Data Sets, a provisionally adopted major substantive rule of the Maine Health Data Organization that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

See title page for effective date.

CHAPTER 82

S.P. 64 - L.D. 129

Resolve, To Protect Consumers of Public Drinking Water by Establishing Maximum Contaminant Levels for Certain Substances and Contaminants

Mandate preamble. This measure requires one or more local units of government to expand or modify

activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

Whereas, perfluoroalkyl and polyfluoroalkyl substances are being identified at alarming levels in well water across the State; and

Whereas, perfluoroalkyl and polyfluoroalkyl substances are increasingly associated with significant health concerns that have major consequences for the residents of this State; and

Whereas, there is currently no enforceable standard to require water systems to test and treat for perfluoroalkyl and polyfluoroalkyl substances; and

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

Sec. 1. Definitions. Resolved: That, as used in this resolve, the following terms have the following meanings.

1. Community water system. "Community water system" has the same meaning as in the Maine Revised Statutes, Title 22, section 2660-B, subsection 2.

2. Department. "Department" means the Department of Health and Human Services.

3. Nontransient, noncommunity water system. "Nontransient, noncommunity water system" means a nontransient, noncommunity water system described in the Maine Revised Statutes, Title 22, section 2660-B, subsection 5, paragraph A that is a school or child care facility regulated as a nontransient, noncommunity water system under the federal Safe Drinking Water Act.

4. Perfluoroalkyl and polyfluoroalkyl substances. "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means a perfluoroalkyl substance or polyfluoroalkyl substance that is detectable in drinking water using standard analytical methods established by the United States Environmental Protection Agency, including regulated PFAS contaminants.

5. Regulated PFAS contaminants. "Regulated PFAS contaminants" means perfluorooctanoic acid, perfluorooctane sulfonic acid, perfluorohexane sulfonic acid, perfluorononanoic acid, perfluoroheptanoic acid and perfluorodecanoic acid.

Sec. 2. Interim drinking water standard and testing requirements for perfluoroalkyl and polyfluoroalkyl substances. Resolved: That community water systems and nontransient, noncommunity water systems shall comply with the provisions of this section.

1. Initial monitoring. On or before December 31, 2022, all community water systems and nontransient, noncommunity water systems shall conduct monitoring for the level of PFAS detectable using standard laboratory methods established by the United States Environmental Protection Agency in effect at the time of sampling. Monitoring under this subsection must be conducted for all regulated PFAS contaminants and additional PFAS included in the list of analytes in the standard laboratory methods established by the United States Environmental Protection Agency in effect at the time of sampling.

2. Subsequent monitoring. After completion of initial monitoring under subsection 1, a community water system or a nontransient, noncommunity water system shall conduct continued monitoring for the presence of regulated PFAS contaminants in drinking water supplied by the water system as follows until the adoption of rules required under section 3.

A. If initial monitoring under subsection 1 detects the presence of any regulated PFAS contaminants individually or in combination at or above 20 nanograms per liter, the community water system or nontransient, noncommunity water system shall conduct continued quarterly monitoring until regulated PFAS contaminants are mitigated as described in subsection 4.

B. If initial monitoring under subsection 1 detects the presence of any regulated PFAS contaminants at or above each analyte's lowest concentration minimum reporting level as specified in the standard laboratory methods established by the United States Environmental Protection Agency in effect at the time of sampling and the level is below 20 nanograms per liter, either individually or in combination with other detected regulated PFAS contaminants, the community water system or nontransient, noncommunity water system shall conduct continued monitoring annually.

3. Reporting. Monitoring results must be reported to the department in accordance with 10-144 C.M.R. Chapter 231, Section 6.

4. Treatment; notice. If monitoring results under subsection 1 or 2 confirm the presence of any regulated PFAS contaminants individually or in combination in excess of 20 nanograms per liter, the department shall:

A. Direct the community water system or nontransient, noncommunity water system to implement treatment or other remedies to reduce the combined levels of regulated PFAS contaminants in the

drinking water of the water system below 20 nanograms per liter; and

B. Direct the community water system or nontransient, noncommunity water system to issue a notice to all users of the water system to inform them of the detected PFAS concentration and potential risk to public health until the treatment under paragraph A is completed.

5. Enforcement. The department may enforce the requirements of this section under the Maine Revised Statutes, Title 22, chapter 601, subchapter 2. A person may appeal the acts or decisions of the department under this section in accordance with Title 22, chapter 601, subchapter 2-A.

Sec. 3. Maximum contaminant level for perfluoroalkyl and polyfluoroalkyl substances. Resolved: That the department shall adopt a maximum contaminant level for perfluoroalkyl and polyfluoroalkyl substances in accordance with this section. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

1. Advance notice of proposed rulemaking. On or before August 1, 2023, the department shall initiate a public notice and comment process for potential rulemaking by publishing an advance notice of proposed rulemaking regarding the department's regulation of regulated PFAS contaminants.

2. Proposed rule. On or before December 31, 2023, the department shall file a proposed rule with the Secretary of State establishing a maximum contaminant level for regulated PFAS contaminants and monitoring requirements for community water systems and nontransient, noncommunity water systems.

3. Final rule. On or before June 1, 2024, the department shall file a final rule with the Secretary of State regarding the regulation of regulated PFAS contaminants. The department may adopt federal regulatory requirements established by the United States Environmental Protection Agency, including maximum contaminant levels for regulated PFAS contaminants, if the new federal requirements are the same as or more restrictive than the interim drinking water standards described in section 2. The department shall submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters upon adoption of the final rule that includes information about the final rule, including but not limited to the maximum contaminant levels adopted. The joint standing committee of the Legislature having jurisdiction over health and human services matters may report out legislation relating to the report.

Sec. 4. Repeal of interim drinking water standard and testing requirements. Resolved: That the interim drinking water monitoring require-

ments for PFAS and regulated PFAS contaminants under section 2 are repealed on the effective date of the rules required under section 3.

Sec. 5. Report by the Department of Health and Human Services. Resolved: That, beginning January 1, 2022 and annually thereafter until the rules pursuant to section 3, subsection 3 are finally adopted, the Department of Health and Human Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the number of water systems tested, what levels of perfluoroalkyl and polyfluoroalkyl substances were indicated upon testing and the status of the rule-making process under this resolve. The joint standing committee of the Legislature having jurisdiction over health and human services matters may report out legislation relating to each report.

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

Effective June 21, 2021.

CHAPTER 83

H.P. 185 - L.D. 264

Resolve, Directing the Board of Pesticides Control To Gather Information Relating to Perfluoroalkyl and Polyfluoroalkyl Substances in the State

Sec. 1. Board of Pesticides Control to amend rules relating to registered pesticides. Resolved: That the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control shall amend its rules governing the registration of pesticides in the State to require manufacturers and distributors to provide affidavits stating whether the registered pesticide has ever been stored, distributed or packaged in a fluorinated high-density polyethylene container and to require manufacturers to provide an affidavit stating whether a perfluoroalkyl or polyfluoroalkyl substance is in the formulation of the registered pesticide.

Sec. 2. Board of Pesticides Control to gather information relating to perfluoroalkyl and polyfluoroalkyl substances. Resolved: The Department of Agriculture, Conservation and Forestry, Board of Pesticides Control shall conduct a study to determine if fluorinated adjuvants are being used or sold in the State. The board shall explore what is needed to regulate fluorinated adjuvants in the State and shall explore what is necessary to impose a prohibition on the distribution or application of pesticides or adjuvants containing perfluoroalkyl or polyfluoroalkyl substances

in the State. The board shall develop a feasible definition of perfluoroalkyl or polyfluoroalkyl adulteration in a pesticide. The board shall submit a report based on the study with findings and recommendations to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 15, 2022. The joint standing committee may submit a bill to the 130th Legislature relating to the subject matter of the report.

See title page for effective date.

CHAPTER 84

S.P. 148 - L.D. 341

Resolve, Directing the Maine Public Employees Retirement System To Study and Report on How Statewide Retirement Systems Affected by the Windfall Elimination Provision and Government Pension Offset Can Cooperate on Solutions

Sec. 1. Maine Public Employees Retirement System to study cooperation of statewide retirement systems. Resolved: That the Maine Public Employees Retirement System shall study existing cooperation and any further potential cooperation of statewide retirement systems affected by the windfall elimination provision, pursuant to the federal Social Security Amendments of 1983, Public Law 98-21, and the government pension offset, pursuant to the federal Social Security Amendments of 1977, Public Law 95-216. The Maine Public Employees Retirement System shall consult and collaborate with any applicable retirement associations, such as the National Association of State Retirement Administrators, as necessary. The Maine Public Employees Retirement System shall submit a report with its recommendations, including any suggested legislation, no later than January 1, 2022 to the Joint Standing Committee on Labor and Housing. The committee may report out a bill based on the report and recommendations to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 85

H.P. 702 - L.D. 946

Resolve, Regarding the Shore Damage Mitigation Project in Saco Bay

Sec. 1. Saco Bay shore damage mitigation project; state assistance. Resolved: That the Governor shall take all actions the Governor considers

necessary to assist and support the City of Saco in the City of Saco’s role as the nonfederal sponsor with the United States Army Corps of Engineers under the federal River and Harbor Act of 1968, Section 111, as amended, 33 United States Code, Section 426i, for the shore damage mitigation project for the Saco River and Camp Ellis Beach in Saco pursuant to the report dated July 2017 and known as Alternative 6, which may include:

1. Directing any relevant state agencies to assist the City of Saco in its entering into a project partnership agreement with the United States Army Corps of Engineers for the construction of the project under this section; and

2. Directing any relevant state agencies to assist and support the City of Saco and other communities on Saco Bay in the construction of the project under this section and in implementing other beach and beach habitat remediation projects in and around Saco Bay as recommended by the Department of Agriculture, Conservation and Forestry, Bureau of Resource Information and Land Use Planning, Division of Geology, Natural Areas and Coastal Resources, Maine Geological Survey, including dune planting projects.

See title page for effective date.

CHAPTER 86

S.P. 259 - L.D. 826

Resolve, Directing the University of Maine System To Study the Potential Effects of the State Adopting Atlantic Standard Time

Sec. 1. Permanent Atlantic Standard Time study and analysis. Resolved: That the University of Maine System shall, within available resources, study and analyze the potential effects on public health and the State's economy of the State adopting permanent Atlantic Standard Time and determine if that adoption will serve the convenience of commerce as required by the United States Department of Transportation. In conducting the study, the University of Maine System shall examine:

1. The current effects of the practice of setting clocks forward and backward, including but not limited to physical health, mental health and economic effects as determined by both scientific research and public opinion; and

2. Whether adopting permanent Atlantic Standard Time will negatively affect business shipping and receiving of goods and products; the ability of residents to receive important television and radio broadcasts and timely news and information; bus, passenger rail and airline services across time zones; residents who engage

in work, schooling, recreation, health care or religious worship outside of the State's time zone; major elements of the State's economy; and any current federal, state or local plans for economic development.

Funding for the study must be through private donations to the University of Maine System and the University of Maine System is not required under this resolve to undertake work for which it does not have or has not received sufficient resources.

Sec. 2. Report. Resolved: That, by February 15, 2022, the University of Maine System shall submit a report, including suggested legislation, based on its study and analysis in section 1 to the Joint Standing Committee on State and Local Government. The committee is authorized to submit legislation related to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 87

H.P. 961 - L.D. 1305

**Resolve, To Increase
Collaboration between the
Maine State Housing Authority
and the Department of Health
and Human Services**

Preamble. Whereas, over 19,000 Maine households with extremely low incomes are severely rent burdened, meaning they pay more than 50% of their income toward rent, because they lack access to either the income or rental assistance to afford rent; and

Whereas, due to the number of households struggling to make housing payments, over 5,000 households face eviction every year in the District Court; and

Whereas, the Maine State Housing Authority engages, directly or through grantees, with thousands of households every year who need assistance with rent, utilities or supportive services to find and keep housing and prevent homelessness; and

Whereas, there are over 350,000 families receiving direct financial assistance, food assistance or medical insurance assistance from the Department of Health and Human Services, through the Temporary Assistance for Needy Families program, Supplemental Nutrition Assistance Program, the MaineCare program and other related programs; and

Whereas, the Department of Health and Human Services engages with families on a regular basis to determine eligibility for these assistance programs through the department's office for family independence and also interacts with numerous other families through the Office of Child and Family Services; and

Whereas, coordination between the Maine State Housing Authority and the Department of Health and Human Services will help meet the needs of families for supports with housing and income in a more simplified and holistic manner; and

Whereas, the Maine State Housing Authority is currently administering an emergency rental assistance program through community action agencies for which a person is automatically eligible if the person receives benefits through any assistance programs administered by the Department of Health and Human Services, which provides an opportunity for simplified verification; now, therefore, be it

Sec. 1. Collaboration between Maine State Housing Authority and Department of Health and Human Services. Resolved:

That the Maine State Housing Authority, referred to in this resolve as "the authority," shall collaborate with the Department of Health and Human Services, referred to in this resolve as "the department," to seek, identify and implement initiatives to maximize access to housing assistance for recipients of services from the department and maximize access to assistance programs administered by the department for recipients of housing assistance, including students, from the authority or its grantees. Specifically, the authority and the department shall:

1. Consider mechanisms, including direct telephone outreach, program staff training, mailings, website links and telephone queue recordings, that provide opportunities to increase enrollment in housing assistance programs among department clients and increase enrollment in department assistance programs among housing assistance recipients;
2. Evaluate the extent of increased enrollment in programs administered by the department or the authority that can be reasonably attributed to increased coordination pursuant to this resolve;
3. Consider the capacity of the department's and the authority's computer systems to work together in a manner that most effectively facilitates access to additional services for recipients of services provided by the department or the authority, including the potential for applicants applying for assistance from the department to use the same portal to apply for rental assistance, with applicant information sent to the authority to process and finalize, using preverified data from the department, as appropriate;
4. Identify barriers to collaboration between the department and the authority and possible solutions and resources, financial or otherwise, necessary to overcome these barriers and implement the identified solutions; and
5. Identify any costs, including but not limited to personnel costs and those associated with technology changes, considered necessary to substantially improve coordination between the department and the authority.

Sec. 2. Report. Resolved: That the department shall submit a report, including any recommended legislation, to the Joint Standing Committee on Health and Human Services and to the Joint Standing Committee on Labor and Housing no later than January 15, 2022 describing how the department and the authority have worked together to maximize access to housing and income assistance, including the ways in which the technology currently used and designed by the department and the authority can work together to facilitate access, and plans and recommendations for future coordination between the department and the authority. The joint standing committees may submit legislation related to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 88

H.P. 1031 - L.D. 1397

Resolve, Directing the Maine State Housing Authority To Assist the City of Lewiston with its Rental Registration Program

Sec. 1. Maine State Housing Authority to assist City of Lewiston with rental registration program. Resolved: That the Maine State Housing Authority shall provide administrative resources to assist the City of Lewiston with its rental registration program as a pilot project to serve as a model for developing a similar program for public housing authorities statewide. The pilot project may register and collect information on only multifamily housing units with 3 or more units. The information collected by the pilot project must include, but is not limited to, data on ownership, management, occupancy status, condition, code violation history, lead abatement status and inspection history of multifamily housing included in the pilot project. The information must be made available on a publicly accessible website.

Sec. 2. Report. Resolved: That the Maine State Housing Authority shall submit a report with its recommendations for a registration program for all public housing authorities statewide to the Joint Standing Committee on Labor and Housing no later than January 15, 2022. The report must contain recommendations and best practices for outreach to rental property owners and managers and for data collection. The joint standing committee may report out a bill to the Second Regular Session of the 130th Legislature.

See title page for effective date.

**CHAPTER 89
H.P. 470 - L.D. 639**

Resolve, Directing the Department of Education To Develop Training for School Counselors and Review Limitations on Autism Spectrum Disorder Course Work for Special Education Certification

Sec. 1. Department of Education to develop and provide professional development on family or intimate partner violence. Resolved: That the Department of Education shall, in consultation with a statewide coalition to end domestic violence, develop and provide professional development at no cost to school counselors and other school employees, as appropriate, on family or intimate partner violence. The professional development must address screening, the impact of the violence on children and referral and intervention strategies. No later than January 15, 2022, the Department of Education shall report to the Joint Standing Committee on Education and Cultural Affairs on the professional development, the number of professional development opportunities offered and the number and type of participants participating in the professional development opportunities.

Sec. 2. Department of Education to review required autism spectrum disorders course work requirements for special education certification. Resolved: That the Department of Education, when conducting any review or revision of teacher certification rules, shall review the requirements for special education certification related to course limitations on autism spectrum disorders with a focus on increasing the flexibility of courses that may count towards special education teacher certification and report to the Joint Standing Committee on Education and Cultural Affairs no later than January 15, 2022 on that review, including any recommendations for special education certification as it relates to course work on autism spectrum disorders.

See title page for effective date.

**CHAPTER 90
H.P. 550 - L.D. 745**

**Resolve, Directing the Maine
Vaccine Board To Review and
Make Recommendations
Regarding Expanding the
Universal Childhood
Immunization Program To
Include Adults**

Sec. 1. Maine Vaccine Board to review and make recommendations regarding expanding the Universal Child Immunization Program to include adults. Resolved: That the Maine Vaccine Board, established under the Maine Revised Statutes, Title 5, section 12004-G, subsection 15-B and referred to in the resolve as "the board," shall convene a stakeholder group to review and make recommendations regarding expanding the Universal Childhood Immunization Program, established under Title 22, section 1066 and referred to in this resolve as "the program," to include adults. The stakeholder group must consist of representatives of interests that, as determined by the board, may be able to assist the board in reviewing and making recommendations to expand the program. The board shall seek input from the Department of Health and Human Services, a legislator designated by the chairs of the Joint Standing Committee on Health and Human Services and anyone else whom the board determines will be able to assist in reviewing and making recommendations to expand the program.

Sec. 2. Report. Resolved: That, no later than December 1, 2021, the board shall submit a report on the work it conducted pursuant to section 1 and its recommendations, including any suggested legislation, to the Joint Standing Committee on Health and Human Services. The joint standing committee may report out a bill to the Second Regular Session of the 130th Legislature related to the report.

See title page for effective date.

the Status of Racial, Indigenous and Maine Tribal Populations, established in the Maine Revised Statutes, Title 5, section 12004-I, subsection 74-J and referred to in this resolve as "the commission," to determine the appropriate levels of funding needed by historically disadvantaged communities, including the federally recognized Indian tribes, nations and bands in the State, in order to build community-based infrastructure and achieve health equity. Specifically, the department and the commission shall determine or identify:

1. The amount of federal funding allocated to the State in any federal law that provided stimulus funds due to the ongoing pandemic related to coronavirus disease 2019, or COVID-19, that is directed toward or available for overall public health and health care purposes;
2. The amount of federal funding allocated to the State in any federal law that provided stimulus funds due to the ongoing pandemic related to COVID-19 directed toward or available for addressing racial health disparities;
3. The amount of state and federal funding over the past 5 years that has been directed to historically disadvantaged communities, including the federally recognized Indian tribes, nations and bands in the State, and any outcomes data or information related to that funding; and
4. Existing programs designed to target health disparities among historically disadvantaged communities, including the federally recognized Indian tribes, nations and bands in the State.

Sec. 2. Report. Resolved: That the Department of Health and Human Services shall submit a report to the Joint Standing Committee on Health and Human Services no later than January 15, 2022 describing the findings of the department and the commission required under section 1. The joint standing committee may submit legislation related to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

**CHAPTER 91
H.P. 1153 - L.D. 1548**

**Resolve, To Alleviate the
Disproportionate Impact of
COVID-19 and Public Health
Outcomes**

Sec. 1. Collaboration between the Department of Health and Human Services and the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations. Resolved: That the Department of Health and Human Services, referred to in this resolve as "the department," shall collaborate with the Permanent Commission on

**CHAPTER 92
H.P. 1202 - L.D. 1613**

Resolve, Directing the Department of Economic and Community Development, the Department of Labor and the Department of Transportation To Develop Partnerships with Businesses, Unions and Educational Programs and Institutions To Provide Training and Transportation for Workers

Sec. 1. Department of Economic and Community Development, Department of Labor and Department of Transportation to develop partnerships with businesses, unions and educational programs and institutions to provide training and transportation for workers. Resolved: That the Department of Economic and Community Development, the Department of Labor and the Department of Transportation shall collaborate to develop partnerships with businesses, unions and educational programs and institutions to provide a hub where workers can access transportation to training programs, apprenticeships and jobs and receive information about open positions and training opportunities. As part of this collaboration, the departments shall:

1. Focus on areas with no viable public transportation;
2. Consider creating a fund for young people in job training programs, including technical education at secondary schools, for driver education, with participation based upon a means test and including youth in foster care; and
3. Coordinate with businesses, unions, educational programs and institutions, training programs, employers and community organizations to improve dissemination of information about available job opportunities and resources for training and transportation.

Sec. 2. Report. Resolved: That, by January 1, 2023, the Department of Economic and Community Development, the Department of Labor and the Department of Transportation shall provide a report on the progress made to carry out this resolve to the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters, the joint standing committee of the Legislature having jurisdiction over labor and housing matters and the joint standing committee of the

Legislature having jurisdiction over transportation matters, which each may report out legislation to the First Regular Session of the 131st Legislature.

See title page for effective date.

**CHAPTER 93
H.P. 132 - L.D. 179**

Resolve, To Require a Review of Property Tax Assessment of Energy Efficiency Improvements

Sec. 1. Report regarding valuation of certain energy facilities. Resolved: That the Department of Administrative and Financial Services, Maine Revenue Services, within existing resources, shall convene a stakeholder group to review municipal policies regarding the assessment of energy efficiency improvements, including heat pumps, for the purpose of identifying the most appropriate ways to assess such property for purposes of the property tax. The stakeholder group must include representatives of municipal government, a representative of an association representing property tax assessors, representatives of organizations promoting energy efficiency improvements and other members of the public with an interest in home energy efficiency improvements.

The department shall prepare and submit to the Joint Standing Committee on Taxation by December 1, 2021 a report of the stakeholder group's activities. The report must include guidance to municipalities for determining the valuation and assessment of energy efficiency improvements, including heat pumps. The department shall also make the report available on its publicly accessible website.

See title page for effective date.

**CHAPTER 94
S.P. 247 - L.D. 633**

Resolve, Directing the Department of Education To Review Diversity, Equity and Inclusion Training and Other Professional Development for School Staff

Sec. 1. Department to review diversity, equity and inclusion training. Resolved: That the Department of Education, referred to in this resolve as "the department," shall review best practices for the training of school staff on issues related to diversity, equity and inclusion. The department shall identify gaps in training, areas of strength and areas needing

improvement and shall identify curricula best suited to the needs of the State, its students and school staff.

Sec. 2. Department to review professional development requirements. Resolved: That the department shall review all current statewide professional development requirements and shall identify gaps in professional development, areas of strength and areas needing improvement.

Sec. 3. Report. Resolved: That the department shall report its findings and recommendations under this resolve to the Joint Standing Committee on Education and Cultural Affairs no later than January 18, 2022. The Joint Standing Committee on Education and Cultural Affairs may report out a bill related to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 95

S.P. 296 - L.D. 882

Resolve, To Direct the Office of Marijuana Policy To Convene Stakeholder Meetings Regarding the Maine Medical Use of Marijuana Program

Sec. 1. Stakeholder meetings. Resolved: That the Department of Administrative and Financial Services, through its office of marijuana policy, shall convene meetings with stakeholders within the State's medical marijuana industry to study, review and evaluate any changes or updates that may be necessary to the State's medical use of marijuana program under the Maine Revised Statutes, Title 22, chapter 558-C. The department shall convene meetings with stakeholders representing every aspect of the State's medical marijuana industry, including, but not limited to, registered caregivers, registered dispensaries, marijuana testing facilities, marijuana manufacturing facilities, qualifying patients, municipal representatives, relevant health care professionals and any other relevant stakeholders affected by the Maine Medical Use of Marijuana Act.

Sec. 2. Report. Resolved: That the Department of Administrative and Financial Services shall submit a report summarizing its findings and recommendations from the meetings convened under section 1 to the joint standing committee of the Legislature having jurisdiction over medical use of marijuana matters no later than January 1, 2022. The joint standing committee of the Legislature having jurisdiction over medical use of marijuana matters may introduce legislation for presentation to the Second Regular Session of the 130th Legislature based on the findings and recommendations in the report.

See title page for effective date.

CHAPTER 96

H.P. 133 - L.D. 180

Resolve, Regarding the Storage of Consumer Fireworks

Sec. 1. Stakeholder group. Resolved: That the State Fire Marshal shall convene a stakeholder group to review federal and state requirements for the storage of consumer fireworks by businesses that sell consumer fireworks. The stakeholder group must be broadly representative and must include individuals who are not affiliated with consumer fireworks businesses and municipal officials from municipalities in which consumer fireworks businesses are located and a representative of the Maine Municipal Association. The State Fire Marshal shall report to the Joint Standing Committee on Criminal Justice and Public Safety by November 1, 2021 regarding the work of the stakeholder group and recommended legislation. The Joint Standing Committee on Criminal Justice and Public Safety may report out legislation to the Second Regular Session of the 130th Legislature regarding the storage of consumer fireworks.

See title page for effective date.

CHAPTER 97

H.P. 998 - L.D. 1364

Resolve, To Study Incentives for Residential Fire Sprinkler Systems

Sec. 1. Study and recommend incentives for residential fire sprinkler systems. Resolved: That the State Fire Marshal shall convene a task force to study whether it is feasible and desirable to provide incentives for developers, builders and home buyers to install residential sprinklers. The study must examine the forms and delivery of incentives and dissemination of public information about and advertising of incentives. The study must include consideration of incentives that differ in urban and rural areas. The State Fire Marshal shall invite to serve on the task force individuals representing the following: fire chiefs, firefighters, builders and contractors, real estate agents, fire sprinkler contractors, fire safety educators, insurance carriers, water districts and other persons who express interest in the work of the task force.

Sec. 2. Report. Resolved: That the State Fire Marshal shall present the findings and recommendations of the task force to the Joint Standing Committee on Criminal Justice and Public Safety by December 1, 2021. The joint standing committee may report out legislation based on the recommendations in the report to the Second Regular Session of the 130th Legislature.

Sec. 3. Funding. Resolved: That the costs to the Department of Public Safety, Office of the State Fire Marshal to convene and staff the task force and to report to the Legislature must be absorbed within the department's existing budgeted resources.

See title page for effective date.

CHAPTER 98

H.P. 1180 - L.D. 1591

Resolve, Directing the Department of Agriculture, Conservation and Forestry To Identify Places with Offensive Names and Methods of Changing Those Names

Sec. 1. Identification of offensive names for geographic features and other places. Resolved: That the Department of Agriculture, Conservation and Forestry shall work jointly with the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations, jointly referred to in this resolve as "the department and commission," to review state law regarding offensive place names. The department and commission shall:

1. Review the Maine Revised Statutes, Title 1, section 1101 to determine and suggest any additional words to be included in the current definition of offensive name;
2. Establish a uniform process for renaming geographic features and other places that have offensive names; and
3. Explore the most effective methods of identifying the individuals, entities and institutions in the State that profited or benefited in any manner from the global economy of enslavement.

It is the intent of this resolve that the department and commission carry out their responsibilities within the existing resources of the department and commission. The department and commission may solicit, accept and expend funds to cover any expenses that are in excess of existing resources.

By December 1, 2021, the Department of Agriculture, Conservation and Forestry shall submit a report pursuant to this section, including any suggested legislation, to the Joint Standing Committee on Judiciary. The joint standing committee may submit a bill related to the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

**CHAPTER 99
S.P. 446 - L.D. 1577**

Resolve, To Convene a Working Group To Study Possible Solutions for Families Facing Emergency Child Custody Situations

Preamble. Whereas, families in emergency situations regarding the safety of their children do not have a process other than the protection from abuse laws to request temporary emergency custody of children; and

Whereas, the protection from abuse process is not appropriate for all of the emergency situations requiring the court's intervention; and

Whereas, several studies have highlighted the need to address emergency situations, including an appropriate process for access to the courts, for Maine families; and

Whereas, this lack of a process is closely related to the issue of enforcement or timely modification of existing orders; and

Whereas, as studying the possible solutions to these related problems will require time and input from several stakeholders; now, therefore, be it

Sec. 1. Working group. Resolved: That the Maine Commission on Domestic and Sexual Abuse, established in the Maine Revised Statutes, Title 5, section 12004-I, subsection 74-C and referred to in this resolve as "the commission," shall convene a working group of stakeholders including commission members, representatives of the judicial branch, family law practitioners, members of the Family Law Advisory Commission established in Title 5, section 12004-I, subsection 52-A, representatives of a statewide coalition to end domestic violence and any others that the commission determines to be necessary participants. The working group shall study the possible responses to emergency child custody situations, including whether an ex parte emergency child custody process can be created within the State's family law statutes and the related issue of how best to enforce or timely modify existing child custody orders.

Sec. 2. Report; legislation. Resolved: That the commission shall submit a report to the Joint Standing Committee on Judiciary no later than December 15, 2022. The report must summarize the activities of the working group under section 1, identify the working group's participants and include any recommended legislation. The joint standing committee of the Legislature having jurisdiction over judiciary matters may report out legislation to the First Regular Session of the

131st Legislature based on the report and recommendations.

See title page for effective date.

CHAPTER 100

H.P. 747 - L.D. 1009

Resolve, To Create the Working Group To Design Jail Resource Navigator Services for Maine County Jails

Sec. 1. Working Group To Design Jail Resource Navigator Services for Maine County Jails. Resolved: That the Working Group To Design Jail Resource Navigator Services for Maine County Jails, referred to in this resolve as "the working group," is established.

Sec. 2. Membership. Resolved: That the working group consists of the Commissioner of Corrections or the commissioner's designee and other members appointed by the commissioner as follows:

1. The Commissioner of Health and Human Services or the commissioner's designee;
2. One member representing the Consumer Council System of Maine;
3. One member representing community mental health providers;
4. One member with expertise researching and funding programs for medical and behavioral health programs for persons incarcerated in jails or for those recently released from jails;
5. Two members who have been incarcerated in a county jail in the State;
6. One member representing legal services organizations;
7. One member with expertise working with persons incarcerated in jails relating to substance use disorder and behavioral health;
8. One member with expertise in housing services for persons leaving the criminal justice system;
9. One member representing the Maine Sheriffs' Association;
10. One member who advocates for new immigrant populations;
11. One member representing providers of substance use disorder treatment;
12. One member who supports the State's incarcerated population, including family or friends of a person who is incarcerated in a county jail in the State;

13. One member who advocates to reduce the State's recidivism rate in the State's criminal justice system;

14. One member representing the Maine County Commissioners Association;

15. One member from any relevant state agency as determined by the commissioner; and

16. Any other members with relevant expertise as determined by the commissioner.

The Commissioner of Corrections or the commissioner's designee and the member representing the Maine Sheriffs' Association shall serve as cochairs of the working group.

Sec. 3. Duties. Resolved: That the working group shall design county jail resource navigator services that will support all county jails in the State with needed resources and services, including but not limited to health care, mental health care and substance use disorder treatment for persons who are incarcerated. The working group shall also research federal, state or other funding to sustain these programs within an independent statewide nonprofit organization.

Sec. 4. Report. Resolved: That, no later than January 15, 2023, the working group shall submit a report on the work conducted pursuant to section 3 and the outcomes of that work to the joint standing committee of the Legislature having jurisdiction over criminal justice matters. The committee may report out legislation to the First Regular Session of the 131st Legislature related to the report.

See title page for effective date.

CHAPTER 101

H.P. 897 - L.D. 1226

Resolve, Directing the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations To Examine Restorative Justice

Sec. 1. Restorative justice review. Resolved: That the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations, established in the Maine Revised Statutes, Title 5, section 12004-I, subsection 74-J, shall conduct a review of proposed and passed national restorative justice legislation and make recommendations in the areas of education, juvenile justice, adult diversion and correctional settings for advancing restorative justice legislation in this State. In conducting the review, the commission shall pay particular attention to race and ethnicity equity and to concerns of confidentiality, victim and perpetrator rights, the readiness for engagement in restorative justice and restorative justice as a sustainable form of

justice. The commission shall provide a copy of its recommendations to the Joint Standing Committee on Judiciary.

Sec. 2. Legislation. Resolved: That the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations is authorized to submit legislation based on its recommendations under section 1 to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 102
S.P. 60 - L.D. 127

Resolve, To Establish a Pilot Program To Provide Grants for Professional Development in Computer Science Instruction

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 pilot program to provide professional development grants for computer science instruction is established by this resolve as a 2-year pilot program; and

Whereas, the pilot program must be initiated before the 90-day period expires in order that the pilot program may be nearly completed so that a meaningful report can be submitted in time for the First Regular Session of the 131st Legislature; and

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

Sec. 1. Commissioner of Education to establish pilot program to provide professional development grants for computer science instruction. Resolved: That the Commissioner of Education shall establish a pilot program to award grants for the provision of professional development in computer science instruction for a period of 2 years. The Commissioner of Education may accept donations from outside sources and state and federal funding to accomplish the purposes of this resolve. The Commissioner of Education shall distribute grant funds across all counties in the State equally among prekindergarten to grade 5, grade 6 to grade 8 and grade 9 to grade 12.

Sec. 2. Application. Resolved: That a local education agency may submit an application for grant funds under the pilot program pursuant to section 1. The

Commissioner of Education shall give priority to applicants that:

1. Do not currently offer computer science learning opportunities;
2. Serve socioeconomically disadvantaged school districts;
3. Prioritize student populations traditionally underrepresented in computer science;
4. Demonstrate a commitment to pursuing high-quality educator professional development that emphasizes integration of computer science into other course work and curricula or establishes or expands access to courses that offer college credit and other certificates of value, or both; and
5. Collaborate or partner with other entities, including but not limited to other local education agencies, the business community, nonprofit organizations and private entities.

Sec. 3. Use of funds. Resolved: That a local education agency that receives a grant award during the pilot program under section 1 must use the funds only for high-quality, teacher-developed or teacher-led professional development for prekindergarten to grade 12 computer science pedagogy and content.

Sec. 4. Evaluation; annual submissions. Resolved: That each local education agency that receives a grant under the pilot program under section 1 shall engage in evaluation activities including interviews or surveys on the process and effect and outcomes of the professional development provided with grant funds, participate in a community of educators engaged in similar work and annually for the duration of the grant submit to the Department of Education a report or other product that showcases learning achieved through the professional development and that includes a reflective narrative of the professional development process. The Department of Education shall compile the submissions and make them available for educators across the State.

Sec. 5. Fund established. Resolved: That the Professional Development Grant Pilot Program Fund is established as a nonlapsing fund under the Department of Education for the purpose of receiving funds from state, federal and other sources, including donations from private citizens, corporations and entities for the purposes of this resolve. The department shall distribute any available funds in the fund to support the purposes described in this resolve. Upon distribution of all the funds, the fund is dissolved.

Sec. 6. Report to Legislature. Resolved: That, no later than January 1, 2023, the Commissioner of Education shall submit a report regarding the pilot program pursuant to this resolve and make recommendations, including any suggested legislation, to the joint

standing committee of the Legislature having jurisdiction over education and cultural affairs. The joint standing committee may report out legislation on the subject matter of the report to the First Regular Session of the 131st Legislature.

Sec. 7. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Professional Development Grant Pilot Program N342

Initiative: Provides funds in fiscal years 2021-22 and 2022-23 only for a 2-year pilot program that provides grants to local education agencies for professional development in computer science instruction.

GENERAL FUND	2021-22	2022-23
All Other	\$50,000	\$50,000
GENERAL FUND TOTAL	\$50,000	\$50,000

Professional Development Grant Pilot Program Fund N355

Initiative: Provides base allocations for a 2-year pilot program that provides grants to local education agencies for professional development in computer science instruction to authorize the expenditure of funds in the event funds are received from federal funding sources.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

Professional Development Grant Pilot Program Fund N355

Initiative: Provides base allocations for a 2-year pilot program that provides grants to local education agencies for professional development in computer science instruction to authorize the expenditure of funds in the event funds are received from outside funding sources.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

EDUCATION, DEPARTMENT OF

DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$50,000	\$50,000
FEDERAL EXPENDITURES FUND	\$500	\$500
OTHER SPECIAL REVENUE FUNDS	\$500	\$500

DEPARTMENT TOTAL - ALL FUNDS	\$51,000	\$51,000
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Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective July 6, 2021.

CHAPTER 103

S.P. 108 - L.D. 247

Resolve, To Reestablish the Commission To Study College Affordability and College Completion

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

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to allow the commission established in this resolve sufficient time to complete its work; and

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

Sec. 1. Commission established. Resolved: That the Commission To Study College Affordability and College Completion, referred to in this resolve as "the commission," is established.

Sec. 2. Membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 14 members as follows:

1. The President of the Senate shall appoint:
 - A. Two members of the Senate who serve on the Joint Standing Committee on Education and Cultural Affairs, including one member of the party holding the largest and one member of the party holding the 2nd largest number of seats in the Legislature;
 - B. One person representing a statewide association of independent higher education institutions;
 - C. One person representing a statewide association of student financial aid directors; and
 - D. One person who is a school counselor in a public high school in the State and who is involved in advising high school students on college admissions and financial aid;
2. The Speaker of the House shall appoint:

A. Three members of the House of Representatives who serve on the Joint Standing Committee on Education and Cultural Affairs, including 2 members of the party holding the largest and one member of the party holding the 2nd largest number of seats in the Legislature;

B. One person with expertise in higher education policy issues representing a nonprofit entity in the State that provides financial assistance to students or to high schools to assist students with college enrollment; and

C. One person with expertise in higher education policy issues representing a statewide education policy research institute;

3. The Chancellor of the University of Maine System or the chancellor's designee;

4. The President of the Maine Community College System or the president's designee;

5. The President of the Maine Maritime Academy or the president's designee; and

6. The Chief Executive Officer of the Finance Authority of Maine or the chief executive officer's designee.

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members, the chairs shall call and convene the first meeting of the commission, which must be no later than 30 days following the appointment of all members.

Sec. 5. Duties. Resolved: That the commission shall review the work of the 2014 Commission To Study College Affordability and College Completion, as established by Resolve 2013, chapter 109, and examine and make recommendations on the development of strategies to keep the cost of public postsecondary education in the State affordable and to increase the graduation rate of students enrolled in state-supported public institutions of higher education. In developing strategies and reviewing related cost issues, the commission shall:

1. Examine and update the Maine college affordability gap analysis conducted as part of the work of the 2014 commission;

2. Review average debt incurred by students graduating from community colleges and public universities in the State, the Maine Maritime Academy and private

universities in the State with 2-year and 4-year undergraduate degrees;

3. Review average debt incurred by students who begin but do not complete courses of study at community colleges and public universities in the State, the Maine Maritime Academy and private universities in the State and who do not transfer elsewhere to complete a course of study;

4. Review average debt incurred by students completing courses of study from, or attending but not completing courses of study from, institutions offering credentials of value other than 2-year or 4-year undergraduate degrees, not including graduate degrees;

5. Examine the impact of student loan debt on borrowers;

6. Examine the capacity of high school counselors and academic advisors in high schools in the State to adequately advise students regarding their options for postsecondary education, including career and technical education, and financing of postsecondary education; and

7. Examine the potential impacts of no-cost community college education on the workforce of in the State.

Sec. 6. Staffing assistance; information. Resolved: That, notwithstanding Joint Rule 353, the University of Maine System, the Maine Community College System and the Maine Maritime Academy shall provide staffing assistance to the commission. The Finance Authority of Maine shall provide the commission with access to any nonconfidential aggregate information in its student financial assistance database for postsecondary education students in the State necessary to carry out the duties pursuant to section 5. At the request of the commission, the Legislative Council may provide drafting assistance to the commission during a regular or special session and other staff support to the commission when the Legislature is not in regular or special session.

Sec. 7. Report; recommendations. Resolved: That, notwithstanding Joint Rule 353, the commission shall submit a report containing its findings and recommendations pursuant to section 5, including any recommendations for legislation, to the Joint Standing Committee on Education and Cultural Affairs by January 2, 2022. The joint standing committee may submit a bill related to this report to the Second Regular Session of the 130th Legislature.

Sec. 8. Outside funding for commission activities. Resolved: That the commission may, but is not required to, seek outside funds to provide staff support, consulting or other services or to fund the costs of carrying out the duties and requirements of the commission. Contributions to support the work of the commission may not be accepted from any party having a

pecuniary or other vested interest in the outcome of the matters being studied. Any person, other than a state agency, authorized and desiring to make a financial or in-kind contribution must certify to the Legislative Council that it has no pecuniary or other vested interest in the outcome of the commission's activities. All contributions are subject to approval by the Legislative Council. All contributions accepted must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of contributions, the date the contributions were received, from whom the contributions were received and the purpose of and any limitation on the use of those contributions. The Executive Director of the Legislative Council shall administer the contributions and shall notify the chairs of the commission when those contributions have been received.

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

Effective July 6, 2021.

CHAPTER 104

H.P. 530 - L.D. 719

Resolve, To Establish the Commission To Create a Plan To Incorporate the Probate Courts into the Judicial Branch

Preamble. Whereas, the existing probate court system established pursuant to the Constitution of Maine, Article VI, Section 6 was conditionally repealed by a vote of the people of Maine in 1967; and

Whereas, the effective date of repeal was dependent upon the creation of a different probate court system with full-time probate judges by the Legislature; and

Whereas, a different probate court system has not been created since the repeal and the Legislature has not considered a plan to establish a probate court system with full-time judges; and

Whereas, to honor the intent of a long-standing vote of Maine people and ensure that Maine people currently have the same access to justice in all Maine courts; now, therefore, be it

Sec. 1. Commission established. Resolved: That the Commission To Create a Plan To Incorporate the Probate Courts into the Judicial Branch, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 15 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Legislature;
2. Three members of the House of Representatives appointed by the Speaker of the House of Representatives, including members from each of the 2 parties holding the largest number of seats in the Legislature;
3. Three members appointed by the Chief Justice of the Supreme Judicial Court;
4. One member who is a member of the Maine Probate Judges Assembly appointed by the Speaker of the House of Representatives;
5. One member who is a register of probate appointed by the Speaker of the House of Representatives;
6. One member who is a judicial branch clerk appointed by the Chief Justice of the Supreme Judicial Court;
7. One member who is a member of the Probate and Trust Law Advisory Commission appointed by that commission;
8. One member who is a member of the Family Law Advisory Commission appointed by that commission; and
9. Two members who are members of the Maine State Bar Association, one of whom is a member of a nonprofit organization providing statewide free legal services, appointed by the Speaker of the House of Representatives.

Sec. 3. Chairs; subcommittees. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission. The chairs of the commission are authorized to establish subcommittees to work on the duties listed in section 5 and to assist the commission. Any subcommittees established by the chairs must be composed of members of the commission and interested persons who are not members of the commission and who volunteer to serve on the subcommittees without reimbursement.

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

Sec. 5. Duties. Resolved: That the commission shall create a plan for a probate court system with full-time judges. The commission may consider for inclusion in the plan any features that the commission determines relevant, including, but not limited to, features that will ensure timely, convenient and meaningful access to justice, promote judicial responsibility and adherence to the code of judicial responsibility, provide for qualified full-time judges, provide adequate professional staff, reflect efficient practices in scheduling and case management throughout the system, allow for convenient and consumer-friendly processing of matters that are not contested and reflect economies of scale in all appropriate operational aspects. The commission shall describe how the system would be funded.

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the commission, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

Sec. 7. Information and assistance. Resolved: That the Administrative Office of the Courts and registers of probate shall provide to the commission information and assistance requested by the commission and required for the commission to perform its duties.

Sec. 8. Report. Resolved: That, no later than December 1, 2021, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Joint Standing Committee on Judiciary. The Joint Standing Committee on Judiciary may report out a bill regarding the subject matter of the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

**CHAPTER 105
S.P. 116 - L.D. 267**

**Resolve, Directing the
Department of Transportation
To Erect and Maintain
Markers To Commemorate
and Recognize the Lafayette
Trail**

Sec. 1. Lafayette Trail designated. Resolved: That, subject to section 2, the Department of Transportation shall erect and maintain suitable signs and other markers at or near each portion of the route followed by General Lafayette while he was in Maine in 1824 and 1825. The 1824 tour and the 1825 tour must have distinct signs and markers. The signs and markers must bear the Lafayette Trail logo provided to the department by The Lafayette Trail, Inc.

The signs and markers must be erected at or near the following locations, where appropriate, as determined by the department:

1. 1824 tour. For the 1824 tour:

A. The portion of U.S. Route 1 Bypass beginning on the Sarah Mildred Long Bridge in the Town of Kittery at the New Hampshire state line continuing north to the intersection with Bridge Street; and

B. Continuing on that portion of Bridge Street beginning at the intersection with U.S. Route 1 Bypass in the Town of Kittery and continuing east as Government Street to the intersection with Walker Street; and

2. 1825 tour. For the 1825 tour:

A. The portion of Route 4 beginning in the Town of South Berwick at the New Hampshire state line north to the intersection with Route 9 in the Town of North Berwick;

B. Continuing on that portion of Route 9 beginning at the intersection with Route 4 and continuing east to the intersection with Route 109 in the Town of Wells;

C. Continuing on that portion of Route 109 beginning at the intersection with Route 9 and continuing east to the intersection with U.S. Route 1, also known as Post Road, in the Town of Wells;

D. Continuing north on that portion of U.S. Route 1 to the Joseph Storer Mansion at 7 Storer Street in the Town of Kennebunk;

E. Continuing north on that portion of U.S. Route 1 from the Joseph Storer Mansion to the former location of the Springs Tavern at 14 Elm Street in the Town of Biddeford;

F. Continuing north on that portion of U.S. Route 1 from 14 Elm Street in the Town of Biddeford to the intersection at Storer Street in the Town of Saco;

G. Continuing east on that portion of Storer Street in the Town of Saco to the intersection at Main Street in the Town of Saco;

H. Continuing on that portion of Main Street in the Town of Saco to the intersection at Front Street in the Town of Saco to the former location of the Cleaves Hotel located in Pepperell Square;

I. Continuing north on that portion of Main Street in the Town of Saco to the intersection of U.S. Route 1 with Payne Road in the Town of Scarborough; and

J. Continuing north on that portion of Payne Road beginning in the Town of Scarborough and continuing north as Maine Mall Road to the intersection with Western Avenue in the City of South Portland.

Sec. 2. Funding. Resolved: That the Department of Transportation shall seek funding contributions from an outside organization to fully fund the costs of erecting the signs and markers under section 1. If the department does not receive funding for the full costs of erecting the signs and markers by 90 days after the adjournment of the Second Regular Session of the 130th Legislature, the department is not authorized to erect the signs or markers, expenses of any kind may not be incurred or reimbursed for the signs and markers, and any money the department received for the signs and markers must be refunded to the organization that provided it.

See title page for effective date.

CHAPTER 106

H.P. 270 - L.D. 386

Resolve, Directing the Department of Education To Establish the Process for Transitioning the Provision of Early Childhood Special Education Services for Children with Disabilities from 4 Years of Age to under 6 Years of Age from the Regional Child Development Services System to School Administrative Units

Sec. 1. Department of Education to establish the process for transitioning the provision of early childhood special education services for children with disabilities from 4 years of age to under 6 years of age from the regional Child Development Services System to school administrative units. Resolved: That the Department of Education shall establish a process, timeline and implementation plan for transitioning the provision of early childhood special education services for children with disabilities from 4 years of age to under 6 years of age from the regional Child Development Services System to school administrative units. The process, timeline and implementation plan established by the Department of Education must:

1. Include the implementation plan components as presented in the Public Consulting Group's independent review of the State's early childhood special education services, "Maine Early Childhood Special Education Implementation Plan," dated December 1, 2020;
2. Define a role for the department and regional offices to contract with private providers in situations in which a school administrative unit is unable to provide the appropriate level of service to meet the individualized education program plan of a child with a disability;

3. Address at a minimum:
 - A. School administrative unit capacity, staffing and physical space;
 - B. Administrative oversight;
 - C. Transportation;
 - D. Curriculum and assessments;
 - E. Data systems; and
 - F. Health and safety-related considerations;
4. Provide specificity regarding funding through the State and the MaineCare program that does not flow through the essential programs and services funding formula pursuant to the Maine Revised Statutes, Title 20-A, chapter 606-B;
5. Include a plan to protect current Child Development Services System employees from any negative or unintended consequences related to retirement and pensions and the federal windfall elimination provision and government pension offset;
6. Provide steps, benchmarks and milestones for the department, the Child Development Services System and school administrative units to meet before and during any transition period, including but not limited to the components under subsection 3, and an independent project manager not employed by the Department of Education;
7. Provide a detailed plan of the evaluation and assessment tools to be developed to determine whether the department, the Child Development Services System and school administrative units are meeting steps, benchmarks and milestones, which must include that, if progress towards implementation is not being met, the transition must cease until a solution can be determined; and
8. Include a recommendation regarding whether to provide services to children with disabilities who are 3 years of age through a quasi-independent agency or through school administrative units or a hybrid system and a description of the necessary additional resources, steps and benchmarks and barriers to any transition of services.

The Department of Education shall consult and meet with the advisory committee established under section 2 on the process, timeline and implementation plan.

Sec. 2. Advisory committee established. Resolved: That the Department of Education shall establish an advisory committee to advise the department on matters related to developing the implementation plan pursuant to section 1. No later than 30 days after the effective date of this resolve, the Commissioner of Education shall invite the following members to join the advisory committee:

1. The Commissioner of Health and Human Services or the commissioner's designee;
2. One member who is a contracted service provider of early intervention and free, appropriate public education services;
3. One member who is a representative of a Head Start agency or program in the State;
4. One member who is a teacher in an early childhood education program for children 4 years of age that includes coordination of programs and services for eligible children within a public elementary school from a large school administrative unit;
5. One member who is a principal of a public elementary school of an urban school administrative unit that has implemented an early childhood education program for children 4 years of age that includes coordination of programs and services for eligible children;
6. One member representing and recommended by the Maine Developmental Disabilities Council established under the Maine Revised Statutes, Title 5, section 12004-I, subsection 66;
7. One member representing and recommended by the Maine Speech Language Hearing Association;
8. Two members who are parents of children with disabilities between 3 years of age and 5 years of age recommended by the Maine Parent Federation, Inc.;
9. One member who is a representative of a child care program recommended by the Maine Association for the Education of Young Children;
10. One member who is a special education director from a small school administrative unit recommended by the Maine Administrators of Services for Children with Disabilities;
11. One member who is a superintendent of a rural school administrative unit that has implemented an early childhood education program for children 4 years of age that includes coordination of programs and services for eligible children recommended by the Maine School Superintendents Association;
12. One member representing and recommended by the Maine Occupational Therapy Association;
13. One member representing and recommended by the Maine Association for Community Service Providers; and
14. One member representing and recommended by the Maine Children's Alliance.

The advisory committee shall elect a chair from among its members. Meetings of the advisory committee are public and the Department of Education shall provide to the members of the Joint Standing Committee on Education and Cultural Affairs notice of the

meetings of the advisory committee so that members of the joint standing committee may attend.

Sec. 3. Report. Resolved: That the Department of Education shall submit a report to the Joint Standing Committee on Education and Cultural Affairs no later than February 1, 2022 on the process, timeline and implementation plan established pursuant to section 1 and any suggested legislation necessary to implement the plan. The suggested legislation must address the timeline for implementing the plan, including but not limited to transition periods and effective dates for the various elements of the plan. The report must identify and address contingencies necessary to implement the suggested legislation and the plan. The report must address each of the components listed in section 1 with specificity. The report must also include recommendations on whether the appropriate provision of services for children 3 years of age is through a quasi-independent agency, school administrative units or a hybrid system. The Joint Standing Committee on Education and Cultural Affairs may submit legislation related to the report to the Second Regular Session of the 130th Legislature. The advisory committee may also report to the Joint Standing Committee on Education and Cultural Affairs on the advisory committee's role in the department's development of the process, timeline and implementation plan.

Sec. 4. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF
Special Services Team Z080**

Initiative: Provides one-time funds for the staffing, technology, legal and meeting costs associated with the establishment of a process to transition the provision of early childhood education services for children with disabilities from 4 years of age to under 6 years of age from the regional Child Development Services System to school administrative units.

GENERAL FUND	2021-22	2022-23
All Other	\$177,144	\$0
GENERAL FUND TOTAL	\$177,144	\$0

See title page for effective date.

CHAPTER 107

S.P. 325 - L.D. 1033

**Resolve, To Direct the
Department of Inland Fisheries
and Wildlife To Examine
Sunday Hunting**

Sec. 1. Review. Resolved: That the Department of Inland Fisheries and Wildlife, referred to in this

resolve as "the department," shall establish a stakeholder group to examine issues related to allowing Sunday hunting.

Sec. 2. Stakeholder group. Resolved: That the department shall ensure that the stakeholder group established under section 1 is as broadly representative of interested parties and groups as possible and shall invite participation from at least the following: representatives of farmers, small landowners and large landowners; supporters and opponents of Sunday hunting opportunities; hunters and nonhunters; guides; persons or entities from diverse geographic regions of the State; and others with interest or expertise in the subject matter of the examination. The department shall hire a facilitator to assist the stakeholder group in its work under this resolve.

Sec. 3. Survey. Resolved: That, to the extent the department receives adequate funding under section 4, the department, in consultation with the stakeholder group established under section 1, shall develop and complete an appropriate public opinion survey relating to the subject matter of the examination under section 1.

Sec. 4. Outside funding. Resolved: That the department may seek and accept outside funding to fund the survey under section 3.

Sec. 5. Report. Resolved: That the department shall report the findings and recommendations of the stakeholder group established under section 1 together with the results of any survey completed under section 3 to the Joint Standing Committee on Inland Fisheries and Wildlife by January 3, 2022. The committee may report out a bill related to Sunday hunting to the 130th Legislature.

Sec. 6. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**INLAND FISHERIES AND WILDLIFE,
DEPARTMENT OF**

**Office of the Commissioner - Inland Fisheries and
Wildlife 0529**

Initiative: Provides an appropriation to hire a facilitator for a stakeholder group tasked with examining issues related to allowing Sunday hunting.

GENERAL FUND	2021-22	2022-23
All Other	\$15,000	\$0
GENERAL FUND TOTAL	\$15,000	\$0

See title page for effective date.

**CHAPTER 108
S.P. 511 - L.D. 1618**

**Resolve, To Place a Temporary
Moratorium on the Approval
of Any New Motor Vehicle
Registration Plates and Initiate
a Registration Plate Working
Group**

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 continued increase in the variety of available registration plates has created logistical complications in the manufacturing, storage and administration of registration plates and imposed a considerable administrative burden on municipalities and other political subdivisions of the State performing registrations; and

Whereas, there is an absence of a strategic plan for the growth and usage of registration plates; and

Whereas, there is an immediate need to clearly define the role of specialty registration plates used for fund-raising by government and private entities under the Maine Revised Statutes, Title 29-A, section 468; and

Whereas, specialty registration plates may convey messages that are considered controversial, unfair or not uniformly representative of other points of view; and

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

Sec. 1. Temporary moratorium. Resolved: That the Department of the Secretary of State, Bureau of Motor Vehicles, notwithstanding the Maine Revised Statutes, Title 29-A, sections 468 and 468-A, may not approve any specialty or recognition plate sponsor to begin the specialty or recognition plate signature gathering process, bring forth enabling legislation or otherwise initiate any new designs, redesigns or additional registration plates other than already approved and enacted for a period of 2 years from the effective date of this resolve.

Sec. 2. Registration plate working group. Resolved: That the Department of the Secretary of State, Bureau of Motor Vehicles shall convene a working group, referred to in this section as "the working group," to study the proliferation of registration plates in accordance with this section.

1. Membership. Notwithstanding Joint Rule 353, the working group consists of 10 members as follows:

- A. One member appointed by the President of the Senate from the Joint Standing Committee on Transportation;
- B. One member appointed by the President of the Senate representing a state agency that is a recipient of funds generated by the sale of specialty license plates;
- C. One member appointed by the Speaker of the House of Representatives from the Joint Standing Committee on Transportation;
- D. One member appointed by the Speaker of the House of Representatives representing a municipality or other political subdivision of the State engaged in the registration of motor vehicles on behalf of the State; and
- E. One member appointed by the Speaker of the House of Representatives who is responsible for overseeing the manufacture of registration plates in the State Prison pursuant to the Maine Revised Statutes, Title 29-A, section 451, subsection 6;
- F. The Chief of the State Police or the chief's designee; and
- G. The Secretary of State or the secretary's designee and the following representatives from the Department of the Secretary of State:
 - (1) The Deputy Secretary of State for the Bureau of Motor Vehicles or the deputy's designee;
 - (2) One member appointed by the Secretary of State from the Bureau of Motor Vehicles technology and information services staff; and
 - (3) One member appointed by the Secretary of State from the Bureau of Motor Vehicles who is responsible for oversight of motor vehicle registrations.

The President of the Senate and Speaker of the House of Representatives shall seek recommendations from the cochairs of the Joint Standing Committee on Transportation when making appointments under this subsection.

2. Compensation. Notwithstanding Joint Rule 353, members of the working group may not be compensated for their work on the working group, but legislative members may receive the legislative per diem.

3. Duties. Duties of the working group include:

- A. Identifying and documenting the roles and functions of the State's registration plates;
- B. Exploring and documenting challenges in the registration plate manufacturing process;

C. Exploring the challenges of storing and securing registration plate inventories in municipalities and other political subdivisions of the State and in branch offices of the Bureau of Motor Vehicles;

D. Examining the benefits, detriments and legal issues arising from specialty registration plates;

E. Examining competing interests with specialty registration plates;

F. Examining standards and systems developed by national and industry experts and exploring ways in which the State can adopt such standards and systems; and

G. Making recommendations based on the findings of the working group.

4. Staff assistance. Notwithstanding Joint Rule 353, the Department of the Secretary of State, Bureau of Motor Vehicles shall provide necessary staffing services to the working group. Legislative Council staff support is not authorized.

5. Report. The Bureau of Motor Vehicles shall provide a report by February 1, 2022 containing the findings and recommendations of the working group to the Joint Standing Committee on Transportation. The Joint Standing Committee on Transportation may introduce legislation for presentation to the Second Regular Session of the 130th Legislature based on the recommendations in the report.

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

Effective July 14, 2021.

CHAPTER 109

H.P. 91 - L.D. 135

Resolve, Directing the Department of Education and the Department of Health and Human Services To Study a Centralized Billing Process for Developmental and School-based Services Covered by the MaineCare Program and Other Insurers and Report on Updates to the Child Find Process

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

Whereas, this resolve directs the Department of Education, in collaboration with the Department of

Health and Human Services, to study the development of a centralized billing system for developmental and school-based services covered by the MaineCare program and other insurers and report on updates to the child find process and report to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for the next legislative session; and

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

Sec. 1. Department of Education and Department of Health and Human Services to study a centralized billing process for developmental and school-based services covered by the MaineCare program and other insurers. Resolved: That the Department of Education shall collaborate with the Department of Health and Human Services to study the development of a centralized billing system to process claims to the MaineCare program and other insurers, including private insurance, for children with disabilities from birth to 22 years of age. The study must address:

1. How to maximize revenue through automation and efficiencies;
2. What services are currently billed, what services are not currently billed but are covered by the MaineCare program or private insurance and could be billed, what services are coverable by Medicaid programs but are not currently covered by the MaineCare program and how to align service definitions;
3. How a centralized billing system could best be designed to be accessible and user-friendly for school administrative units;
4. Examples of other states with centralized billing systems, including but not limited to New Hampshire and New York, using data and information provided by a statewide education policy research institute and other 3rd-party entities, as available;
5. Options for the development of a billing system through a 3rd party or through state agencies, such as the Department of Health and Human Services, the Department of Education or the Department of Administrative and Financial Services;

6. How seed money is currently used to fund MaineCare-covered school-based services; and

7. How special purpose preschools could maintain their own separate billing system if a centralized system is implemented.

Sec. 2. Report. Resolved: That the Department of Education and the Department of Health and Human Services shall report to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services no later than February 1, 2022 on the study under section 1. The Joint Standing Committee on Education and Cultural Affairs may report out a bill related to the report to the Second Regular Session of the 130th Legislature.

Sec. 3. Department of Education to report on updates to child find. Resolved: That the Department of Education, in collaboration with the Department of Health and Human Services, shall report to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services no later than February 1, 2022 on efforts to develop, improve and oversee the implementation of the statewide child find plan. The report must include, but is not limited to:

1. Meetings and recommendations from the state interagency coordinating council described under 20 United States Code, Section 1441;
2. Updates on current child find initiatives;
3. An examination, including a review of criteria used by other jurisdictions, of how the State can move forward on expanded eligibility criteria to enable more children with less significant developmental delays to be served;
4. Ways to access, leverage and enhance the Department of Health and Human Services' Child Development Services System referral system;
5. Current initiatives and future plans to improve support for children who are referred but not found eligible for services;
6. Data regarding the correlation, if any, between the provision of early intervention services and the need for services later in life;
7. Any applicable memoranda of agreement between the Department of Education and the Department of Health and Human Services; and
8. Any additional recommendations on improving child find efforts throughout the State.

The Joint Standing Committee on Education and Cultural Affairs may report out a bill related to the report to the Second Regular Session of 130th Legislature.

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

Effective July 15, 2021.

CHAPTER 110

H.P. 176 - L.D. 255

Resolve, Directing the Department of Education To Develop a Plan for the Provision of Early Intervention Services

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

Whereas, this resolve directs the Department of Education to develop a plan for the provision of early intervention services and report to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services; and

Whereas, the development of the plan must be initiated before the 90-day period expires in order that the plan may be completed and a report submitted in time for the next legislative session; and

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

Sec. 1. Advisory committee established. Resolved: That the Department of Education shall establish an advisory committee to advise the department on the development of a plan for the provision of early intervention services for children from birth to under 3 years of age through a quasi-independent government agency structure, advise the department on the option of pursuing the federal Extended Part C Option under 34 Code of Federal Regulations, Section 303.211, referred to in this resolve as "the Extended Part C Option," and make recommendations to the department on the provision of services for children 3 years of age. No later than 30 days after the effective date of this resolve, the Commissioner of Education shall invite the following members to join the advisory committee:

1. The Commissioner of Health and Human Services or the commissioner's designee;
2. The director of the Child Development Services System;

3. The Attorney General or the Attorney General's designee;

4. One member who is a contracted service provider of early intervention services, recommended by the Maine Association for Community Service Providers;

5. One member who is a representative of a Head Start agency or program, representing Head Start programs in the State, recommended by the Maine Head Start Directors Association;

6. One member representing and recommended by the Maine Developmental Disabilities Council, established under the Maine Revised Statutes, Title 5, section 12004-J, subsection 66;

7. One member representing and recommended by the Maine Speech Language Hearing Association;

8. Two members who are parents of children with disabilities from birth to under 3 years of age, recommended by the Maine Parent Federation;

9. One member who is a representative of a child care program recommended by the Maine Association for the Education of Young Children;

10. One member representing and recommended by the Maine Association for Community Service Providers;

11. One member representing and recommended by the Maine Occupational Therapy Association; and

12. One member representing and recommended by the Maine Children's Alliance.

The advisory committee shall elect a chair from among its members. Meetings of the advisory committee are public and the Department of Education shall provide to the members of the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services notice of the meetings with the advisory committee so that members of the joint standing committees may attend.

Sec. 2. Department of Education to develop a plan for early intervention services; legislation. Resolved: That the Department of Education shall develop a plan for the provision of early intervention services through a quasi-independent government agency structure, with the Department of Education providing oversight as the lead agency pursuant to 20 United States Code, Section 1435, in accordance with this section.

1. Plan. The plan must include:

- A. The establishment and appointment of an independent governing board for the quasi-independent government agency;

B. Current or proposed memoranda of understanding between the Department of Education and the Department of Health and Human Services;

C. How the plan addresses each of the 16 minimum required components under the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1435(a) for a statewide, comprehensive system of early intervention services for infants and toddlers with disabilities; and

D. A detailed timeline for implementation, including but not limited to resources needed, any necessary statutory or regulatory changes and any other information necessary to implement the plan.

2. Consultation with the advisory committee. The Department of Education shall consult and meet with the advisory committee under section 1 on the development of the plan.

3. Legislation. The Department of Education shall draft suggested legislation to implement the plan developed, including but not limited to a new chapter of law in the Maine Revised Statutes, Title 20-A for the provision of early intervention services for children with disabilities from birth to under 3 years of age.

Sec. 3. Department of Education to conduct an analysis of the federal Extended Part C Option and make recommendations for services for children 3 years of age with disabilities. Resolved: That the Department of Education shall conduct an analysis of the Extended Part C Option, including but not limited to its methodology, how it could be implemented and any unintended consequences that would need to be avoided if the State pursues the Extended Part C Option. The Department of Education shall also develop recommendations on the provision of services for children with disabilities who are 3 years of age, including but not limited to whether children 3 years of age should receive services through the quasi-independent government agency structure under section 2, school administrative units or a hybrid system. The Department of Education shall consult and meet with the advisory committee under section 1 as part of its analysis and development of recommendations under this section.

Sec. 4. Reports. Resolved: That the Department of Education shall submit a report, no later than February 1, 2022, on the plan for early intervention services under section 2, subsection 1, including suggested legislation and a detailed analysis of any additional resources or statutory or regulatory changes necessary to implement the plan, the analysis of the Extended Part C Option and recommendations on the provision of services for children with disabilities who are 3 years of age under section 3, to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services. The Joint Standing Committee on Education and Cultural Affairs

may submit legislation to the Second Regular Session of the 130th Legislature related to the report. The advisory committee may also report to the Joint Standing Committee on Education and Cultural Affairs on the advisory committee's role in the development of the plan under section 2.

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

Effective July 15, 2021.

CHAPTER 111

S.P. 164 - L.D. 376

**Resolve, To Increase Certain
Chiropractic Reimbursement
Rates under the MaineCare
Program**

Sec. 1. Department of Health and Human Services to increase MaineCare rates for chiropractic services for manipulative treatments.

Resolved: That, no later than January 1, 2022, the Department of Health and Human Services shall amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 15 to increase reimbursement rates for chiropractic services for manipulative treatments under procedure codes 98940, 98941 and 98942 to no less than 70% of the federal Medicare reimbursement rate for these services as long as the rate is no lower than the rate reimbursed as of January 1, 2021.

Sec. 2. Rate study. Resolved: That, notwithstanding section 1, if the Department of Health and Human Services conducts a rate study of chiropractic services for manipulative treatments, the department may adopt new rates for manipulative treatments that are recommended by the rate study by amending its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 15.

Sec. 3. Routine technical rules. Resolved: That rules adopted pursuant to section 1 or 2 are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. 4. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Medical Care - Payments to Providers 0147

Initiative: Provides funding for the Department of Health and Human Services, by January 1, 2022, to amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 15 to increase reimbursement rates for chiropractic services for manipulative

treatments under procedure codes 98940, 98941 and 98942 to no less than 70% of the federal Medicare reimbursement rate for these services.

GENERAL FUND	2021-22	2022-23
All Other	\$38,434	\$76,696
GENERAL FUND TOTAL	<hr/>	<hr/>
	\$38,434	\$76,696
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$68,398	\$136,967
FEDERAL EXPENDITURES FUND TOTAL	<hr/>	<hr/>
	\$68,398	\$136,967

See title page for effective date.

CHAPTER 112
S.P. 232 - L.D. 595

Resolve, To Ensure That Access to Oral and Facial Ambulatory Surgical Centers in Maine Remains Viable

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

Whereas, ambulatory surgical centers provide cost-effective, high-quality health care; and

Whereas, only one freestanding ambulatory surgical center in Maine deals with facial and oral surgery; and

Whereas, the current MaineCare reimbursement rate is inadequate to cover such procedures; and

Whereas, without an increase in the reimbursement rate, the center will stop accepting MaineCare patients; and

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

Sec. 1. Department of Health and Human Services to increase MaineCare rate for certain dental procedures performed by freestanding ambulatory surgical centers. Resolved: That the Department of Health and Human Services shall amend its reimbursement rate under the MaineCare program for dental code 41899 to \$1,250 per procedure for freestanding ambulatory surgical centers performing procedures on the dentoalveolar structure. Rules adopted pursuant to this section are routine technical rules as

defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

Medical Care - Payments to Providers 0147

Initiative: Provides funding for the Department of Health and Human Services to amend its reimbursement rate under the MaineCare program for dental code 41899 to \$1,250 per procedure for freestanding ambulatory surgical centers performing procedures on the dentoalveolar structure.

GENERAL FUND	2021-22	2022-23
All Other	\$148,115	\$147,806
GENERAL FUND TOTAL	<hr/>	<hr/>
	\$148,115	\$147,806
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$329,659	\$329,968
FEDERAL EXPENDITURES FUND TOTAL	<hr/>	<hr/>
	\$329,659	\$329,968

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

Effective July 15, 2021.

CHAPTER 113
H.P. 490 - L.D. 663

Resolve, Establishing a Comprehensive Substance Use Disorder Treatment Pilot Program for Maine's Incarcerated Population

Sec. 1. Comprehensive substance use disorder treatment pilot program. Resolved: That the Commissioner of Corrections shall establish and maintain a comprehensive substance use disorder treatment pilot program, referred to in this resolve as "the program," in all state correctional facilities. The program must include, but is not limited to, screening, assessment and treatment of persons residing in state correctional facilities for substance use disorder, including alcohol use disorder.

1. The program must include screening, assessment and treatment, including, but not limited to, screening during the intake process, medically managed withdrawal, medication-assisted treatment, individual and group counseling and other behavioral treatment

options. Medication-assisted treatment must use medications approved or authorized by the United States Food and Drug Administration for the treatment of substance use disorder including alcohol use disorder, including at least one of each formulation of all United States Food and Drug Administration-approved medication-assisted treatments for substance use disorder including alcohol use disorder and opioid use disorder.

2. The program must provide initial and ongoing training and technical assistance for correctional facility staff and health care practitioners in each correctional facility.

3. The program must include coordination with community-based treatment and recovery organizations to facilitate supportive reentry and continuity of care after release.

The Department of Corrections shall provide a report regarding the program to the Joint Standing Committee on Criminal Justice and Public Safety by January 30, 2022. The report must provide detailed information regarding an analysis of expenditures made by the department to establish and maintain a comprehensive substance use disorder program and information on the amount of funding remaining from the funds allocated in this resolve. The joint standing committee may report out a bill based on the report to the Second Regular Session of the 130th Legislature.

Sec. 2. Transfer of settlement funds; fiscal year 2021-22. Resolved: That, notwithstanding any provision of law to the contrary, on or before June 30, 2022, the State Controller shall transfer \$460,800 of the funds received pursuant to the multistate settlement agreement in *The Matter of State of Maine v. Boston Scientific Corporation* to the Department of Corrections, Correctional Medical Services Fund, Other Special Revenue Funds. Funds transferred pursuant to this section must be used solely for activities identified in the court decree and approved by the Attorney General.

Sec. 3. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**CORRECTIONS, DEPARTMENT OF
Correctional Medical Services Fund 0286**

Initiative: Provides a one-time allocation for comprehensive substance use disorder treatment in all state correctional facilities. Funding for this allocation is settlement funds transferred from the Department of the Attorney General.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$460,800	\$0

OTHER SPECIAL REVENUE	\$460,800	\$0
FUNDS TOTAL		

See title page for effective date.

**CHAPTER 114
H.P. 517 - L.D. 705**

Resolve, To Improve Air Quality and Ventilation in Maine's Public Schools

Sec. 1. Department of Education to amend rules. Resolved: That the Department of Education shall amend its rules Chapter 60: New School Siting Approval, Chapter 61: State Board of Education Rules for Major Capital School Construction Projects and Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units to require standards governing air quality and ventilation for all public schools, including schools with mechanical and nonmechanical ventilation systems. These standards must apply to all public schools and must apply no earlier than July 1, 2022 and no later than July 1, 2026. The rules adopted pursuant to this section are major substantive rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, and the department shall submit the provisionally adopted rules for final adoption to the Joint Standing Committee on Education and Cultural Affairs by January 4, 2022.

See title page for effective date.

**CHAPTER 115
H.P. 538 - L.D. 727**

Resolve, To Eliminate the Asset Test for the Supplemental Nutrition Assistance Program

Sec. 1. Department of Health and Human Services to eliminate asset test. Resolved: That, no later than January 1, 2022, the Department of Health and Human Services shall amend its rule 10-144, Chapter 301: Food Supplement Program, to eliminate asset tests for all applicants to and recipients of assistance under the food supplement program, also known as the Supplemental Nutrition Assistance Program. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Office for Family Independence Z020

Initiative: Provides one-time funding for required technology changes.

GENERAL FUND	2021-22	2022-23
All Other	\$6,000	\$0
GENERAL FUND TOTAL	\$6,000	\$0
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$6,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,000	\$0

See title page for effective date.

**CHAPTER 116
H.P. 680 - L.D. 924**

Resolve, To Establish a Task Force To Study the Coordination of Services and Expansion of Educational Programs and Vocational Opportunities for Young Adults with Intellectual or Developmental Disabilities or Acquired Brain Injury

Sec. 1. Task force established. Resolved:

That the Task Force To Study the Coordination of Services and Expansion of Educational Programs for Young Adults with Intellectual or Developmental Disabilities or Acquired Brain Injury, referred to in this resolve as "the task force," is established to identify barriers inhibiting young adults with intellectual disabilities, developmental disabilities, acquired brain injury and similar conditions from accessing higher education and vocational opportunities.

Sec. 2. Membership. Resolved: That, notwithstanding Joint Rule 353, the task force consists of 27 members as follows:

1. One member of the Senate who serves on the Joint Standing Committee on Labor and Housing, appointed by the President of the Senate;
2. One member of the House of Representatives who serves on the Joint Standing Committee on Education and Cultural Affairs, appointed by the Speaker of the House;
3. One member of the House of Representatives who serves on the Joint Standing Committee on Health and Human Services, appointed by the Speaker of the House;
4. The Commissioner of Education or the commissioner's designee;

5. The Commissioner of Health and Human Services or the commissioner's designee;
6. The Commissioner of Labor or the commissioner's designee;
7. One representative from the office of aging and disability services within the Department of Health and Human Services;
8. One representative from the Department of Health and Human Services, Office of Child and Family Services;
9. The Commissioner of Transportation or the commissioner's designee;
10. The director of the Maine State Housing Authority or the director's designee; and
11. Seventeen members appointed by the Commissioner of Education, in consultation with the Commissioner of Health and Human Services and the Commissioner of Labor, as follows:

- A. One member who represents an advocacy organization for young adults with disabilities;
- B. One member who represents a statewide organization of parents of young adults with disabilities;
- C. One member who represents a statewide association for adult education;
- D. One member who represents a statewide association for career and technical education;
- E. One member who represents the University of Maine System;
- F. One member who represents the Maine Community College System;
- G. One member who represents a statewide association of administrators of services for children with disabilities;
- H. One member who represents community-based providers of services for young adults with disabilities;
- I. One member who represents a statewide organization that provides information and resources for parents and professionals who work with families that have a family member who has a disability;
- J. Five members who are parents or guardians or direct care providers of a young adult with a disability; and
- K. Three members who are each a young adult with a disability who is eligible to receive services from the State.

Sec. 3. Chair; meetings. Resolved: That the Commissioner of Education shall appoint a chair of the task force and convene the initial meeting of the task force no later than 30 days following the effective date

of this resolve. The task force shall hold a minimum of 4 meetings.

Sec. 4. Duties. Resolved: That the task force shall study the barriers to accessing higher education and vocational opportunities for young adults with intellectual disabilities, developmental disabilities, acquired brain injury and similar conditions and make recommendations to improve access to higher education and vocational opportunities, including but not limited to:

1. The degree to which transition planning services, as required by the federal Individuals with Disabilities Education Act, are effective in helping students with intellectual disabilities, developmental disabilities, acquired brain injury and similar conditions identify educational and vocational opportunities and in preparing students to access these opportunities;
2. The benefits, assessments, expansion and availability of continuing educational opportunities for young adults with intellectual disabilities, developmental disabilities, acquired brain injury and similar conditions;
3. The vocational opportunities and work support services available to young adults with intellectual disabilities, developmental disabilities, acquired brain injury and similar conditions; and
4. The degree to which case managers and individualized education program teams engage with and connect students and their families with adult services that provide vocational supports, including home and community-based services waivers available through the Department of Health and Human Services, office of MaineCare services and office of aging and disability services.

In conducting its duties under this section, the task force shall focus on the population of young adults 18 years of age and older eligible for, or likely eligible for, adult services provided through the following MaineCare home and community-based services waiver programs: Department of Health and Human Services rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 18, Home and Community-Based Services for Adults with Brain Injury; Chapter II, Section 20, Home and Community Based Services for Adults with Other Related Conditions; Chapter II, Section 21, Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder; and Chapter II, Section 29, Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder. The task force shall also develop recommendations to enhance the coordination of school districts, case managers and adult services to ensure the most efficient and effective provision of educational and vocational services, including continuing purposeful individualized education, development of self-

determination and personal advocacy skills, work supports and job training. The task force shall analyze current data and retrospective data for the past 6 years and provide the measurable success rate of programs providing these essential services, with consideration of the preferences, strengths and interests of individual young adults with intellectual disabilities, developmental disabilities, acquired brain injury and similar conditions and parental concerns.

Sec. 5. Staff assistance. Resolved: That the Department of Education shall provide the task force with staff assistance from existing resources.

Sec. 6. Outside funding. Resolved: That the task force may, but is not required to, seek outside funding to support the work of the task force. Any person, other than a state agency, authorized and desiring to make a financial or in-kind contribution must certify to the Legislative Council that it has no pecuniary or other vested interest in the outcome of the task force. All such contributions are subject to the approval of the Legislative Council. All contributions accepted must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of contributions, the date the contributions were received, from whom the contributions were received and the purpose of and any limitation on the use of those contributions. The Executive Director of the Legislative Council shall administer the contributions and shall notify the chairs of the task force when those contributions have been received.

Sec. 7. Final report. Resolved: That, notwithstanding Joint Rule 353, no later than one year after the initial convening of the task force under section 3, the task force shall submit a report that includes its findings and recommendations for presentation to the Joint Standing Committee on Education and Cultural Affairs, the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Labor and Housing.

See title page for effective date.

**CHAPTER 117
S.P. 310 - L.D. 958**

**Resolve, Directing the
Department of Health and
Human Services To Conduct a
Review of Rules Governing In-
home Personal Care Assistance
Services**

Sec. 1. Review of statutory authority governing home care services. Resolved: That the Department of Health and Human Services shall review its statutory and regulatory authority over home care agencies that provide direct care services in the home to

assist individuals with the activities of daily living and instrumental activities of daily living. The review must examine whether the department has sufficient oversight and enforcement authority over agencies, employees and independent contractors and caregivers to ensure the appropriate quality and safety of individuals receiving home care services. The department shall include providers, consumers, direct care workers, the long-term care ombudsman and other interested parties in the review process. The department shall submit a report, no later than January 15, 2022, to the Joint Standing Committee on Health and Human Services with recommendations including suggested legislation. The committee is authorized to report out legislation to the Second Regular Session of the 130th Legislature.

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Developmental Services - Community Z208

Initiative: Provides one-time funding to increase an existing contract to ensure successful research, coordination, facilitation and report writing.

GENERAL FUND	2021-22	2022-23
All Other	\$17,500	\$0
GENERAL FUND TOTAL	\$17,500	\$0

Long Term Care - Office of Aging and Disability Services 0420

Initiative: Provides one-time funding to increase an existing contract to ensure successful research, coordination, facilitation and report writing.

GENERAL FUND	2021-22	2022-23
All Other	\$17,500	\$0
GENERAL FUND TOTAL	\$17,500	\$0

Office of MaineCare Services 0129

Initiative: Provides one-time funding to increase an existing contract to ensure successful research, coordination, facilitation and report writing.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$35,000	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$35,000	\$0

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF
DEPARTMENT TOTALS**

GENERAL FUND	\$35,000	\$0
FEDERAL EXPENDITURES FUND	\$35,000	\$0

DEPARTMENT TOTAL - ALL FUNDS	\$70,000	\$0
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See title page for effective date.

**CHAPTER 118
H.P. 1085 - L.D. 1469**

Resolve, To Provide Add-on Payments for Ambulance Services Reimbursed by the MaineCare Program and To Increase Reimbursement Rates for Physical Therapy under the MaineCare Program

Sec. 1. Department of Health and Human Services to apply Medicare add-ons to MaineCare rates for ambulance services. Resolved: That, no later than October 1, 2021, the Department of Health and Human Services shall amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 5, Ambulance Services, to provide additional add-on supplements for ambulance services that are equivalent to payments required under Medicare ambulance services under 42 United States Code, Section 1395m(l). The department shall use the same geographic zip codes applicable for rural, urban and super rural payments as established by 42 United States Code, Section 1395m(l) and related federal rules. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. 2. Cost-based reimbursement work group for ambulance services. Resolved: That the Department of Health and Human Services shall convene a work group to consider the feasibility and cost of implementing cost-based reimbursement for ambulance services provided to MaineCare members. The work group must include representatives of the Emergency Medical Services' Board within the Department of Public Safety, the Maine Ambulance Association and ambulance providers. The department shall submit a report, with recommendations, to the Joint Standing Committee on Health and Human Services no later than January 15, 2022. The committee is authorized to report out legislation related to the recommendations.

Sec. 3. Department of Health and Human Services to increase MaineCare reimbursement rates for physical therapy. Resolved: That, no later than October 1, 2021, the Department of Health and Human Services shall amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 85, Physical Therapy Services, to increase reimbursement rates for physical therapy services to no less than 57% of the federal Medicare reimbursement rate for

these services as long as the rate is no lower than the rate reimbursed as of January 1, 2021. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Medical Care - Payments to Providers 0147

Initiative: Provides funding for the Department of Health and Human Services to amend the rules under Chapter 101: MaineCare Benefits Manual, Chapter III, Section 5, Ambulance Services, to provide additional add-on supplements that are equivalent to payments required under Medicare ambulance services under 42 United States Code, Section 1395m(l).

GENERAL FUND	2021-22	2022-23
All Other	\$243,828	\$327,814
GENERAL FUND TOTAL	\$243,828	\$327,814

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$477,856	\$634,432
FEDERAL EXPENDITURES FUND TOTAL	\$477,856	\$634,432

Medical Care - Payments to Providers 0147

Initiative: Provides funding to set the reimbursement rates for physical therapy services under the Department of Health and Human Services rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 85 at 57% of the federal Medicare reimbursement rate as long as the rate is no lower than the rate in effect on January 1, 2021.

GENERAL FUND	2021-22	2022-23
All Other	\$400,951	\$539,056
GENERAL FUND TOTAL	\$400,951	\$539,056

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$712,802	\$945,948
FEDERAL EXPENDITURES FUND TOTAL	\$712,802	\$945,948

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF
DEPARTMENT TOTALS**

	2021-22	2022-23
GENERAL FUND	\$644,779	\$866,870
FEDERAL EXPENDITURES FUND	\$1,190,658	\$1,580,380

DEPARTMENT TOTAL - ALL FUNDS	\$1,835,437	\$2,447,250
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See title page for effective date.

**CHAPTER 119
H.P. 1086 - L.D. 1470**

**Resolve, Regarding
Reimbursement for Providing
Inpatient Care to Individuals
with Acute Mental Health Care
Needs**

Sec. 1. Department of Health and Human Services to increase MaineCare rates. Resolved: That the Department of Health and Human Services shall amend its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 45.03 to provide reimbursement for patients discharged from Southern Maine Health Care's psychiatric inpatient unit in the amount of \$10,166 per distinct discharge. The department shall amend its rule pursuant to this section in time to be submitted to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services with an effective date of the reimbursement required by this section of October 1, 2021. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. 2. Department of Health and Human Services to seek available funds for uninsured patients. Resolved: That the Department of Health and Human Services shall seek and apply for available federal funds or funds from any other sources to pay the costs of providing inpatient psychiatric care to uninsured patients who are discharged from acute care hospitals.

Sec. 3. Report. Resolved: That, no later than December 1, 2021, the Department of Health and Human Services shall submit a report to the Joint Standing Committee on Health and Human Services regarding the progress the department has made in developing a reimbursement rate to provide inpatient psychiatric care under its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 45.03. The joint standing committee is authorized to report out legislation related to the report to the Second Regular Session of the 130th Legislature.

Sec. 4. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Medical Care - Payments to Providers 0147

Initiative: Provides appropriation and allocation to the Department of Health and Human Services to amend its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 45.03 to provide reimbursement for patients discharged from Southern Maine Health Care's psychiatric inpatient unit in the amount of \$10,166 per distinct discharge.

GENERAL FUND	2021-22	2022-23
All Other	\$96,177	\$136,805
GENERAL FUND TOTAL	\$96,177	\$136,805
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$409,802	\$537,833
FEDERAL EXPENDITURES FUND TOTAL	\$409,802	\$537,833

See title page for effective date.

CHAPTER 120
H.P. 1177 - L.D. 1588

Resolve, To Replace Certain Stigmatizing Language in the Maine Revised Statutes with Respectful Language

Sec. 1. Identification of stigmatizing language; substitution of respectful language.

Resolved: That the Revisor of Statutes shall review the Maine Revised Statutes, Titles 22, 22-A, 25 and 34-A for stigmatizing language in the laws governing the Department of Health and Human Services, the Department of Public Safety and the Department of Corrections. The Revisor of Statutes shall report to the Joint Standing Committee on Criminal Justice and Public Safety by January 15, 2022 and shall provide draft legislation to amend the laws of the 3 departments in the Titles identified to change stigmatizing language as described in this section to respectful language. The Revisor of Statutes shall recommend editing the laws as necessary to accommodate singular and plural forms, masculine and feminine forms and adult and minor forms and, when possible, shall use so-called person-first language. The stigmatizing language to be changed includes "prisoner," "inmate" and "convict," which must be changed to "resident of a correctional facility" or "resident of a jail"; "drug user," which must be changed to "person who uses drugs"; "probationer," which must be changed to "client of the Department of Corrections"; and "mentally ill person," which must be changed to "person with a mental illness."

Sec. 2. Legislation. Resolved: That based on the report from the Revisor of Statutes pursuant to section 1, the Joint Standing Committee on Criminal Justice and Public Safety may report out legislation to change stigmatizing language in the Maine Revised

Statutes, Titles 22, 22-A, 25 and 34-A to respectful language and direct the Department of Health and Human Services, Department of Public Safety and Department of Corrections to amend their rules, policies, procedures, forms and publications to conform to the respectful language that is adopted by the Legislature.

Sec. 3. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE
Legislature 0081

Initiative: Provides one-time funding to the Office of the Revisor of Statutes to contract with an outside entity to review Titles 22, 22-A, 25 and 34-A of the Maine Revised Statutes for stigmatizing language and to prepare a report to the Joint Standing Committee on Criminal Justice and Public Safety by January 15, 2022, with draft legislation to amend the laws to change the stigmatizing language to respectful language.

GENERAL FUND	2021-22	2022-23
All Other	\$11,400	\$0
GENERAL FUND TOTAL	\$11,400	\$0

See title page for effective date.

CHAPTER 121
H.P. 408 - L.D. 563

Resolve, To Create the Criminal Records Review Committee

Sec. 1. Review committee established. Resolved: That the Criminal Records Review Committee, referred to in this resolve as "the review committee," is established.

Sec. 2. Review committee membership. Resolved: That, notwithstanding Joint Rule 353, the review committee consists of the members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Legislature;
2. Two members of the House of Representatives appointed by the Speaker of the House of Representatives, including one member from each of the 2 parties holding the largest number of seats in the Legislature;
3. The Attorney General or the Attorney General's designee;
4. The Commissioner of Health and Human Services or the commissioner's designee;

5. The Commissioner of Public Safety or the commissioner's designee;
6. The Commissioner of Corrections or the commissioner's designee;
7. The President of the Maine Prosecutors Association or the president's designee;
8. The President of the Maine Association of Criminal Defense Lawyers or the president's designee;
9. The President of the Maine Sheriffs' Association or the president's designee;
10. The President of the Maine Chiefs of Police Association or the president's designee;
11. The chair of the Right To Know Advisory Committee or the chair's designee;
12. A representative of a civil rights organization whose primary mission includes the advancement of racial justice, appointed by the President of the Senate;
13. A representative of an organization that provides legal assistance on immigration, appointed by the President of the Senate;
14. A representative of an organization whose primary mission is to address issues related to poverty, appointed by the President of the Senate;
15. A representative of a statewide nonprofit organization whose mission includes advocating for victims and survivors of domestic violence, appointed by the President of the Senate;
16. A representative of a substance use disorder treatment or recovery community, appointed by the President of the Senate;
17. A representative of an adult and juvenile prisoners' rights organization, appointed by the President of the Senate;
18. A representative of newspaper and other press interests, appointed by the President of the Senate;
19. A representative of broadcasting interests, appointed by the Speaker of the House of Representatives;
20. A representative of a statewide nonprofit organization whose mission includes advocating for victims and survivors of sexual assault, appointed by the Speaker of the House of Representatives;
21. A representative of an organization that provides free civil legal assistance to citizens of the State with low incomes, appointed by the Speaker of the House of Representatives;
22. A representative of a mental health advocacy organization, appointed by the Speaker of the House of Representatives;

23. A representative of a civil liberties organization whose primary mission is the protection of civil liberties, appointed by the Speaker of the House of Representatives;

24. A representative of a nonprofit organization whose primary mission is to advocate for victims and survivors of sexual exploitation and sex trafficking, appointed by the Speaker of the House of Representatives;

25. A representative of an organization involved in advocating for juvenile justice reform, appointed by the Speaker of the House of Representatives; and

26. A representative of a public records access advocacy organization, appointed by the Speaker of the House of Representatives.

The review committee shall invite the Chief Justice of the Supreme Judicial Court to designate a member of the judicial branch to serve as a member of the committee.

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the review committee.

Sec. 4. Appointments; convening of review committee. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the review committee. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the review committee to meet and conduct its business.

Sec. 5. Duties. Resolved: That the review committee shall:

1. Review activities in other states that address the expungement, sealing, vacating of and otherwise limiting public access to criminal records;
2. Consider "clean slate" legislation options;
3. Consider whether the following convictions should be subject to different treatment:
 - A. Convictions for conduct that has been decriminalized in this State over the last 10 years and conduct that is currently under consideration for decriminalization; and
 - B. Convictions for conduct that was committed by victims and survivors of sexual exploitation and sex trafficking;

4. Consider whether there is a time limit after which some or all criminal records should not be publicly available;

5. Invite comments and suggestions from interested parties, including but not limited to victim advocates and prison and correctional reform organizations;

6. Review existing information about the harms and benefits of making criminal records confidential, including the use and dissemination of those records;

7. Invite comments and suggestions concerning the procedures to limit public accessibility of criminal records;

8. Consider who, if anyone, should continue to have access to criminal records that are not publicly available; and

9. Develop options to manage criminal records.

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the review committee, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

Sec. 7. Report. Resolved: That, no later than December 3, 2021, the review committee shall submit to the Joint Standing Committee on Judiciary a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 122

S.P. 501 - L.D. 1559

Resolve, To Create the Commission To Develop a Paid Family and Medical Leave Benefits Program

Sec. 1. Commission established. Resolved: That the Commission To Develop a Paid Family and Medical Leave Benefits Program, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 12 voting members as follows:

1. Two members of the Senate appointed by the President of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature;

2. Two members of the House of Representatives appointed by the Speaker of the House, including a member from each of the 2 parties holding the largest number of seats in the Legislature;

3. Two members appointed by the President of the Senate as follows:

A. One member with expertise in issues affecting labor and independent contractors; and

B. One employer with more than 50 employees;

4. Three members appointed by the Speaker of the House as follows:

A. One member with expertise in issues related to family and medical leave benefits;

B. One employer with 50 or fewer employees; and

C. One member who is an employer in the hospitality industry;

5. Two members appointed by the Governor as follows:

A. One member with expertise in issues affecting maternity and postpartum care; and

B. One member with expertise in issues affecting elder care; and

6. The Commissioner of Labor or the commissioner's designee.

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission. Notwithstanding Joint Rule 353, the chairs may appoint, as nonvoting members, individuals with expertise in paid family and medical leave, social insurance programs or related state infrastructure.

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

Sec. 5. Duties. Resolved: That the commission shall:

1. Study the paid family and medical leave benefits programs in other states, including those that have established paid family and medical leave benefits programs. In its review of paid family and medical leave benefits programs in other states, the commission shall consider without limitation the following factors for each program:

A. Equity of the program;

B. Program funding;

- C. State partnerships and consortiums, including information technology needs;
- D. Education and outreach needs;
- E. Oversight and structure of the program; and
- F. Relationship between state government and the employers and employees participating in the program;

2. Solicit and consider public comment on the administration and establishment of a paid family and medical leave benefits program, including but not limited to purposes for leave, eligibility, job protection and duration;

3. Develop a plan to implement a paid family and medical leave benefits program by consulting with other states that have established paid family and medical leave benefits programs;

4. Contract for and complete an actuarial study of the planned program under subsection 3, including start-up costs and ongoing costs of the program, the economic impact on and benefits to the State and the contributions needed to maintain the solvency of the program; and

5. Based on the actuarial study in subsection 4 and other factors considered by the commission, make recommendations to implement a paid family and medical leave benefits program, including any necessary legislation.

Sec. 6. Staff assistance. Resolved: That, notwithstanding Joint Rule 353, the Legislative Council shall provide necessary staffing services or may contract for necessary staffing services for the commission, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session. Upon request, the Governor's Office of Policy Innovation and the Future, the Department of Labor, the Department of Health and Human Services and the Department of Administrative and Financial Services, Office of Information Technology and Bureau of Revenue Services shall provide additional staffing assistance to the commission.

Sec. 7. Report. Resolved: That, notwithstanding Joint Rule 353, no later than February 1, 2022, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 130th Legislature.

Sec. 8. Additional funding sources. Resolved: That, notwithstanding Joint Rule 353, the commission may apply for and receive funds, grants or contributions from public and private sources to support its activities.

Sec. 9. Transfer from Department of Administrative and Financial Services Other Special Revenue Funds balances to Legislature,

Study Commissions - Funding. Resolved: That, notwithstanding any provision of law to the contrary, at the close of fiscal year 2021-22, the State Controller shall transfer \$200,000 from the available balance in the Adult Use Marijuana Regulatory Coordination Fund Other Special Revenue Funds account within the Department of Administrative and Financial Services to the Legislature, Study Commissions - Funding Other Special Revenue Funds account.

Sec. 10. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Study Commissions - Funding 0444

Initiative: Allocates funds on a one-time basis to the Legislature for the costs of contracting with an outside entity to conduct and complete an actuarial study as required for the Commission To Develop a Paid Family and Medical Leave Benefits Program.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$200,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$0

See title page for effective date.

CONSTITUTIONAL RESOLUTIONS OF THE STATE OF MAINE
AS PASSED AT
THE FIRST SPECIAL SESSION OF THE
ONE HUNDRED AND THIRTIETH LEGISLATURE
2021

CHAPTER 1
H.P. 61 - L.D. 95

**RESOLUTION, Proposing an
Amendment to the Constitution
of Maine To Establish a Right
to Food**

Constitutional amendment. Resolved: Two thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of Maine be proposed:

Constitution, Art. I, §25 is enacted to read:

Section 25. Right to food. All individuals have a natural, inherent and unalienable right to food, including the right to save and exchange seeds and the right to grow, raise, harvest, produce and consume the food of their own choosing for their own nourishment, sustenance, bodily health and well-being, as long as an individual does not commit trespassing, theft, poaching or other abuses of private property rights, public lands or natural resources in the harvesting, production or acquisition of food.

Constitutional referendum procedure; form of question; effective date. Resolved: That the municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, at a statewide election held in the month of November following the passage of this resolution, to vote upon the ratification of the amendment proposed in this resolution by voting upon the following question:

"Do you favor amending the Constitution of Maine to declare that all individuals have a natural, inherent and unalienable right to grow, raise, harvest, produce and consume the food of their own choosing for their own nourishment, sustenance, bodily health and well-being?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within the corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor

shall review the returns. If it appears that a majority of the legal votes are cast in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment becomes part of the Constitution of Maine on the date of the proclamation.

Secretary of State shall prepare ballots. Resolved: That the Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this resolution necessary to carry out the purposes of this referendum.

Effective pending referendum.

JOINT STUDY ORDERS

**JOINT STUDY ORDER, TO
CREATE A WORKING
GROUP TO REVIEW THE
PROCESS FOR ONGOING
REVIEW OF TAX
EXPENDITURES BY THE
LEGISLATURE**

S.P. 578

ORDERED, the House concurring, that the Working Group To Review the Process for Ongoing Review of Tax Expenditures by the Legislature is established as follows.

1. Working Group To Review the Process for Ongoing Review of Tax Expenditures by the Legislature established. The Working Group To Review the Process for Ongoing Review of Tax Expenditures by the Legislature, referred to in this order as "the working group," is established.

2. Membership. The working group consists of 8 members appointed as follows:

A. Four members of the Senate appointed by the President of the Senate, including members from each of the 2 parties holding the largest number of seats in the Legislature. Of these 4 members, 2 members must be members of the Government Oversight Committee and 2 members must be members of the Joint Standing Committee on Taxation; and

B. Four members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature. Of these 4 members, 2 members must be members of the Government Oversight Committee and 2 members must be members of the Joint Standing Committee on Taxation.

3. Working group chairs. The first-named Senator is the Senate chair of the working group and the first-named member of the House is the House chair of the working group.

4. Appointments; convening of working group. All appointments must be made no later than 30 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the working group shall call and convene the first meeting of the working group. If 30 days or more after the passage of this order a majority of but not all appointments have been made, the chairs

may request authority and the Legislative Council may grant authority for the working group to meet and conduct its business.

5. Duties. The working group shall examine and make recommendations regarding the process for the ongoing review of tax expenditures by the Legislature. In its work, the working group shall consider:

A. The provisions of the Maine Revised Statutes under Title 3 and Title 36 governing tax expenditure reviews;

B. The experiences of key entities involved in tax expenditure reviews under the Maine Revised Statutes, Title 3 since 2015, including the Government Oversight Committee, the Office of Program Evaluation and Government Accountability, the Joint Standing Committee on Taxation and the Department of Administrative and Financial Services, Bureau of Revenue Services;

C. Tax expenditure review policies, approaches and processes in other states; and

D. Input from stakeholders engaged in the administration of tax expenditures, including but not limited to the Department of Administrative and Financial Services, Bureau of Revenue Services, the Department of Economic and Community Development and other state agencies.

The working group shall make recommendations, including any appropriate changes to the Maine Revised Statutes, for improvements to the tax expenditure review process to ensure it meets the needs of the Legislature for oversight, evaluation and improvement of tax expenditure policies for the State.

6. Staff assistance. The Legislative Council shall provide necessary staffing services to the working group, except that the Legislative Council staff support is not authorized when the Legislature is in regular or special session.

7. Report. No later than December 1, 2021, the working group shall submit a report that includes its findings and recommendations, including suggested legislation, to the Second Regular Session of the 130th Legislature.

Passed by the Senate June 8, 2021 and the House of Representatives June 30, 2021.

**REVISOR'S REPORT
2019**

CHAPTER 2

PART A

Sec. A-1. 1 MRSA §150-O, as enacted by PL 2019, c. 570, §1, is reallocated to 1 MRSA §150-P.

EXPLANATION

This section corrects a numbering problem created by Public Law 2019, chapters 569 and 570, which enacted 2 substantively different provisions with the same section number.

Sec. A-2. 5 MRSA §17851-A, sub-§1, ¶M, as amended by PL 2019, c. 537, §2; c. 541, §3; and c. 542, §2, is corrected to read:

M. Capitol Police officers in the employment of the Department of Public Safety, Bureau of Capitol Police on July 1, 2002 or hired thereafter; ~~and~~

EXPLANATION

This section makes a technical correction.

Sec. A-3. 5 MRSA §17851-A, sub-§1, ¶N, as enacted by PL 2019, c. 541, §4, is reallocated to 5 MRSA §17851-A, sub-§1, ¶O.

EXPLANATION

This section corrects a lettering problem created by Public Law 2019, chapters 537, 541 and 542, which enacted 3 substantively different provisions with the same paragraph letter.

Sec. A-4. 5 MRSA §17851-A, sub-§1, ¶N, as enacted by PL 2019, c. 542, §3, is reallocated to 5 MRSA §17851-A, sub-§1, ¶P.

EXPLANATION

This section corrects a lettering problem created by Public Law 2019, chapters 537, 541 and 542, which enacted 3 substantively different provisions with the same paragraph letter.

Sec. A-5. 5 MRSA §17851-A, sub-§2, as amended by PL 2019, c. 537, §4; c. 541, §5; and c. 542, §4, is corrected to read:

2. Qualification for benefits. A member employed in any one or a combination of the capacities specified in subsection 1 after June 30, 1998 and before

September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; any employee identified in subsection 1, paragraph M; after June 30, 2020 for employees identified in subsection 1, ~~paragraph paragraphs~~ paragraphs N to P; and any employee identified in subsection 1, paragraph L, qualifies for a service retirement benefit if that member either:

A. Is at least 55 years of age and has completed at least 10 years of creditable service under the 1998 Special Plan in any one or a combination of the capacities; or

B. Has completed at least 25 years of creditable service in any one or a combination of the capacities specified in subsection 1, whether or not the creditable service included in determining that the 25-year requirement has been met was earned under the 1998 Special Plan or prior to its establishment.

EXPLANATION

This section corrects cross-references.

Sec. A-6. 5 MRSA §17851-A, sub-§3, ¶A, as amended by PL 2019, c. 537, §5; c. 541, §6; and c. 542, §5, is corrected to read:

A. For the purpose of meeting the qualification requirement of subsection 2, paragraph A:

(1) Service credit purchased by repayment of an earlier refund of accumulated contributions following termination of service is included only to the extent that time to which the refund relates was served after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; and after June 30, 2020 for employees identified in subsection 1, ~~paragraph paragraphs~~ paragraph paragraphs N to P in any one or a combination of the capacities specified in subsection 1. Service credit may be purchased for service by an employee identified in subsection 1, paragraphs L and M regardless of when performed; and

(2) Service credit purchased other than as provided under subparagraph (1), including but

not limited to service credit for military service, is not included.

EXPLANATION

This section corrects cross-references.

Sec. A-7. 5 MRSA §17851-A, sub-§4, ¶A, as amended by PL 2019, c. 537, §6; c. 541, §7; and c. 542, §6, is corrected to read:

A. If all of the member's creditable service in any one or a combination of the capacities specified in subsection 1 was earned after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; and after June 30, 2020 for employees identified in subsection 1, ~~paragraph~~ paragraphs N to P; if service credit was purchased by repayment of an earlier refund of accumulated contributions for service in any one or a combination of the capacities specified in subsection 1 after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; and after June 30, 2020 for employees identified in subsection 1, ~~paragraph~~ paragraphs N to P; or if service credit was purchased by other than the repayment of an earlier refund and eligibility to make the purchase of the service credit, including, but not limited to, service credit for military service, was achieved after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; and after June 30, 2020 for employees identified in subsection 1, ~~paragraph~~ paragraphs N to P, the benefit must be computed as provided in section 17852, subsection 1, paragraph A.

(1) If the member had 10 years of creditable service on July 1, 1993, the benefit under sub-

section 2, paragraph B must be reduced as provided in section 17852, subsection 3, paragraphs A and B.

(2) If the member had fewer than 10 years of creditable service on July 1, 1993, the benefit under subsection 2, paragraph B must be reduced by 6% for each year that the member's age precedes 55 years of age.

EXPLANATION

This section corrects cross-references.

Sec. A-8. 5 MRSA §17851-A, sub-§4, ¶B, as amended by PL 2019, c. 537, §7; c. 541, §8; and c. 542, §7, is corrected to read:

B. Except as provided in paragraphs D, E and F, if some part of the member's creditable service in any one or a combination of the capacities specified in subsection 1 was earned before July 1, 1998 for employees identified in subsection 1, paragraphs A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I to K; before January 1, 2002 for employees identified in subsection 1, paragraph L; before July 1, 2002 for employees identified in subsection 1, paragraph M; and before July 1, 2020 for employees identified in subsection 1, ~~paragraph~~ paragraphs N to P and some part of the member's creditable service in any one or a combination of the capacities specified in subsection 1 was earned after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; and after June 30, 2020 for employees identified in subsection 1, ~~paragraph~~ paragraphs N to P, then the member's service retirement benefit must be computed in segments and the amount of the member's service retirement benefit is the sum of the segments. The segments must be computed as follows:

(1) The segment or, if the member served in more than one of the capacities specified in subsection 1 and the benefits related to the capacities are not interchangeable under section 17856, segments that reflect creditable service earned before July 1, 1998 for employees identified in subsection 1, paragraphs A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I to K; before January 1, 2002 for employees identified in subsection 1, paragraph L; before July 1, 2002 for

employees identified in subsection 1, paragraph M; and before July 1, 2020 for employees identified in subsection 1, ~~paragraph paragraphs N to P~~ or purchased by repayment of an earlier refund of accumulated contributions for service before July 1, 1998, for employees identified in subsection 1, paragraphs A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I to K; before January 1, 2002 for employees identified in subsection 1, paragraph L; before July 1, 2002 for employees identified in subsection 1, paragraph M; and before July 1, 2020 for employees identified in subsection 1, ~~paragraph paragraphs N to P~~ in a capacity or capacities specified in subsection 1 or purchased by other than the repayment of a refund and eligibility to make the purchase of the service credit, including, but not limited to, service credit for military service, was achieved before July 1, 1998 for employees identified in subsection 1, paragraphs A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I to K; before January 1, 2002 for employees identified in subsection 1, paragraph L; before July 1, 2002 for employees identified in subsection 1, paragraph M; and before July 1, 2020 for employees identified in subsection 1, ~~paragraph paragraphs N to P~~, must be computed under section 17852, subsection 1, paragraph A. If the member is qualified under subsection 2, paragraph B and:

- (a) Had 10 years of creditable service on July 1, 1993, the amount of the segment or segments must be reduced as provided in section 17852, subsection 3, paragraphs A and B; or
- (b) Had fewer than 10 years of creditable service on July 1, 1993, the amount of the segment or segments must be reduced as provided in section 17852, subsection 3-A; and

(2) The segment that reflects creditable service earned after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; and after June 30, 2020 for employees identified in subsection 1, ~~paragraph paragraphs N to P~~ or purchased by repayment of an earlier refund of accumulated contributions for service after June 30, 1998 and before September 1, 2002

for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; and after June 30, 2020 for employees identified in subsection 1, ~~paragraph paragraphs N to P~~ in any one or a combination of the capacities specified in subsection 1, or purchased by other than the repayment of a refund and eligibility to make the purchase of the service credit, including, but not limited to, service credit for military service, was achieved after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; and after June 30, 2020 for employees identified in subsection 1, ~~paragraph paragraphs N to P~~ must be computed under section 17852, subsection 1, paragraph A. If the member is qualified under subsection 2, paragraph B and:

- (a) Had 10 years of creditable service on July 1, 1993, the segment amount must be reduced in the manner provided in section 17852, subsection 3, paragraphs A and B for each year that the member's age precedes 55 years of age; or
- (b) Had fewer than 10 years of creditable service on July 1, 1993, the segment amount must be reduced by 6% for each year that the member's age precedes 55 years of age.

EXPLANATION

This section corrects cross-references.

Sec. A-9. 5 MRSA §17851-A, sub-§5, as amended by PL 2019, c. 537, §8; c. 541, §9; and c. 542, §8, is corrected to read:

5. Contributions. Notwithstanding any other provision of subchapter 3, after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31,

2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; and after June 30, 2020 for employees identified in subsection 1, ~~paragraph~~ paragraphs N to P, a member in the capacities specified in subsection I must contribute to the State Employee and Teacher Retirement Program or have pick-up contributions made at the rate of 8.65% of earnable compensation until the member has completed 25 years of creditable service as provided in this section and at the rate of 7.65% thereafter.

EXPLANATION

This section corrects cross-references.

Sec. A-10. 6 MRSA §102, sub-§2, ¶A, as amended by PL 2011, c. 610, Pt. A, §2, is corrected to read:

A. All ~~aircarrier~~ air carrier and commuter ~~aircarrier~~ air carrier airports shall designate a person generally available who has administrative responsibility for operation and management of the airport. All general aviation commercial airports, as defined under chapter 6, shall have at least a part-time airport manager.

EXPLANATION

This section corrects clerical errors.

Sec. A-11. 7 MRSA §2471, as enacted by PL 2019, c. 548, §1, is corrected to read:

§2471. Tick Laboratory and Pest Management Fund

The Tick Laboratory and Pest Management Fund, referred to in this chapter as "the fund," is established. The fund is nonlapsing, is administered by the University of Maine at Orono and consists of funds derived from the pesticide container fee under Title 36, section ~~4911~~ 4941, appropriations and allocations to the fund and funds from other public and private sources. The fund, to be accounted within the University of Maine at Orono, must be held separate and apart from all other money, funds and accounts. Eligible investment earnings credited to the assets of the fund become part of the assets of the fund. Any balance remaining in the fund must be disbursed on a quarterly basis to the University of Maine at Orono.

Sec. A-12. 7 MRSA §2472, sub-§1, as enacted by PL 2019, c. 548, §1, is corrected to read:

1. Pesticide container fee reimbursement. Funds must be provided for ongoing reimbursement to the State Tax Assessor on a monthly basis by the 15th of the month following collection, to pay for adminis-

trative costs not to exceed \$40,000 annually from collection of the pesticide container fee imposed under Title 36, section ~~4911~~ 4941.

EXPLANATION

These sections correct cross-references.

Sec. A-13. 10 MRSA §1100-AA, sub-§9, ¶A, as enacted by PL 2019, c. 447, §1, is corrected to read:

A. A loan to any individual for eligible costs may not exceed \$700, but this limit may be adjusted upward at least biannually by the authority to reflect inflation or cost of living or other necessary adjustments.

EXPLANATION

This section corrects a clerical error.

Sec. A-14. 10 MRSA §1100-AA, sub-§9, ¶B, as enacted by PL 2019, c. 447, §1, is corrected to read:

B. Loans are not subject to interest.

EXPLANATION

This section corrects a clerical error.

Sec. A-15. 11 MRSA §2-103, sub-§(3), as amended by PL 2009, c. 324, Pt. B, §3 and affected by §48, is corrected to read:

(3). The following definitions in other Articles apply to this Article:

"Check."	Section 3-104 3-1104 .
"Consignee."	Section 7-1102.
"Consignor."	Section 7-1102.
"Consumer goods."	Section 9-1102.
"Dishonor."	Section 3-1502.
"Draft."	Section 3-104 3-1104 .

EXPLANATION

This section corrects cross-references.

Sec. A-16. 11 MRSA §2-103, sub-§(3-A), as enacted by PL 2009, c. 324, Pt. B, §4 and affected by §48, is corrected to read:

(3-A). "Control" as provided in section 7-1106 and the following definitions in other Articles apply to this Article:

"Check."	Section 3-104 3-1104 .
"Consignee."	Section 7-1102.
"Consignor."	Section 7-1102.
"Consumer goods."	Section 9-1102.
"Dishonor."	Section 3-502 3-1502 .
"Draft."	Section 3-104 3-1104 .

EXPLANATION

This section corrects cross-references.

Sec. A-17. 12 MRSA §5015, 2nd ¶, as enacted by PL 1985, c. 105, §1, is corrected to read:

Pursuant to the authority established in section 5012, the commissioner may administer a state grant-in-aid program and may promulgate rules therefor under Title 5, chapter 375, subchapter ~~H~~ 2. The purpose of the program is to assist local governments, river conservation or management groups and landowners in activities that may include the acquisition, establishment and maintenance of access sites, parking areas, ~~picnic~~ picnic areas, campsites and sanitary facilities; encouraging and securing shoreland gifts and conservation easements; financial support for river runners, litter control, signs and educational materials; the restoration and enhancement of anadromous fisheries; improving the natural productivity of inland fisheries; and supervision of recreational use and other similar or associated activities involving the protection of and public access to the State's rivers.

EXPLANATION

This section corrects a clerical error and updates a cross-reference.

Sec. A-18. 12 MRSA §9201, 2nd ¶, as enacted by PL 1979, c. 545, §3, is corrected to read:

~~Municipal~~ Municipal fire department personnel and equipment shall not be moved within or without municipal limits upon the order of a town forest fire warden or a forest ranger, except with the approval of the fire chief or proper municipal official having authority to grant such approval.

EXPLANATION

This section corrects a clerical error.

Sec. A-19. 17 MRSA §1039, sub-§6, as enacted by PL 2009, c. 127, §2 and affected by §3, is corrected to read:

6. Criminal or civil prosecution. A person may be arrested or detained for a violation of subsection 2 in accordance with the rules of criminal procedure. A person may not be arrested or detained for the civil violation of cruel confinement under Title 7, section ~~4039~~ 4020. The attorney for the State may elect to charge a defendant with a criminal violation under this section or a civil violation under Title 7, section 4020. In making this election, the attorney for the State shall consider the severity of the cruelty displayed, the number of animals involved, any prior convictions or adjudications of animal cruelty entered against the defendant and such other

factors as may be relevant to a determination of whether criminal or civil sanctions will best accomplish the goals of the animal welfare laws in the particular case before the attorney for the State. The election and determination required by this subsection are not subject to judicial review. The factors involved in the election and determination are not elements of the criminal offense or civil violation of cruel confinement and are not subject to proof or disproof as prerequisites or conditions for conviction under this section or adjudication under Title 7, section 4020.

It is not an affirmative defense to prosecution under this section that the sow or calf is kept as part of an agricultural operation and in compliance with best management practices for animal husbandry.

EXPLANATION

This section corrects a cross-reference.

Sec. A-20. 17-A MRSA §1812, sub-§10, as enacted by PL 2019, c. 113, Pt. A, §2, is corrected to read:

10. Respecification of place of imprisonment following vacation of suspension of sentence. Whenever a previously suspended sentence of imprisonment for a Class A, Class B or Class C crime is vacated, in whole or in part, as the result of a probation revocation, the court must respecify the place of imprisonment for both the portion required to be served and any remaining suspended portion, if necessary, to carry out the intent of section 1805, subsection 1, paragraph ~~D~~ E.

EXPLANATION

This section corrects a cross-reference.

Sec. A-21. 17-A MRSA §1902, sub-§6, as enacted by PL 2019, c. 316, §2, is corrected to read:

6. Preferred disposition in prosecution for engaging in prostitution. A deferred disposition is a preferred disposition in a prosecution for engaging in prostitution under section 853-A, subsection 1, paragraph B.

EXPLANATION

This section corrects a clerical error.

Sec. A-22. 18-C MRSA §9-308, sub-§1, ¶E, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is corrected to read:

E. The best interest of the adoptee, described in subsection 2, ~~are~~ is served by the adoption;

EXPLANATION

This section corrects a clerical error.

Sec. A-23. 20-A MRSA §4502, sub-§1-A, as enacted by PL 2019, c. 508, §5, is corrected to read:

1-A. Developmentally appropriate educational practices; kindergarten to grade 2. The commissioner shall adopt rules to address developmentally appropriate educational practices for kindergarten to grade 2. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter ~~275~~ 375, subchapter 2-A.

EXPLANATION

This section corrects a cross-reference.

Sec. A-24. 22 MRSA §1718-D, as affected by PL 2017, c. 218, §3 and amended by PL 2019, c. 668, §1, is corrected by correcting the section headnote to read:

§1718-D. Prohibition on balance billing for surprise bills and bills for out-of-network emergency services; disputes of bills for uninsured patients and persons covered under self-insured health benefit plans; disclosure related to referrals

EXPLANATION

This section corrects a headnote to reflect the changes made by Public Law 2019, chapters 668 and 670.

Sec. A-25. 22 MRSA §1718-D, sub-§3, as enacted by PL 2019, c. 670, §1, is reallocated to 22 MRSA §1718-D, sub-§5.

EXPLANATION

This section corrects a numbering problem created by Public Law 2019, chapters 668 and 670, which enacted 2 substantively different provisions with the same subsection number.

Sec. A-26. 22 MRSA §1826, sub-§2, ¶I, as amended by PL 2017, c. 402, Pt. C, §46 and affected by PL 2019, c. 417, Pt. B, §14, is corrected to read:

I. No contract or agreement may contain a provision that provides for the payment of attorney's fees or any other cost of collecting payments from the resident, except that attorney's fees and costs may be collected against any agent under a power of attorney who breaches the agent's duties as set forth in Title 18-C, section 5-914 or against a conservator appointed under Title 18-C, section ~~5-404~~ 5-401 for breach of the conservator's duties.

EXPLANATION

This section corrects a cross-reference.

Sec. A-27. 22 MRSA §3762, sub-§3, ¶B, as amended by PL 2019, c. 485, §3, is further amended by reallocating subparagraph (7-C) to 22 MRSA §3762, sub-§3, ¶B, subparagraph (7-F).

EXPLANATION

This section corrects a numbering problem created by Public Law 2019, chapters 484 and 485, which enacted 2 substantively different provisions with the same subparagraph number.

Sec. A-28. 24-A MRSA §4316, sub-§2, as repealed and replaced by PL 2019, c. 289, §2, is corrected to read:

2. Parity for telehealth services. A carrier offering a health plan in this State may not deny coverage on the basis that the health care service is provided through telehealth if the health care service would be covered if it ~~was~~ were provided through in-person consultation between an enrollee and a provider. Coverage for health care services provided through telehealth must be determined in a manner consistent with coverage for health care services provided through in-person consultation. If an enrollee is eligible for coverage and the delivery of the health care service through telehealth is medically appropriate, a carrier may not deny coverage for telehealth services. A carrier may offer a health plan containing a provision for a deductible, copayment or coinsurance requirement for a health care service provided through telehealth as long as the deductible, copayment or coinsurance does not exceed the deductible, copayment or coinsurance applicable to a comparable service provided through in-person consultation. A carrier may not exclude a health care service from coverage solely because such health care service is provided only through a telehealth encounter, as long as telehealth is appropriate for the provision of such health care service.

EXPLANATION

This section corrects a grammatical error.

Sec. A-29. 29-A MRSA §1410, sub-§6, as enacted by PL 1997, c. 437, §40, is corrected to read:

6. Penalty. A person who knowingly supplies false information on a an application required under subsection 1 commits a Class D crime. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter ~~H-A~~ 2-A.

EXPLANATION

This section corrects a clerical error and updates a cross-reference.

Sec. A-30. 30 MRSA §6206, sub-§3, ¶A, as enacted by PL 2019, c. 621, Pt. A, §1 and affected by §3, is reallocated to 30 MRSA §6206, sub-§3, ¶B.

EXPLANATION

This section corrects a lettering problem created by Public Law 2019, chapter 621, Parts A and B, which enacted 2 substantively different provisions of with the same paragraph letter.

Sec. A-31. 33 MRSA §2064, sub-§3, ¶B, as enacted by PL 2019, c. 498, §22, is corrected to read:

B. The date established by subsection 1, paragraph ~~C~~ B.

EXPLANATION

This section corrects a cross-reference.

Sec. A-32. 34-A MRSA §1208-B, sub-§1, ¶B, as enacted by PL 2015, c. 335, §22, is corrected by correcting subparagraph (1) to read:

(1) Require reporting of data that indicates average daily population of prisoners, that excludes federal prisoners, that indicates sending and receiving jails for transferred prisoners and that is useful in calculating the distributions to the counties pursuant to section ~~1201-D~~ 1210-D, subsection 4; and

EXPLANATION

This section corrects a cross-reference.

Sec. A-33. 34-B MRSA §15002, sub-§7, as amended by PL 2019, c. 343, Pt. DDD, §3, is corrected to read:

7. Rulemaking. The departments shall adopt rules to implement this chapter. Rules in effect for care under the authority of the departments, prior to the adoption of rules pursuant to this subsection, remain in effect until the effective date of the new rules. In addition to the rule-making procedures required under Title 5, chapter 375, prior to adoption of a proposed rule, the department shall provide notice of the content of the proposed rule to the joint standing committee of the Legislature having jurisdiction over health and human services matters. When a rule is adopted, the department shall provide copies of the adopted rule to the joint standing committee of the Legislature having jurisdiction over health and human ~~service~~ services matters. Unless otherwise specifically designated, rules adopted pursuant to this chapter are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

EXPLANATION

This section corrects a clerical error.

Sec. A-34. 36 MRSA §1110, as repealed and replaced by PL 1977, c. 696, §269, is corrected to read:

§1110. Reclassification

Land subject to taxes under this subchapter may be reclassified as to land classification by the municipal assessor, chief assessor or State Tax Assessor upon application of the owner with a proper showing of the reasons justifying that reclassification or upon the initiative of the respective municipal assessor, chief assessor or State Tax Assessor where the facts justify the same. In the event that the municipal assessor, chief assessor or State Tax Assessor determines, upon ~~his~~ the municipal assessor's, chief assessor's or State Tax Assessor's own initiative, to reclassify land previously classified under this subchapter, ~~he~~ the municipal assessor, chief assessor or State Tax Assessor shall provide to the owner or owners of the land by certified mail, return receipt requested, notice of ~~his~~ the municipal assessor's, chief assessor's or State Tax Assessor's intention to reclassify that land and the reasons therefor.

EXPLANATION

This section corrects a clerical error and removes gender-specific language.

Sec. A-35. 36 MRSA §1760, sub-§103, as enacted by PL 2019, c. 550, §1, is reallocated to 36 MRSA §1760, sub-§104.

EXPLANATION

This section corrects a numbering problem created by Public Law 2019, chapters 550, 551 and 552 which enacted 3 substantively different provisions with the same subsection number, all of which are in conflict with an existing subsection with the same subsection number.

Sec. A-36. 36 MRSA §1760, sub-§103, as enacted by PL 2019, c. 551, §1, is reallocated to 36 MRSA §1760, sub-§105.

EXPLANATION

This section corrects a numbering problem created by Public Law 2019, chapters 550, 551 and 552 which enacted 3 substantively different provisions with the same subsection number, all of which are in conflict with an existing subsection with the same subsection number.

Sec. A-37. 36 MRSA §1760, sub-§103, as enacted by PL 2019, c. 552, §1, is reallocated to 36 MRSA §1760, sub-§106.

EXPLANATION

This section corrects a numbering problem created by Public Law 2019, chapters 550, 551 and 552 which enacted 3 substantively different provisions with the same subsection number, all of which are in conflict with an existing subsection with the same subsection number.

Sec. A-38. 36 MRSA c. 723, as enacted by PL 2019, c. 548, §2, is reallocated to 36 MRSA c. 725.

Sec. A-39. 36 MRSA §4911, as enacted by PL 2019, c. 548, §2, is reallocated to 36 MRSA §4941.

EXPLANATION

These sections correct a numbering problem created by Public Law 2019, chapters 231 and 548, which enacted 2 substantively different provisions with the same chapter number.

Sec. A-40. 38 MRSA §480-Q, sub-§2-E, as enacted by PL 2019, c. 124, §3, is corrected to read:

2-E. Nonhydropower dams. Maintenance and repair of an existing nonhydropower dam, as long as:

- A. A long-term maintenance and repair plan for the dam has been submitted to the department prior to the commencement of any maintenance or repair activities;
- B. The maintenance and repair activities do not involve more than 50% of the surface area or volume of the dam;
- C. Erosion control measures are taken to prevent sedimentation of the water on either side of the dam as a result of the maintenance or repair activities;
- D. Resurfacing of the upstream or downstream vertical faces of the dam, retaining walls or associated structures does not exceed 4 inches in thickness;
- E. Precast concrete used for the repair or resurfacing of the dam is cured in air for a minimum of 3 weeks and fresh concrete poured in forms on site used for the repair or resurfacing of the dam is cured in air for a minimum of one week prior to use to prevent impacts to fish and other aquatic organisms from high pH levels associated with concrete;
- F. The maintenance and repair activities do not result in permanent changes to impounded water levels or to downstream flows;
- G. All necessary approvals from state and federal fisheries agencies for any temporary drawdown of

the impounded waters needed to accomplish the maintenance and repair activities have been obtained prior to the commencement of those activities; and

H. Removal of accumulated materials from the upstream side of the dam, including natural sediment buildup, vegetative materials and woody debris, is limited to an area within 6 feet of the dam, measured perpendicularly from its upstream face, and is performed by hand only.

For the purposes of this subsection, "nonhydropower dam" means a water-impounding structure not used for the generation of hydroelectric power and includes any associated wing walls, abutments, spillways, gates and earthen embankments;

EXPLANATION

This section corrects a clerical error.

Sec. A-41. 38 MRSA §969, sub-§3, as enacted by PL 1997, c. 330, §1, is corrected to read:

3. Assessment on the sale of water. For purposes of funding its activities, the commission shall impose a fee of 1% on the sale of water and fire protection services by a water utility that draws water either from the Saco River or from a groundwater source under the influence of the Saco River, as determined by the Department of Human ~~Services~~ Services, for sale and distribution to its customers. The fee must be levied on the rates of the water utility as authorized by the Public Utilities Commission to be charged for services provided by the utility. "Water utility" has the same meaning as the term is defined in Title 35-A, section 102, subsection 22.

The fee must be collected by the water utility and remitted quarterly to the commission. Notwithstanding any limitations set forth in Title 35-A regarding a water utility's right to increase its charges to its customers, a water utility with sales subject to this subsection is authorized to increase its overall charges for the purpose of collecting the fee set forth in this subsection.

Each water utility may retain a portion of the total fees collected equivalent to the utility's administrative costs incurred in the collection and remission of the fees, not to exceed 2% of the total fees collected. For purposes of the Public Utilities Commission's rate-making authority, costs actually incurred by the utility associated with the collection and remission of the fees for the fund are considered just and reasonable for rate-making purposes.

The commission shall adopt rules that are reasonably necessary to carry out the purposes of this section pursuant to section 954-C. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter ~~H-A~~ 2-A.

EXPLANATION

This section corrects a clerical error and updates a cross-reference.

Sec. A-42. PL 2019, c. 650, §20 is corrected to read:

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

EXPLANATION

This section corrects an amending clause.

PART B

Sec. B-1. 20-A MRSA §1255, sub-§2, as amended by PL 1987, c. 395, Pt. A, §54, is corrected to read:

2. Awaiting census results. If the commissioner receives a request within 12 months before a Federal Decennial Census or Federal Estimated Census, ~~he the~~ commissioner may wait until after the new census figures are available to make a determination.

Sec. B-2. 20-A MRSA §1255, sub-§9, as amended by PL 1987, c. 395, Pt. A, §54, is corrected to read:

9. Failure to gain commissioner approval. If a plan has not been adopted by the committee or approved by the commissioner within the time limits, ~~he the com-~~ missioner shall prepare a suitable plan.

Sec. B-3. 20-A MRSA §3605, first ¶, as amended by PL 1983, c. 806, §30, is corrected to read:

The Maine and New Hampshire commissioners of education ~~shall~~ have the power, acting jointly to constitute and discharge one or more interstate school district planning committees. Each such planning committee ~~shall consist~~ consists of at least 2 voters from each of a group of 2 or more neighboring member districts. One of the representatives from each member district ~~shall~~ must be a member of its school board, whose term on the planning committee ~~shall be~~ is concurrent with ~~his~~ that member's term as a school board member. The term of each member of a planning committee who is not also a school board member ~~shall expire~~ expires on June 30th of the 3rd year following ~~his or her~~ that member's appointment. The existence of any planning committee may be terminated either by vote of a majority of its members or by joint action of the commissioners. In forming and appointing members to an interstate school district planning board, the commissioners shall consider and take into account recommendations and nominations made by school boards of member districts. ~~No~~

A member of a planning committee may not be disqualified because ~~he or she~~ that member is at the same time a member of another planning board or committee created under this compact or under any other provisions of law. Any existing informal interstate school planning committee may be reconstituted as a formal planning committee in accordance with the provisions ~~hereof of this paragraph~~, and its previous deliberations adopted and ratified by the reorganized formal planning committee. Vacancies on a planning committee ~~shall~~ must be filled by the commissioners acting jointly.

Sec. B-4. 20-A MRSA §3618, first ¶, as amended by PL 1983, c. 806, §31, is corrected to read:

The warrant with a certificate thereon, verified by oath, stating the time and place when and where copies of the warrant were posted and published, ~~shall~~ must be given to the clerk of the interstate school district at or before the time of the meeting, and ~~shall~~ must be recorded by ~~him or her~~ the clerk in the records of the interstate school district.

Sec. B-5. 20-A MRSA §3619, first ¶, as amended by PL 1983, c. 806, §32, is corrected to read:

The commissioners, acting jointly, shall fix a time and place for a special meeting of the qualified voters within the interstate school district for the purpose of organization, and shall prepare and issue the warrant for the meeting after consultation with the interstate school district planning board and the members-elect, if any, of the interstate school board of directors. Such meeting ~~shall~~ must be held within 60 days after the date of issuance of the certificate of formation, unless the time is further extended by the joint action of the state boards. At the organization meeting the commissioner of education of the state where the meeting is held, or ~~his or her~~ that commissioner of education's designate, shall preside in the first instance, and the following business ~~shall~~ must be transacted:

Sec. B-6. 20-A MRSA §3624, first ¶, as amended by PL 1983, c. 806, §33, is corrected to read:

The officers of an interstate school district ~~shall be~~ consist of a board of school directors, a ~~chairman~~ chair of the board, a ~~vice-chairman~~ vice-chair of the board, a secretary of the board, a moderator, a clerk, a treasurer and 3 auditors. Except as otherwise specifically provided, they ~~shall be~~ are eligible to take office immediately following their election; they shall serve until the next annual meeting of the interstate district and until their successors are elected and qualified. Each shall take an oath for the faithful performance of ~~his or her~~ that officer's duties before the moderator, or a notary public or a justice of the peace of the state in which the oath is administered. Their compensation ~~shall~~ must be fixed by vote of the district. ~~No~~ A person ~~may be~~ is not eligible to hold any district office unless ~~he or she~~ that person is a voter in the district. A custodian, school teacher, principal, superintendent or other employee of

an interstate district acting as such ~~shall~~ is not be eligible to hold office as a school director.

Sec. B-7. 20-A MRSA §3625, sub-§1, as amended by PL 1983, c. 806, §34, is corrected to read:

1. How chosen. Each member district ~~shall~~ must be represented by at least one resident on the board of school directors of an interstate school district. A member district ~~shall be~~ is entitled to such further representation on the interstate board of school directors as provided in the articles of agreement as amended from time to time. The articles of agreement as amended from time to time may provide for school directors at large, as set forth. ~~No~~ A person may not be disqualified to serve as a member of an interstate board because ~~he or she~~ that person is at the same time a member of the school board of a member district.

Sec. B-8. 20-A MRSA §3626, first ¶, as amended by PL 1983, c. 806, §35, is corrected to read:

The ~~chairman~~ chair of the board of interstate school directors ~~shall~~ must be elected by the interstate board from among its members at its first meeting following the annual meeting. The ~~chairman~~ chair shall preside at the meetings of the board and shall perform such other duties as the board may assign to ~~him or her~~ the chair.

Sec. B-9. 20-A MRSA §3627, first ¶, as amended by PL 1983, c. 806, §36, is corrected to read:

The ~~vice-chairman~~ vice-chair of the interstate board ~~shall~~ must be elected in the same manner as the ~~chairman~~ chair. ~~He or she shall~~ The vice-chair must represent a member district in a state other than that represented by the ~~chairman~~ chair. ~~He or she~~ The vice-chair shall preside in the absence of the ~~chairman~~ chair and shall perform such other duties as may be assigned to ~~him or her~~ the vice-chair by the interstate board.

Sec. B-10. 20-A MRSA §3628, first ¶, as amended by PL 1983, c. 806, §37, is corrected to read:

The secretary of the interstate board ~~shall~~ must be elected in the same manner as the ~~chairman~~ chair. Instead of electing one of its members, the interstate board may appoint the interstate district clerk to serve as secretary of the board in addition to ~~his or her~~ the interstate district clerk's other duties. The secretary of the interstate board, or the interstate district clerk, if so appointed, shall keep the minutes of its meetings, shall certify its records, and ~~shall~~ shall perform such other duties as may be assigned to ~~him or her~~ the secretary by the board.

Sec. B-11. 20-A MRSA §3629, first ¶, as amended by PL 1983, c. 806, §38, is corrected to read:

The moderator shall preside at the district meetings, regulate the business thereof, decide questions of order, and make a public declaration of every vote passed. ~~He or she~~ The moderator may prescribe rules

of procedure; but such rules may be altered by the district. ~~He or she~~ The moderator may administer oaths to district officers in either state.

Sec. B-12. 20-A MRSA §3631, first ¶, as amended by PL 1983, c. 806, §39, is corrected to read:

The treasurer ~~shall have~~ has custody of all of the moneys belonging to the district and shall pay out the same only upon the order of the interstate board. ~~He or she~~ The treasurer shall keep a fair and accurate account of all sums received into and paid from the interstate district treasury, and at the close of each fiscal year ~~he or she~~ the treasurer shall make a report to the interstate district, giving a particular account of all receipts and payments during the year. ~~He or she~~ The treasurer shall furnish to the interstate directors, statements from ~~his or her~~ the treasurer's books and submit ~~his or her~~ the treasurer's books and vouchers to them and to the district auditors for examination whenever so requested. ~~He or she~~ The treasurer shall make all returns called for by laws relating to school districts. Before entering on ~~his or her~~ the treasurer's duties, the treasurer shall give a bond with sufficient sureties and in such sum as the directors may require. The treasurer's term of office is from July 1st to the following June 30th.

Sec. B-13. 20-A MRSA §3656, sub-§3, ¶B, as amended by PL 1983, c. 806, §40, is corrected to read:

B. See that each teacher or professional staff employee selects the retirement system of ~~his or her~~ that teacher's or employee's choice at the time ~~his or her~~ that teacher's or employee's contract is signed;

Sec. B-14. 20-A MRSA §3656, sub-§3, ¶C, as amended by PL 1983, c. 806, §40, is corrected to read:

C. Provide the commissioners of education in New Hampshire and in Maine with the names and other pertinent information regarding each staff member under ~~his or her~~ that commissioner's jurisdiction so that each may be enrolled in the retirement system of ~~his or her~~ that staff member's preference.

Sec. B-15. 20-A MRSA §3661, sub-§3, ¶B, as amended by PL 1983, c. 806, §41, is corrected to read:

B. See that each teacher or professional staff employee selects the retirement system of ~~his or her~~ that teacher's or employee's choice at the time ~~his or her~~ that teacher's or employee's contract is signed;

Sec. B-16. 20-A MRSA §3661, sub-§3, ¶C, as enacted by PL 1981, c. 693, §§5 and 8, is corrected to read:

C. Provide the commissioners of education in New Hampshire and in Maine with the names and other

pertinent information regarding each staff member under ~~his~~ the commissioner's jurisdiction so that each may be enrolled in the retirement system of ~~his~~ that staff member's preference.

Sec. B-17. 20-A MRSA §4516, sub-§2, as enacted by PL 1983, c. 859, Pt. A, §§20 and 25, is corrected to read:

2. Advisory committee. The commissioner, with the approval of the state board, shall appoint an advisory committee of professional and lay people to advise ~~him~~ the commissioner in the adoption of accreditation standards.

Sec. B-18. 20-A MRSA §6354, sub-§1, as enacted by PL 1983, c. 661, §8, is corrected to read:

1. Immunization required. Except as otherwise provided under this subchapter, every parent shall cause to be administered to ~~his~~ that parent's child an adequate dosage of an immunizing agent against each disease.

Sec. B-19. 20-A MRSA §10001, as amended by PL 1983, c. 806, §74, is corrected to read:

§10001. Hemophiliac Person with hemophilia

1. Participation in physical activity. A post-secondary institution may not require a ~~hemophiliac person with hemophilia~~ person with hemophilia to participate in physical activity hazardous to ~~his or her~~ that person's physical health, as a condition or requirement for a degree, unless the physical activity is approved by the state board as an essential prerequisite to that degree.

2. Admission. A post-secondary institution may not refuse admission to a ~~hemophiliac person with hemophilia~~ person with hemophilia solely because of ~~his or her~~ that person's condition as a hemophiliac, unless that condition would prevent participation in required courses of study of physical activity.

Sec. B-20. 20-A MRSA §12004, sub-§2, as amended by PL 1983, c. 806, §89, is corrected to read:

2. Initial interest. The loan ~~shall~~ must be granted to the applicant with no interest or principal payments until one year after ~~he or she~~ the applicant has ended ~~his or her~~ attendance at that osteopathic college or university.

Sec. B-21. 20-A MRSA §12552, sub-§1, as enacted by PL 1985, c. 472, is corrected to read:

1. Firefighter. "Firefighter" means a person who is an active member of a municipal fire department in this State or a volunteer firefighters' association in this State and who aids in the ~~extinguishing~~ extinguishing of fires, regardless of whether ~~he~~ that person has administrative or other duties as a member of the department or association.

Sec. B-22. 20-A MRSA §12801, first ¶, as enacted by PL 1987, c. 142, is corrected to read:

Any person who is required to present ~~himself~~ for and submit to registration under the United States Military Selective Services Act, 50 United States Code, Section 451, et seq., and who fails to do so is ineligible to receive any state funded grant, scholarship or loan made available to persons enrolled in post-secondary educational programs.

Sec. B-23. 20-A MRSA §13003, sub-§2, as amended by PL 1983, c. 806, §91, is corrected to read:

2. Penalty. A person not certified under section 13001 is barred from receiving any salary or fringe benefits if ~~he or she~~ that person teaches or performs any other professional function in a public school and that person:

A. ~~He or she has~~ Has never held the required certificate; or

B. ~~He or she knew~~ Knew or should have known that ~~his or her~~ the person's certificate had expired. Prima facie evidence of that knowledge would be records on file in either the department or the employing school administrative unit that ~~he or she~~ the person was notified that ~~his or her~~ the person's certificate had lapsed or that it would be lapsing on a given date.

The person shall forfeit to the employing school administrative unit any salary or fringe benefits received in violation of this subsection.

Sec. B-24. 20-A MRSA §13601, sub-§2, ¶B, as amended by PL 1983, c. 806, §94, is corrected to read:

B. The teacher was eligible to receive sick leave in ~~his or her~~ the teacher's previous position at the time of ~~his or her~~ the teacher's termination of employment.

Sec. B-25. 20-A MRSA §16104, first ¶, as amended by PL 1983, c. 806, §102, is corrected to read:

If the owner is aggrieved at the damages awarded ~~him or her~~ that owner under this chapter, ~~he or she~~ the owner may appeal to the Superior Court of the county in which the land or any part of it lies.

Sec. B-26. 21-A MRSA §1, sub-§5, as enacted by PL 1985, c. 161, §6, is corrected to read:

5. Candidate. "Candidate" means any person who has filed a petition under either sections 335 and 336 or sections 354 and 355 and has qualified as a candidate by either procedure, or any person who has received contributions or made expenditures or has given ~~his~~ consent for any other person to receive contributions or make expenditures with the intent of qualifying as a candidate.

Sec. B-27. 21-A MRSA §2, as enacted by PL 1985, c. 161, §6, is corrected to read:

§2. Delegation of authority

When this Title requires the performance of a duty by an official, ~~he~~ that official may delegate the duty to another under ~~his~~ that official's supervision, if it is ministerial.

Sec. B-28. 21-A MRSA §23, sub-§2, as enacted by PL 1985, c. 161, §6, is corrected to read:

2. Convention certificates. The Secretary of State shall keep the certificates required by section 322 in ~~his~~ the Secretary of State's office for 2 years.

Sec. B-29. 21-A MRSA §23, sub-§6, as enacted by PL 1985, c. 161, §6, is corrected to read:

6. Election tabulations. The Secretary of State shall keep election tabulations in ~~his~~ the Secretary of State's office for 10 years.

Sec. B-30. 21-A MRSA §23, sub-§8, as enacted by PL 1985, c. 161, §6, is corrected to read:

8. Certificate of presidential electors. The Secretary of State shall keep the certificate of the votes of the presidential electors, delivered to ~~him~~ the Secretary of State under section 805, in ~~his~~ the Secretary of State's office for one year.

Sec. B-31. 21-A MRSA §23, sub-§12, as enacted by PL 1985, c. 161, §6, is corrected to read:

12. Certificate of appointment. The Secretary of State shall keep a certificate of appointment to fill a vacancy under section 363 in ~~his~~ the Secretary of State's office for 2 years.

Sec. B-32. 21-A MRSA §23, sub-§13, as enacted by PL 1985, c. 161, §6, is corrected to read:

13. Miscellaneous. The official charged with the custody of any record not specifically provided for in this section shall keep it in ~~his~~ that official's office for 2 years.

Sec. B-33. 21-A MRSA §101, sub-§7, as enacted by PL 1985, c. 161, §6, is corrected to read:

7. Office space, expenses and clerical help. Each municipality shall provide a suitable place in which the registrar may perform ~~his~~ the registrar's duties, and shall pay reasonable expenses for necessary office supplies purchased and clerical help engaged by the registrar.

Sec. B-34. 21-A MRSA §102, sub-§3, as enacted by PL 1985, c. 161, §6, is corrected to read:

3. Duties. ~~He~~ The deputy registrar may perform any of the duties of office prescribed by the registrar.

Sec. B-35. 21-A MRSA §103, sub-§4, as enacted by PL 1985, c. 161, §6, is corrected to read:

4. ~~Chairman~~ Chair of the board. The member nominated by the clerk of the municipality is ~~chairman~~ chair of the board.

Sec. B-36. 21-A MRSA §121, sub-§1, as enacted by PL 1985, c. 161, §6, is corrected to read:

1. Oath may be required. In making this determination, the registrar may require any person who testifies before ~~him~~ the registrar concerning ~~his~~ the person's qualifications or those of another to swear to the truth of ~~his~~ the person's statements.

Sec. B-37. 21-A MRSA §129, sub-§1, as enacted by PL 1985, c. 161, §6, is corrected to read:

1. Notice. The voter must give written notice to the registrar of ~~his~~ the voter's new and former names or addresses before the close of registrations prior to election day.

Sec. B-38. 21-A MRSA §159, sub-§2, as enacted by PL 1985, c. 161, §6, is corrected to read:

2. Dual registration. A person who, having registered in one voting district or municipality within this State, or in another state, knowingly registers in another voting district or municipality within this State without revealing ~~his~~ that person's prior registration to the registrar is guilty of a Class D crime.

Sec. B-39. 21-A MRSA §314, first ¶, as enacted by PL 1985, c. 161, §6, is corrected to read:

An enrolled voter of a municipality may challenge the right of another to vote at a municipal caucus. The person challenged may vote at the caucus after ~~he~~ that person has taken the following oath administered by the ~~chairman~~ chair of the caucus.

Sec. B-40. 21-A MRSA §333, as enacted by PL 1985, c. 161, §6, is corrected to read:

§333. Qualification for county office

A candidate for any county office must be a resident of and a voter in the electoral division ~~he~~ the candidate seeks to represent on the date established for filing primary petitions in the year ~~he~~ the candidate seeks election. ~~He~~ The elected official must maintain a voting residence in that electoral division during ~~his~~ that elected official's term of office.

Sec. B-41. 21-A MRSA §335, sub-§1, as amended by PL 2019, c. 371, §10, is corrected to read:

1. Content. A primary petition must contain the name of only one candidate, ~~his~~ and that candidate's place of residence, ~~his~~ the party, office sought and electoral division. A primary petition may contain as many separate papers as necessary and may contain the candidate's consent required by section 336.

A. When 2 United States Senators are to be nominated, the primary petition must contain the term of office sought by the candidate.

Sec. B-42. 21-A MRSA §335, sub-§3, as enacted by PL 1985, c. 161, §6, is corrected to read:

3. How signed. The voter must personally sign ~~his~~ that voter's name in such a manner as to satisfy the registrar of ~~his~~ that voter's municipality that ~~he~~ the voter is

a registered voter and enrolled in the party named on the petition. Either the voter or the circulator of the petition must print the voter's name.

Sec. B-43. 21-A MRSA §336, first ¶, as enacted by PL 1985, c. 161, §6, is corrected to read:

The written consent of each candidate must be filed with his that candidate's primary petition.

Sec. B-44. 21-A MRSA §338, as enacted by PL 1985, c. 161, §6, is corrected to read:

§338. Write-in candidates

A person whose name will not appear on the printed primary ballot because ~~he that person~~ did not file a petition and consent under sections 335 and 336, but who fulfills the other qualifications under section 334, may be nominated at the primary election as a write-in candidate in accordance with section 723, subsection 1.

Sec. B-45. 21-A MRSA §352, as enacted by PL 1985, c. 161, §6, is corrected to read:

§352. Qualification for presidential elector and county office

A candidate for the office of presidential elector or any county office must be a resident of and a voter in the electoral division ~~he the candidate~~ seeks to represent on the date established for filing nomination petitions in the year ~~he the candidate~~ seeks election. ~~He The elected official~~ must maintain a voting residence in that electoral division during his the elected official's term of office.

Sec. B-46. 21-A MRSA §354, sub-§3, as enacted by PL 1985, c. 161, §6, is corrected to read:

3. How signed. The voter must personally sign his that voter's name in such a manner as to satisfy the registrar of his that voter's municipality that ~~he the voter~~ is a registered voter. Either the voter or the circulator of the petition must print the voter's name.

Sec. B-47. 21-A MRSA §355, first ¶, as enacted by PL 1985, c. 161, §6, is corrected to read:

The written consent of each candidate must be filed with his that candidate's nomination petition.

Sec. B-48. 21-A MRSA §361, first ¶, as enacted by PL 1985, c. 161, §6, is corrected to read:

A vacancy in any federal, state or county office, in the office of an election official, or in any political committee occurs when the incumbent dies, resigns, becomes disqualified or changes his the incumbent's residence to an electoral division other than that from which ~~he the incumbent~~ was elected or when the person elected fails to qualify.

Sec. B-49. 21-A MRSA §363, sub-§2, as enacted by PL 1985, c. 161, §6, is corrected to read:

2. Duties of committee. The committee shall choose a qualified person to fill the vacancy. The secretary of the committee shall immediately deliver a certificate to the Secretary of State containing the name of the person chosen, ~~his that person's~~ residence, ~~his and~~ political party, the title of the office sought, and the method by which ~~he that person~~ was chosen. The certificate must be signed by the ~~chairman~~ chair of the committee and attested to by the secretary.

A. In an electoral division consisting of more than one municipality, the municipal committee of each municipality shall meet jointly, elect a secretary and a ~~chairman~~ chair for the meeting and then fill the vacancy.

Sec. B-50. 21-A MRSA §391, sub-§1, as enacted by PL 1985, c. 161, §6, is corrected to read:

1. Interim appointment. Within a reasonable time after the vacancy occurs, the Governor shall appoint a qualified person to fill the vacancy until ~~his that person's~~ successor is elected and qualified.

Sec. B-51. 21-A MRSA §504, sub-§3, as amended by PL 1993, c. 447, §9, is corrected to read:

3. Candidate and certain relatives. A candidate or member of ~~his the candidate's~~ immediate family, in the electoral division from which the candidate seeks election.

A. This subsection does not apply to a candidate for warden or ward clerk or the immediate family of the candidate for warden or ward clerk.

B. This subsection does not apply to municipalities with a population of less than 500.

Sec. B-52. 21-A MRSA §628, sub-§1, as enacted by PL 1985, c. 161, §6, is corrected to read:

1. Custody during election. The ballot box is in the custody of the warden of each voting place during an election. ~~He The warden~~ is responsible for requiring that it is attended constantly. ~~He The warden~~ shall return it to the clerk at the close of the election.

Sec. B-53. 21-A MRSA §628, sub-§2, as enacted by PL 1985, c. 161, §6, is corrected to read:

2. Custody at other times. At other times, the ballot box is in the custody of the clerk. ~~He The clerk~~ shall keep it in good repair and shall provide safe storage for it at the expense of the municipality, subject to the supervision of the Secretary of State.

Sec. B-54. 21-A MRSA §662, sub-§1, as enacted by PL 1985, c. 161, §6, is corrected to read:

1. Enforcement of election law. ~~He The warden~~ shall enforce the law governing voting and counting procedures at the voting place over which ~~he the warden~~ has jurisdiction on election day.

Sec. B-55. 21-A MRSA §662, sub-§2, as enacted by PL 1985, c. 161, §6, is corrected to read:

2. Order at voting place. ~~He~~ The warden shall keep order at all times in and around the voting place. ~~He~~ The warden shall direct that any person who creates a disturbance or otherwise violates the law at the voting place be removed from it and, if necessary, confined until the polls are closed.

A. On request of the warden, a peace officer shall remove, confine or arrest a person who creates a disturbance or otherwise violates the law at a voting place.

Sec. B-56. 21-A MRSA §662, sub-§3, as enacted by PL 1985, c. 161, §6, is corrected to read:

3. Control of election clerk. The election clerks at the voting place are under the supervision and control of the warden. ~~He~~ The warden may assign their duties for convenience and efficiency and may delegate ~~his~~ the warden's ministerial duties to them.

Sec. B-57. 21-A MRSA §724-A, as enacted by PL 1987, c. 188, §7, is corrected to read:

§724-A. Written notice to Legislature

At the time the Governor publicly proclaims the result of the vote on any measure referred to the people for approval under the Constitution of Maine, Article IV, Part Third, Section 17 or 18, ~~he~~ the Governor shall also provide written notice of the result of that vote to the President of the Senate, the Speaker of the House and the Revisor of Statutes.

Sec. B-58. 21-A MRSA §732, sub-§1, as enacted by PL 1985, c. 161, §6, is corrected to read:

1. Primary election. In a primary election, the Secretary of State shall notify each person involved in the tie to be present at ~~his~~ the Secretary of State's office at a certain time. At that time, the Secretary of State shall select the nominee publicly by lot.

Sec. B-59. 21-A MRSA §812, sub-§2, as enacted by PL 1985, c. 161, §6, is corrected to read:

2. Voting limited. It must permit a voter to vote once and only once for each candidate and each question for whom or on which ~~he~~ that voter is entitled to vote. It must prevent a voter from voting for more persons for an office than there are offices to be filled.

Sec. B-60. 21-A MRSA §812, sub-§6, as enacted by PL 1985, c. 161, §6, is corrected to read:

6. Unauthorized voting prohibited. It must prevent a voter from voting for any office or upon any question for whom or on which ~~he~~ that voter is not entitled to vote.

Sec. B-61. 21-A MRSA §812, sub-§7, as enacted by PL 1985, c. 161, §6, is corrected to read:

7. Change of vote permitted. It must permit a voter to change or retract a vote ~~he~~ that voter has attempted to cast for any person, or on any question, before ~~his~~ that voter's vote has been completed and registered.

Sec. B-62. 21-A MRSA §814, sub-§1, as enacted by PL 1985, c. 161, §6, is corrected to read:

1. Storage and maintenance. ~~He~~ The municipal clerk is responsible for the proper storage and maintenance of each machine.

A. ~~He~~ The municipal clerk shall have each machine locked, sealed and stored in a safe, dry building.

B. ~~He~~ The municipal clerk shall have each machine kept in proper operating condition.

Sec. B-63. 21-A MRSA §816, sub-§1, as enacted by PL 1985, c. 161, §6, is corrected to read:

1. Permission to use machines refused. The clerk may not permit a voting machine to be used at any voting place, unless ~~he~~ the clerk is satisfied that the election officials at that voting place know how to operate the machine properly and how to instruct a voter in operating it.

Sec. B-64. 21-A MRSA §821, sub-§3, as enacted by PL 1985, c. 161, §6, is corrected to read:

3. Machines locked. After the voting machines have been placed in the proper position at the voting place, the clerk shall make certain that each machine is ready for use when the polls open and ~~he~~ the clerk shall then lock each machine.

Sec. B-65. 21-A MRSA §823, as enacted by PL 1985, c. 161, §6, is corrected to read:

§823. Directions for voting

A voter must follow the same procedure before voting as if paper ballots were being used. ~~He~~ The voter is entitled to the same assistance in voting by machine as by paper ballot.

Sec. B-66. 21-A MRSA §824, as enacted by PL 1985, c. 161, §6, is corrected to read:

§824. Challenge of right to vote

A voter who is challenged in a voting precinct where voting machines are used may not use the voting machine for casting ~~his~~ that voter's vote, but must use an official paper ballot.

Sec. B-67. 21-A MRSA §825, sub-§1, as enacted by PL 1985, c. 161, §6, is corrected to read:

1. Primary election. In a primary election, the warden or, in ~~his~~ the warden's absence, a designated election clerk must activate each voting machine so that a voter can vote only for the candidates of the political party in which ~~he~~ the voter is enrolled.

Sec. B-68. 21-A MRSA §826, sub-§1, as enacted by PL 1985, c. 161, §6, is corrected to read:

1. Counters exposed. As soon as the polls are closed, the warden shall unlock each machine to prevent further voting. ~~He~~ The warden shall then open the counters on each voting machine so that anyone present can see the totals. If the machine is provided with a device for printing or photographing candidate and question counters, it is not necessary to open the door concealing the counters. The warden and an election clerk from a political party other than that of the warden shall proceed to operate the mechanism provided to produce a record of the votes cast on the candidate and question counters. This record may be considered an official statement or certificate of returns for that machine and may be endorsed, delivered and filed as required by the Secretary of State.

Sec. B-69. 21-A MRSA §826, sub-§3, as enacted by PL 1985, c. 161, §6, is corrected to read:

3. Totals checked. When all the totals for a voting machine have been read and recorded, the election clerk shall check the totals recorded by ~~him~~ the election clerk with those appearing on the machine. If the totals do not agree, the election clerk shall record the number of the machine at the top of the column of totals recorded from it.

Sec. B-70. 21-A MRSA §827, sub-§3, ¶A, as amended by PL 1985, c. 614, §22, is corrected to read:

A. If the occurrence of another election requires the removal of the counter totals within 22 months after an election, the municipal clerk must have them photographed in ~~his~~ the municipal clerk's presence and in the presence of the warden and an election clerk of a party other than that of the warden. The warden must make a statement showing the number and counter totals of each machine as it is photographed. ~~He~~ The warden must sign the statement, have it attested and deliver it to the municipal clerk who shall record it. As soon as the photographs are printed legibly, the municipal clerk shall remove the totals and retain the photographs for the balance of the 22-month period. If the machines were equipped with a device or devices ~~which that~~ had produced a printed or photographed record of the vote shown on the candidate and question counters, the municipal clerk shall remove the totals and retain the printed or photographed record for the balance of the 22-month period.

Notwithstanding the requirements of this paragraph, counter totals for municipal elections conducted under this Title, referenda elections or special legislative elections ~~shall~~ must be kept for 2 months.

Sec. B-71. 21-A MRSA §843, sub-§5, as enacted by PL 1985, c. 161, §6, is corrected to read:

5. Unauthorized voting prohibited. It must prevent a voter from voting for any office or upon any question for whom or on which ~~he~~ that voter is not entitled to vote.

Sec. B-72. 21-A MRSA §847, sub-§1, as enacted by PL 1985, c. 161, §6, is corrected to read:

1. Permission to use devices refused. The clerk may not permit a voting device to be used at any voting place unless ~~he~~ the clerk is satisfied that the election officials at that voting place know how to operate the device properly and how to instruct a voter in operating it.

Sec. B-73. 24 MRSA §2304, first ¶, as amended by PL 1973, c. 585, §12, is corrected to read:

Application for the authority provided for in section 2305 must be made in the form required by the superintendent and must contain the information ~~he deems~~ the superintendent considers necessary. The application must be accompanied by a copy of each of the following documents:

Sec. B-74. 24 MRSA §2309, first ¶, as amended by PL 1973, c. 585, §12, is corrected to read:

Any dispute arising between a corporation subject to this chapter and any provider of health care with which such corporation has a contract for health care may be submitted to the superintendent for ~~his~~ the superintendent's decision with respect thereto. Any decision and findings of the superintendent made under ~~said~~ this chapter shall are not ~~be any~~ a bar to constituted legal procedure for the review of such proceedings in a court of competent jurisdiction.

Sec. B-75. 24 MRSA §2310, first ¶, as amended by PL 1973, c. 585, §12, is corrected to read:

Any dissolution or liquidation of a corporation subject to this chapter ~~shall~~ must be conducted under the supervision of the superintendent, who ~~shall have~~ has all power with respect thereto granted to ~~him~~ the superintendent under Title 24-A with respect to the dissolution and liquidation of insurance companies.

Sec. B-76. 24 MRSA §2320, sub-§1, as enacted by PL 1977, c. 470, §1, is corrected to read:

1. Home health care services. "Home health care services" means those health care services rendered in ~~his~~ a place of residence on a part-time basis to a covered person only if:

A. Hospitalization or confinement in a skilled nursing facility as defined in Title XVIII of the Social Security Act, 42 U.S.C. § 1395, et seq., would otherwise have been required if home health care was not provided; and

B. The plan covering the home health services is established as prescribed in writing by a physician.

There ~~shall~~ may not be ~~no~~ a requirement that hospitalization be an antecedent to coverage under the policy.

Sec. B-77. 24 MRSA §2322, first ¶, as repealed and replaced by PL 1979, c. 558, §3, is corrected to read:

If at any time the superintendent has reason to believe that a filing does not meet the requirements that rates shall not be excessive, inadequate or unfairly discriminatory or that the filing violates any of Title 24-A, chapter 23, to the extent it is applicable pursuant to section 2317, ~~he~~ the superintendent shall cause a hearing to be held.

Sec. B-78. 24 MRSA §2502, sub-§6, as enacted by PL 1985, c. 804, §§5 and 22, is corrected to read:

6. Action for professional negligence. "Action for professional negligence" means any action for damages for injury or death against any health care provider, its agents or employees, or health care practitioner, ~~his~~ or the health care practitioner's agents or employees, whether based upon tort or breach of contract or otherwise, arising out of the provision or failure to provide health care services.

Sec. B-79. 24 MRSA §2509, sub-§4, as enacted by PL 1977, c. 492, §3, is corrected to read:

4. Disclosure to physician. A physician ~~shall~~ must be provided with a written notice of the substance of any information received pursuant to this chapter and placed in ~~his~~ the physician's individual historical record.

Sec. B-80. 24 MRSA §2509, sub-§5, as enacted by PL 1977, c. 492, §3, is corrected to read:

5. Examination of records by physician; response to information. A physician or ~~his~~ the physician's authorized representative ~~shall have~~ has the right, upon request, to examine the physician's individual historical record ~~which~~ that the board maintains pursuant to this chapter, and to place into the record a statement of reasonable length of the physician's view of the correctness or relevance of any information existing in the record. The statement ~~shall~~ must at all times accompany that part of the record in contention. This subsection ~~shall~~ does not apply to material submitted to the board in confidence prior to licensure by the board.

Sec. B-81. 24 MRSA §2606, first ¶, as enacted by PL 1977, c. 492, §3, is corrected to read:

There ~~shall be~~ is no liability on the part of and a cause of action of any nature ~~shall~~ does not arise against an insurer reporting hereunder or its agents or employees, or the superintendent or ~~his~~ the superintendent's representatives for any action taken by them pursuant to this subchapter.

Sec. B-82. 24 MRSA §2852, sub-§3, as enacted by PL 1985, c. 804, §§12 and 22, is corrected to read:

3. Challenges; replacements. If any panel member other than the ~~chairman~~ chair is unable or unwilling

to serve in any matter or is challenged for cause by any person who is a party to a proceeding before a panel, the party challenging the member shall request a replacement from the lists maintained by the clerk under subsection 1, chosen by the ~~chairman~~ chair who shall so notify the parties. ~~There shall only be~~ Only challenges for cause are allowed. The ~~chairman~~ chair shall inquire as to any bias on the part of a panel member or as requested by any party.

If the ~~chairman~~ chair is challenged for cause by any person who is a party to the proceeding before a panel, the party challenging shall notify the Chief Justice of the Superior Court. If the ~~chief justice~~ Chief Justice finds cause for the challenge, ~~he~~ the Chief Justice shall replace the ~~chairman~~ chair as under subsection 2, paragraph A.

Sec. B-83. 24 MRSA §2852, sub-§5, as enacted by PL 1985, c. 804, §§12 and 22, is corrected to read:

5. Subpoena power. The panel, through the ~~chairman~~ chair, ~~shall have~~ has the same subpoena power as exists for a Superior Court Judge. The ~~chairman~~ chair ~~shall~~ has sole authority, without requiring the agreement of other panel members, to issue subpoenas.

Sec. B-84. 24 MRSA §2853, sub-§2, as enacted by PL 1985, c. 804, §§12 and 22, is corrected to read:

2. Appearance; filing fee. Within 20 days of receipt of notice of service upon the clerk, the person or persons accused of professional negligence in the notice or ~~his~~ the person's or persons' representative shall file an appearance before the panel with a copy to the claimant. At the time of filing an appearance, the person or persons accused of professional negligence in the notice shall each pay a filing fee of \$200 per notice filed.

Sec. B-85. 24 MRSA §2853, sub-§6, as enacted by PL 1985, c. 804, §§12 and 22, is corrected to read:

6. Combining hearings. Except as otherwise provided in this subsection, there ~~shall~~ must be one combined hearing or hearings for all claims under this section arising out of the same set of facts. ~~Where~~ When there is more than one person accused of professional negligence against whom a notice of claim has been filed based on the same facts, the parties may, upon agreement of all parties, require that hearings be separated. The ~~chairman~~ chair may, for good cause, order separate hearings.

Sec. B-86. 34-B MRSA §1207, sub-§1, ¶A, as amended by PL 1985, c. 582, is corrected to read:

A. A client, ~~his~~ a client's legal guardian, if any, or, if ~~he~~ the client is a minor, ~~his~~ the client's parent or legal guardian may give ~~his~~ informed written consent to the disclosure of information;

Sec. B-87. 34-B MRSA §1207, sub-§1, ¶D, as enacted by PL 1983, c. 459, §7, is corrected to read:

D. Nothing in this subsection precludes disclosure, upon proper inquiry, of information relating to the physical condition or mental status of a client to ~~his~~ that client's spouse or next of kin;

Sec. B-88. 34-B MRSA §1207, sub-§2, as enacted by PL 1983, c. 459, §7, is corrected to read:

2. Statistical compilations and research. Confidentiality of records used for statistical compilations or research is governed as follows.

A. Persons engaged in statistical compilation or research may have access to treatment records of clients when needed for research, if:

(1) The access is approved by the chief administrative officer of the mental health facility or ~~his~~ the chief administrative officer's designee;

(2) The research plan is first submitted to and approved by the chief administrative officer of the mental health facility, or ~~his~~ the chief administrative officer's designee, where the person engaged in research or statistical compilation is to have access to communications and records; and

(3) The records are not removed from the mental health facility ~~which that~~ prepared them, except that data ~~which that~~ do not identify clients or coded data may be removed from a mental health facility if the key to the code remains on the premises of the facility.

B. The chief administrative officer of the mental health facility and the person doing the research shall preserve the anonymity of the client and may not disseminate data ~~which that~~ refer to the client by name, number or combination of characteristics ~~which that~~ together could lead to ~~his~~ the client's identification.

Sec. B-89. 34-B MRSA §1404, as enacted by PL 1983, c. 459, §7, is corrected to read:

§1404. Legal actions

1. Contract actions. Actions founded on any contract made with the State Purchasing Agent, or with any official of the department under the authority granted by the State Purchasing Agent, on behalf of any of the state institutions, may be brought by the official making the contract or ~~his~~ that official's successor in office.

2. Actions for injuries to property. Actions for injuries to the real or personal property of the State, used by any state institution and under the management of the chief administrative officer of the institution, may be prosecuted in the name of the officer or ~~his~~ that of- icer's successor in office.

Sec. B-90. 34-B MRSA §1409, sub-§3, as amended by PL 1983, c. 701, §6, is corrected to read:

3. Liable persons. Each resident, ~~his~~ the resident's spouse, and ~~his~~ the resident's parent are jointly and severally liable for the care and treatment of the resident, whether the resident was committed or otherwise legally admitted, from the date of the resident's admission to a state institution, except that:

A. A parent is not liable for a child resident's care and treatment, unless the child resident was wholly or partially dependent for support upon the parent at the time of admission; and

C. The department may not charge any parent for the care and treatment of a child resident beyond the child's 18th birthday, or beyond 6 months from the date of the child's admission, whichever occurs later.

Sec. B-91. 34-B MRSA §1409, sub-§6, ¶B, as enacted by PL 1983, c. 459, §7, is corrected by correcting subparagraph (1) to read:

(1) Any person failing to obey a subpoena may, upon petition of the commissioner to any Justice of the Superior Court, be ordered by the justice to appear and show cause for ~~his~~ that person's disobedience of the subpoena.

Sec. B-92. 34-B MRSA §1409, sub-§12, as enacted by PL 1983, c. 459, §7, is corrected to read:

12. Prohibited acts. A person is guilty of contempt if ~~he~~ that person fails to obey a subpoena when ordered to do so by a Justice of the Superior Court under subsection 6, upon application by the commissioner to the Superior Court for an order of contempt.

Sec. B-93. 34-B MRSA §3003, sub-§2, ¶G, as enacted by PL 1983, c. 459, §7, is corrected to read:

G. Establishment of the right to confidentiality of records and procedures pertaining to a person's right to access to ~~his~~ that person's mental health care records;

Sec. B-94. 34-B MRSA §3801, sub-§2, as enacted by PL 1983, c. 459, §7, is corrected to read:

2. Licensed physician. "Licensed physician" means a person licensed under the laws of the State to practice medicine or osteopathy or a medical officer of the Federal Government while in this State in the performance of ~~his~~ official duties.

Sec. B-95. 34-B MRSA §3802, sub-§1, as enacted by PL 1983, c. 459, §7, is corrected to read:

1. Rules. ~~Promulgate~~ Adopt such rules, not inconsistent with this subchapter, as ~~he~~ the commissioner may find to be reasonably necessary for proper and efficient hospitalization of the mentally ill;

Sec. B-96. 34-B MRSA §3804, as enacted by PL 1983, c. 459, §7, is corrected to read:

§3804. Habeas corpus

Any person detained pursuant to this subchapter is entitled to the writ of habeas corpus, upon proper petition by ~~himself~~ the person or by a friend to any justice generally empowered to issue the writ of habeas corpus in the county in which the person is detained.

Sec. B-97. 34-B MRSA §3805, sub-§1, as enacted by PL 1983, c. 459, §7, is corrected to read:

1. Unwarranted hospitalization. A person is guilty of causing unwarranted hospitalization, if ~~he~~ that person willfully causes the unwarranted hospitalization of any person under this subchapter.

Sec. B-98. 34-B MRSA §3805, sub-§2, as enacted by PL 1983, c. 459, §7, is corrected to read:

2. Denial of rights. A person is guilty of causing a denial of rights if ~~he~~ that person willfully causes the denial to any person of any of the rights accorded ~~to him~~ by this subchapter.

Sec. B-99. 34-B MRSA §5461, sub-§6, as enacted by PL 1983, c. 459, §7, is corrected to read:

6. Habilitation. "Habilitation" means a process by which a person is assisted to acquire and maintain skills ~~which~~ that:

A. Enable ~~him~~ that person to cope more effectively with the demands of ~~his~~ that person's own person and of the environment;

B. Raise the level of ~~his~~ that person's physical, mental and social efficiency; and

C. Upgrade ~~his~~ that person's sense of well-being.

Sec. B-100. 34-B MRSA §5461, sub-§10, ¶A, as enacted by PL 1983, c. 580, §12, is corrected to read:

A. A person possessing appropriate licensure, certification or registration to practice ~~his~~ that person's discipline in the community; or

Sec. B-101. 34-B MRSA §5601, sub-§4, as enacted by PL 1983, c. 459, §7, is corrected to read:

4. Habilitation. "Habilitation" means the process by which an individual is assisted to acquire and maintain those life skills ~~which~~ that enable ~~him~~ that individual to cope with the demands of ~~his~~ that individual's own person and environment, to raise the level of ~~his~~ that individual's physical, mental and social efficiency and to upgrade ~~his~~ that individual's sense of well-being, including, but not limited to, programs of formal, structured education and treatment.

Sec. B-102. 34-B MRSA §6202, sub-§2, as enacted by PL 1985, c. 503, §12, is corrected to read:

2. Spiritual treatment. Nothing in this subchapter may replace or limit the right of any child to treatment in accordance with a recognized religious method of healing, if the treatment is requested by the person or by ~~his~~ the person's parent or guardian.

Sec. B-103. 34-B MRSA §7005, sub-§2, as enacted by PL 1983, c. 459, §7, is corrected to read:

2. Determination prior to issuance of order. Before an order may be issued, the court shall determine whether the person seeking sterilization or for whom sterilization is sought is able to give informed consent for sterilization and, if so, whether ~~he~~ that person has given informed consent for sterilization.

Sec. B-104. 34-B MRSA §7007, sub-§3, as enacted by PL 1983, c. 459, §7, is corrected to read:

3. Service of notice. The court shall cause a copy of the petition and notice of hearing to be served on the person seeking sterilization or for whom sterilization is sought and ~~his~~ that person's guardian or custodian, if any, at least 7 days prior to the hearing date. If a guardian or custodian of the person seeking sterilization or for whom sterilization is sought is not a resident of this State, notice may be served by registered mail. If the residence of a guardian or custodian is unknown, an affidavit so stating ~~shall~~ must be filed in lieu of service.

Sec. B-105. 34-B MRSA §7008, sub-§2, as enacted by PL 1983, c. 459, §7, is corrected to read:

2. Appointment of disinterested experts. For the purpose of determining a person's ability to give informed consent, the court shall appoint not less than 2 disinterested experts experienced in the field of developmental disabilities or mental health, including at least one psychologist or psychiatrist, to examine the person, to report on that examination and to testify at the hearing as to ~~his~~ the person's competency. Other evidence regarding the person's capabilities may be introduced at the hearing by any party.

Sec. B-106. 34-B MRSA §7008, sub-§3, as enacted by PL 1983, c. 459, §7, is corrected to read:

3. Preference of person seeking sterilization or for whom sterilization is sought. If the person seeking sterilization or for whom sterilization is sought has any preference as to a disinterested expert by whom ~~he~~ that person would prefer to be examined, the court shall make a reasonable effort to accommodate that preference.

Sec. B-107. 34-B MRSA §7008, sub-§4, as enacted by PL 1983, c. 459, §7, is corrected to read:

4. Person's presence at hearing. The person seeking sterilization or for whom sterilization is sought ~~shall~~ must be present at any hearing regarding ~~his~~ the person's ability to give informed consent for sterilization, unless that right is waived by the person, personally or through ~~his~~ the person's attorney, and that waiver

is approved by the court. The court shall inquire at the time of the hearing as to the types and effects of any medications being administered to or taken by the person.

Sec. B-108. 34-B MRSA §7012, as enacted by PL 1983, c. 459, §7, is corrected to read:

§7012. Notice of hearing upon the petition to determine the best interest of a person being considered for sterilization

Upon the receipt of a petition, the court shall assign a time, not later than 30 days thereafter, and a place for a hearing on the petition. The court may, at its discretion, hold the hearing on the petition at a place within the county other than the usual courtroom; if it would facilitate the presence of the person being considered for sterilization. The court shall cause the petition and notice of the hearing to be served on the person being considered for sterilization and ~~his~~ the person's guardian or custodian at least 20 days prior to the hearing date. The court shall direct that personal service be made upon the person being considered for sterilization and ~~his~~ the person's guardian or custodian. If the guardian or custodian of the person being considered for sterilization is not a resident of this State, notice may be served by registered mail. If the residence of the guardian or custodian of the person being considered for sterilization is unknown, an affidavit so stating ~~shall~~ must be filed in lieu of service.

Sec. B-109. 34-B MRSA §7013, sub-§2, as enacted by PL 1983, c. 459, §7, is corrected to read:

2. Presence of person; counsel; findings. The person being considered for sterilization ~~shall~~ must be physically present throughout the entire best interest hearing, unless that right is waived by the person, personally or through ~~his~~ the person's attorney, and that waiver is approved by the court. The person being considered for sterilization ~~shall~~ must be represented by counsel and provided the right and opportunity to be confronted with and to cross-examine all witnesses. The right to counsel may not be waived. If the person cannot afford counsel, the court shall appoint an attorney, not less than 20 days before the scheduled hearing, to represent the person at public expense. A reasonable fee ~~shall~~ must be set for appointed counsel by the District Court. Counsel shall represent the person being considered for sterilization in assuring that information and evidence in opposition to sterilization without informed consent is fully represented. All stages of the hearing ~~shall~~ must be recorded by a tape recorder or a court reporter, as the court may direct. In all cases, the court shall issue written findings to support its decision.

Sec. B-110. 34-B MRSA §7013, sub-§6, as enacted by PL 1983, c. 459, §7, is corrected to read:

6. Court order. If the court finds that sterilization is in the best interest of the person being considered for sterilization, the court shall order that sterilization may

be performed. The sterilization procedure used ~~shall~~ must be the most reversible procedure available at the time when, in the judgment of the physician performing the sterilization, that procedure is not inconsistent with the health or safety of ~~his~~ the patient. If the court finds that sterilization is not in the best interest of the person being considered for sterilization, the court shall order that sterilization may not be performed, unless the order is amended by a District Court to permit sterilization.

Sec. B-111. 34-B MRSA §7016, sub-§2, as enacted by PL 1983, c. 459, §7, is corrected to read:

2. Immunity. A physician, psychiatrist or psychologist acting nonnegligently and in good faith in ~~his~~ that physician's, psychiatrist's or psychologist's professional capacity under this chapter is immune from any civil liability that might otherwise result from ~~his~~ that physician's, psychiatrist's or psychologist's actions. In a proceeding regarding immunity from liability, there ~~shall be~~ is a rebuttable presumption of good faith.

Sec. B-112. 34-B MRSA §9003, sub-§1, as enacted by PL 1983, c. 459, §7, is corrected to read:

1. Eligibility. Whenever a person physically present in any party state ~~shall be~~ is in need of institutionalization by reason of mental illness or mental deficiency, ~~he shall be~~ that person is eligible for care and treatment in an institution in that state irrespective of ~~his~~ that person's residence, settlement or citizenship qualifications.

Sec. B-113. 34-B MRSA §9003, sub-§4, as enacted by PL 1983, c. 459, §7, is corrected to read:

4. Priorities. In the event that the laws of the receiving state establish a system of priorities for the admission of patients, an interstate patient under this compact ~~shall~~ must receive the same priority as a local patient and ~~shall~~ must be taken in the same order and at the same time that ~~he~~ that interstate patient would be taken if ~~he~~ that interstate patient were a local patient.

EXPLANATION

Pursuant to Public Law 2019, chapter 475, section 52, this Part corrects gender-specific references within statutory units in the Maine Revised Statutes, Titles 20-A, 21-A, 24 and 34-B and incorporates certain administrative changes and corrections to those statutory units authorized under Title 1, section 93.

SELECTED MEMORIALS AND JOINT RESOLUTIONS

**JOINT RESOLUTION
HONORING UNITED
STATES REPRESENTATIVE
JOHN LEWIS**

H.P. 439

WHEREAS, the Honorable John Robert Lewis was a beloved Georgia congressional representative, a political force and an ally for marginalized people everywhere; and

WHEREAS, Mr. Lewis served as the United States Representative for Georgia's Fifth Congressional District for more than 3 decades; and

WHEREAS, Mr. Lewis was considered a moral conscience of Congress because of his belief in a non-violent fight for civil rights; and

WHEREAS, Mr. Lewis' passion for equal rights was backed by a long record of action that included dozens of arrests during protests against racial and social injustice; and

WHEREAS, as a follower and colleague of Dr. Martin Luther King, Jr., Mr. Lewis participated in lunch counter sit-ins, joined the Freedom Riders in challenging segregated buses and, at the age of 23, was a keynote speaker at the historic 1963 March on Washington; and

WHEREAS, at age 25, Mr. Lewis helped lead a march for voting rights on the Edmund Pettus Bridge in Selma, Alabama, where he and other marchers were met by heavily armed state and local police who attacked them with clubs, fracturing his skull; and

WHEREAS, images from that day, now known as "Bloody Sunday," shocked the nation and galvanized support for the Voting Rights Act of 1965, signed into law by President Lyndon B. Johnson; and

WHEREAS, in 2011, after more than 50 years on the front lines of the civil rights movement, Mr. Lewis was awarded the Presidential Medal of Freedom by President Barack Obama, the first African-American President of the United States; and

WHEREAS, Mr. Lewis is recognized as a great American statesman, patriot and champion of democracy; and

WHEREAS, Mr. Lewis was diagnosed with pancreatic cancer in December 2019 and passed away July 17, 2020; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirtieth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize the life and

legacy of the Honorable John Robert Lewis, a great leader and a civil rights icon, and urge the citizens of the State to recognize the importance of preserving civil liberties for all.

**Read and adopted by the House of Representatives
March 10, 2021 and the Senate March 11, 2021.**

**JOINT RESOLUTION
RECOGNIZING THE
SCHOOL BUS DRIVERS OF
THE STATE FOR THEIR
SERVICE DURING THE
COVID-19 PANDEMIC**

S.P. 215

WHEREAS, school bus drivers provide the first and last interactions that many students have during the week; and

WHEREAS, school bus drivers have a duty to safely bring children to school and back each school day; and

WHEREAS, this duty requires skills in navigating road and weather hazards, ensuring the safety of the students who ride the bus, avoiding distractions and serving in a leadership role; and

WHEREAS, the COVID-19 pandemic has increased the duties of school bus drivers, requiring them to take additional safety measures for themselves and for their passengers; and

WHEREAS, school bus drivers play an extraordinary role in the lives of Maine students, and these individuals deserve our clear and obvious recognition; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirtieth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize the school bus drivers of the State for their exemplary service during the COVID-19 pandemic.

**Read and adopted by the Senate March 10, 2021
and the House of Representatives March 11, 2021.**

**JOINT RESOLUTION
MEMORIALIZING THE
FEDERAL GOVERNMENT
TO ELIMINATE THE
WINDFALL ELIMINATION
PROVISION THAT
PENALIZES MAINE STATE
RETIREES**

S.P. 332

WE, your Memorialists, the Members of the One Hundred and Thirtieth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the Congress of the United States, as follows:

WHEREAS, under current federal law, individuals who receive a Social Security benefit and a public retirement benefit derived from employment not covered under Social Security are subject to a reduction in the Social Security benefits; and

WHEREAS, these laws, contained in the federal Social Security Act, 42 United States Code, Chapter 7, Subchapter II, Federal Old-Age, Survivors, and Disability Insurance Benefits, and known as the Government Pension Offset and the Windfall Elimination Provision, greatly affect public employees, particularly women; and

WHEREAS, the Windfall Elimination Provision reduces by a formula the Social Security benefit of a person who is also receiving a pension from a public employer that does not participate in Social Security; and

WHEREAS, the Government Pension Offset and the Windfall Elimination Provision are particularly burdensome on the finances of low-income and moderate-income public service workers, such as school teachers, clerical workers and school cafeteria employees, whose wages are low to start; and

WHEREAS, the Government Pension Offset and the Windfall Elimination Provision both unfairly reduce benefits for those public employees and their spouses whose careers cross the line between the private and public sectors; and

WHEREAS, since many lower-paying public service jobs are held by women, both the Government Pension Offset and the Windfall Elimination Provision have a disproportionately adverse effect on women; and

WHEREAS, in some cases, additional support in the form of income, housing, heating and prescription drug and other safety net assistance from state and local governments is needed to make up for the reductions imposed at the federal level; and

WHEREAS, other participants in Social Security do not have their benefits reduced in this manner; and

WHEREAS, to participate or not to participate in Social Security in public sector employment is a decision of employers, even though both the Government Pension Offset and the Windfall Elimination Provision directly punish employees and their spouses; and

WHEREAS, although the Government Pension Offset was enacted in 1977 and the Windfall Elimination Provision was enacted in 1983, many of the benefits in dispute were paid into Social Security prior to that time; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the President of the United States and the Congress of the United States work together to support reform proposals that include the following protections for low-income and moderate-income government retirees:

1. Protections permitting retention of a combined public pension and Social Security benefit with no applied reductions;
2. Protections permanently ensuring that level of benefit by indexing it to inflation; and
3. Protections ensuring that no current recipient's benefit is reduced by the reform legislation; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Joseph R. Biden, Jr., President of the United States; the President of the United States Senate; the Speaker of the United States House of Representatives; and each Member of the Maine Congressional Delegation.

**Read and adopted by the Senate March 10, 2021
and the House of Representatives March 11, 2021.**

**JOINT RESOLUTION,
RECOGNIZING THE WORK
OF TEACHERS DURING
THE COVID-19 PANDEMIC**

H.P. 882

WHEREAS, education and knowledge are the foundation of the current and future strength of Maine; and

WHEREAS, teachers and other education staff have earned and deserve the respect of their students and communities for their selfless dedication to community service and the futures of the children of Maine; and

WHEREAS, it is important to recognize the extraordinary role teachers and other education staff play in the lives of Maine students; and

SELECTED MEMORIALS AND JOINT RESOLUTIONS

WHEREAS, the COVID-19 pandemic has increased and dramatically changed the duties of teachers and other education staff; and

WHEREAS, despite school closures due to the COVID-19 pandemic, teachers and other education staff have stepped up in new ways to support their students and communities, including by coordinating remote learning, supporting the mental health of students, providing meals to students in need and distributing technology to students; and

WHEREAS, this implementation of adaptive responses to the emerging education challenges serves to protect young people's educational opportunities during and following the COVID-19 pandemic; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirtieth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize the roles and contributions of the teachers and other education staff in building and enhancing the civic, cultural and economic well-being of Maine and in supporting students' opportunity to learn during the challenging crisis of the COVID-19 pandemic.

**Read and adopted by the House of Representatives
March 30, 2021 and the Senate March 30, 2021.**

**JOINT RESOLUTION
URGING THE CONGRESS
OF THE UNITED STATES
TO REPEAL AND REPLACE
OUTDATED
AUTHORIZATIONS OF
MILITARY FORCE
S.P. 556**

WE, your Memorialists, the Members of the One Hundred and Thirtieth Legislature of the State of Maine now assembled in the First Special Session, most respectfully present and petition the Congress of the United States, as follows:

WHEREAS, nearly 2 decades after the attack on the World Trade Center and the Pentagon, United States troops continue to wage war in Iraq, Afghanistan and other parts of the world; and

WHEREAS, our service members accomplished their original objectives in Afghanistan long ago, at great psychological, physical and spiritual cost; and

WHEREAS, the war on terrorism, the "forever war" or "endless war" as many call it, has been used as the basis for an ever-expanding range of military actions; and

WHEREAS, James Madison wrote to Thomas Jefferson in 1798, "The constitution supposes, what the History of all Governments demonstrates that the Executive is the branch of power most interested in war It has accordingly with studied care, vested the question of war in the Legislature"; and

WHEREAS, Congress has mostly abdicated its Article I responsibilities to authorize and oversee military actions by extensive, potentially permanent delegations of congressional war powers; and

WHEREAS, the Authorization for Use of Military Force passed after the September 11 attacks has now been in effect for more than twice as long as the 1964-1971 Gulf of Tonkin Resolution, which gave President Lyndon B. Johnson authorization, without a formal declaration of war by Congress, for the use of conventional military force in Southeast Asia; and

WHEREAS, the United States Department of Defense's 2018 National Defense Strategy outlines a scenario where great power competition, rather than counterterrorism, drives the department's decision making and use of force; and

WHEREAS, a growing number of foreign policy officials have begun to advocate for a drawdown in the Middle East and Central Asia because of the opportunity costs to America's mission of balancing its strength against the so-called revisionist powers of China and Russia; and

WHEREAS, the emphasis on bolstering a deterrent posture in Asia and Europe should have an attendant impact that reduces the United States military's activities in the Middle East, Africa and the Western Hemisphere; and

WHEREAS, from global pandemics to the support of weak and fragile states, the United States faces an unprecedented number of complex global threats that cannot be solved by military power alone; and

WHEREAS, a disproportionate amount of resources is going to military and intelligence solutions along with a more general sidelining of diplomacy amid a continuing militarization of foreign policy; and

WHEREAS, addressing the root causes of violent conflicts overseas through development and diplomacy helps protect Americans and helps reduce the need to send our service members into harm's way; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the Congress of the United States work to renew a proper constitutional balance in American foreign policy decision making by repealing and replacing outdated authorizations for the use of military force; and be it further

SELECTED MEMORIALS AND JOINT RESOLUTIONS

RESOLVED: That We, your Memorialists, advocate for the importance of a civilian-led approach to elevating development and diplomacy along with a strong defense in order to build a better, safer world; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Joseph R. Biden, Jr., President of the United States; the President of the United States Senate; the Speaker of the House of Representatives of the United States; and each Member of the Maine Congressional Delegation.

Read and adopted by the Senate May 19, 2021 and the House of Representatives June 2, 2021.

**JOINT RESOLUTION
RECOGNIZING CLEAN
ENERGY'S IMPORTANCE
TO MAINE'S
INFRASTRUCTURE AND
ECONOMIC FUTURE**

H.P. 1298

WHEREAS, the State has a proud history advancing Maine's clean energy sector to support infrastructure developments and other key industries; and

WHEREAS, Maine can continue to expand in-state energy production by taking advantage of opportunities in clean energy, thereby expanding and diversifying our economic base while achieving 100 percent renewable energy by 2050; and

WHEREAS, clean energy is part of America's energy future and includes not only generation from renewable sources but also upgrades to technologies and energy storage; and

WHEREAS, Maine can invest in our energy infrastructure to include affordable, efficient battery storage technologies; and

WHEREAS, over 11,900 Maine citizens are currently employed in the clean energy sector; and

WHEREAS, further bipartisan infrastructure investments and the advancement of clean energy innovation on the federal level will help spur economic development and new business growth, creating future-facing jobs for hard-working Maine citizens while supporting stronger, more vibrant and increasingly cleaner communities; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirtieth Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to recognize the value of clean energy, including the promise of abundant job opportunities, economic growth, energy independence,

consumer choice, lower energy prices and a cleaner environment; and be it further

RESOLVED: That we recognize that clean energy generation from all renewable sources plays an important role in Maine's diverse energy portfolio and that investing in clean energy infrastructure is of fundamental importance to the long-term health of our roads, bridges, electrical grid, cybersecurity, economy and quality of life.

Read and adopted by the House of Representatives July 19, 2021 and the Senate July 19, 2021.

**STATE OF THE BUDGET ADDRESS
OF
GOVERNOR JANET T. MILLS
FEBRUARY 23, 2021**

(Submitted in writing to the Legislature on February 23, 2021.)

Governor Mills' 2021 State of the Budget Address

Introduction

There's never a better time than a Maine winter night to look up at the stars.

It was my grandfather — a man from Ashland who looked like Gary Cooper — who showed me how to find Orion in the night sky. And the Big Dipper. And the North Star. I couldn't rely on Google. Or a book on the stars. Or a television series, the Discovery Channel, or a Netflix special on astronomy.

It is not a book or a map that I rely on now to pick out those constellations.

It is my grandfather's loving voice, his outstretched arm pointing my young eyes to the deep sky.

It is not Google alone that will show us how to live today. Not Facebook, Instagram or Twitter that will teach us how to love or teach us wisdom and compassion.

It is experience, resilience and, most importantly, perseverance, the perseverance of an Aroostook County farmer.

We've been through a lot these past twelve months. You and I. And perseverance will see us through these times, no matter who we are or where we live.

Our entire state has been through so much this year. Our whole country.

We have been tested.

A deadly terror invaded our nation, indeed the globe.

Our border with Canada — the world's longest — closed for the first time ever.

Cruise ships cancelled.

Classrooms closed.

Graduations were celebrated in large open parking lots and drive-in theaters.

Weddings were postponed.

Funerals were held to small hug-less gatherings.

Loggers and haulers were idled in a paperless economy, while a paper mill's giant digester blew up in broad daylight, threatening the lives of hundreds and the livelihoods of thousands.

Lunch rooms and popular restaurants were limited to take out and curbside pickup.

Hotels and stores operated at unheralded losses.

Souvenir shops, water slides, agricultural fairs, auto races, church services, baseball games, football contests — all drastically modified, transformed or cancelled.

At the same time, a man named George Floyd was killed at the hands of law enforcement officers in Minneapolis, lighting a firestorm of protests across the country, including many here in Maine proclaiming loudly that Black Lives Matter.

A general election challenged our ability to adapt and yet brought out the largest turnout in Maine history, with more than 62% voting absentee, or voting in advance, including 100-year old Phyllis Nikkel of Rockport who has seen her 26th presidential election. And on the national level, a Presidential contest seemed to test our sanity, even the durability of our democratic institutions.

Everything we have known, everything that was familiar, so much was canceled, modified, restricted.

Our world changed, and we had new words to define it.

We learned or re-invented words, like "quarantine," "PPE," "bubble," "cohort," "flatten the curve," "super spreader," "thruput," "surge," "social distancing," "positivity rate."

Other words have taken on new meanings and popularity: "pivot," "variant," "you're on mute," and, of course, "zoom."

More importantly, however, a half a million Americans have died with COVID-19.

STATE OF THE BUDGET ADDRESS

Nationally, those lives include notables like Herman Cain; Charley Pride; John Prine; Annie Glenn; Larry King; the newly elected New Hampshire Speaker of the House Dick Hinch.

In Maine, we have lost more than 650 people — friends, loved ones, neighbors, each with a life that had meaning and purpose, people like Ron Johnson, father of five, former Major League baseball player, coach and manager of the Portland Sea Dogs; and Kerck Kelsey, member of the historic Washburn family that include Israel Washburn, Maine's governor at the start of the Civil War.

Dozens of Maine veterans — sailors, gunmen, mechanics — died without family members at their bedside, without color guards or taps played at their memorial services: heroes like Rob Fleury, 94, who served in the Navy in World War II and Dr. Jim Paras, also a World War II veteran who dropped out of high school to join the war effort and later enjoyed the big dance bands on the Old Orchard Beach pier.

Another great hero died this year.

"Hammerin' Hank" Aaron — the right fielder who broke Babe Ruth's home run record in 1974 and who holds the record for the most All-Star picks — But a year later, he broke another, equally important, record, surpassing Babe Ruth in RBIs, ending his career with 2,297 runs batted in.

That baseball great who grew up in a family too poor to buy a baseball bat, a Black man who faced hate and adversity, did not just revel in the solo performance of home run hitting, alone in the limelight.

No, his greater accomplishment, I think, was the reward of bringing his teammates home, one after the other. A home run may win a ballgame on occasion, but more often, it is the steady work of base hit after base hit — an effort driven by many, rather than just one — that wins more games.

We too are a team of multitalented players: some known for their home run hitting power or timely base hits; others for tracking down that deep flyball or pinch running the bases — but all, in their own ways, contributing to the success of the team.

This is the story of Maine as well: one team of many, a team that includes unsung heroes, some of whom face adversity day after day, but all of whom contribute to our success.

SELECTED ADDRESSES TO THE LEGISLATURE

They are nurses, bus drivers, CNAs, teachers and ed techs, volunteers, working parents stretched to the nines, delivery drivers, grocery clerks, fishermen, haulers and farmers, and so, so many more. You know who you are.

During this pandemic, despite risks to yourselves and the adversity of our time and through courage, compassion and perseverance, you have helped our state succeed.

You have saved lives and secured the future of many children.

You, the people of Maine, are our Most Valuable Players.

Private and Public Partnerships

For that true team effort, we need look no further than innovative Maine companies like IDEXX, Jackson Labs, Puritan, and Abbott who are meeting the challenges of our times.

IDEXX, well known for its work in veterinary science, shifted to produce innovative test materials for COVID-19 at a time when testing was so very scarce.

They helped us more than triple our capacity to test Maine people — a huge life saver in those early, dark days of the pandemic.

Other companies, like MaineSource Machining, which makes barbeques, switched to manufacturing ballot dropboxes, designed by members of the Community Colleges, to help us conduct a safe election; breweries and distillers, like Maine Craft Distilling, shifted to producing hand sanitizer; LL Bean and Flowfold produced face masks and face shields; Lee Auto produced public service ads on public health precautions; Bangor Savings funded internet devices for needy school children.

The Maine Coast Fishermen's Association started the Fishermen Feeding Mainers Program to purchase fish directly from fishermen handing it off to local processors to cut, package, and freeze fish to feed hungry Maine people. And the state was happy to help with this effort.

I also applaud the more than 3,000 hospitality workers who participated in COVID-19 safety training, offered by the Maine Community College System, to protect Maine people and visitors alike.

This is innovation.

This is ingenuity.

This is perseverance.

This is Maine people working together.

State of Maine COVID-19 Response

My Administration has sought to do its part to protect the lives and livelihoods of Maine people. With help from the Maine Legislature last spring, we began rallying the forces necessary to help people who were suffering job losses, to get food to school children and to build out our team of health professionals to protect Maine families from this dangerous virus.

My Administration implemented public health and safety measures, dialing them up and then scaling them down when we believed the circumstances demanded it. We directed people to wear masks in public, much the same as they would wear a hard hat at a construction site or safety glasses and ear protectors in a paper mill. We asked you to watch your distance and avoid large gatherings. And you did.

We then went to work distributing Federal funds to support the Maine economy and to aid Maine people in desperate need:

- We distributed more than \$255 million in economic recovery grants to small businesses and \$294 million to bolster the Unemployment Trust Fund and avoid large tax hikes on small businesses;
- We gave out more than \$25 million for one-time \$600 payments to 40,000 unemployed Maine people who were about to lose their benefits;
- We provided \$28 million for rental assistance to prevent eviction and;
- We bought \$9.3 million worth of at-home learning devices, like tablets, and Wi-Fi hotspots for more than 21,000 students who were trying to learn remotely but didn't have internet access.

We even partnered with local broadband providers, dedicating \$5.6 million to build out broadband infrastructure and deliver high-speed internet to more than 730 students in rural Maine.

We distributed \$20 million in Federal relief funds to Maine fishermen and \$18 million to farmers and foodbanks.

We partnered with towns and cities, allocating \$13 million for the Keep Maine Healthy program, promoting public health and educational initiatives during the busy tourist season, including beach ambassadors to keep people safe.

The collective efforts of our people and their government, for now, are working.

Maine COVID-19 Results

According to the Maine Department of Health and Human Services, adjusted for population, Maine ranks second lowest in the nation in total hospitalizations; third lowest in total number of cases, and fourth lowest in number of deaths from COVID-19. Our testing volume is seventh best in the nation, and our positivity rate over the past fourteen days is second lowest in the nation.

Vaccine Distribution

And right now, Maine is in the top tier of states in distribution of the vaccine.

I am pleased that we are beginning to see an increase in the supply of these vaccines, though demand everywhere continues to far outpace supply, and that has compelled us to make hard choices.

Like nearly every state, we started with frontline health care professionals – our nurses and doctors who are working day in and day out to keep us alive and healthy. We also vaccinated police, firefighters, EMT's, and other critical first responders to ensure that our emergency response system remains strong; to know that even if we experience another surge, our life saving professionals will be there for us.

In designating other categories eligible for the limited supply of vaccine, each state must then consider its unique circumstances. Maine has the oldest population of any state in the country.

And, while younger people are often exposed to the public to a large extent, it is our older people who are much more likely to get sick and die if they do contract the virus. It is also easy to verify their

STATE OF THE BUDGET ADDRESS

status, making vaccination clinics move swiftly and efficiently.

Our fundamental goal is to protect our most vulnerable, and that is what we're doing by vaccinating those who are 70 and older now.

Today, thanks to the Department of Health and Human Services, the Maine CDC, Northern Light, MaineHealth, hospitals and health care providers across Maine, more than 200,000 people have received their first dose of vaccine — more than 15% of our population.

Many of them, like the people I met at the Bangor clinic, are folks who literally have not been out of the house in ten or eleven months, not hugged a grandchild, not had coffee with their best friend, not taken walks with a neighbor.

But they have persevered. And the sense of relief they have is palpable.

Now Maine is among the top twenty states in the nation for getting shots in arms. It has not been easy undertaking the greatest mass vaccination effort in modern day history, especially in such a rural state as ours.

There have been bumps, and the road ahead is difficult. But now we are in a race between vaccinations and the emergence of more contagious variants.

We hope in the foreseeable future we can win this race and we will be able to welcome all children back to the classroom and fully open gyms, restaurants, stores, churches, stadiums, auditoriums, theaters, museums and playing fields.

As always, we start with fact and science and base our decisions on how we can accomplish the most good for the most people.

And, as for all things COVID, we owe a great deal of thanks to two of the hardest working, smartest and most ethical professionals I have ever worked with: DHHS Commissioner Jeanne Lambrew and CDC Director Nirav Shah.

Meanwhile this pandemic hit our economy hard. But our economy is recovering. Building supplies, consumer sales, auto and business operating sales, retail sales are all up.

SELECTED ADDRESSES TO THE LEGISLATURE

Home sales reached record highs in 2020 as people realized that Maine is one of the safest states in the nation.

They know that we have a strong public health focus — with some of the best COVID-19 statistics in the nation — as well as the lowest violent crime rate, one of the lowest property crime rates, low prison rates, unmatched natural resources, and a quality of life that is the envy of many.

In December alone, housing sales rose 31.5 percent and the median sales price jumped by more than 15 percent since December 2019. One in three home sales went to out-of-state buyers.

Maine has had a 4.6-percent growth in construction jobs during the pandemic, according to the Associated General Contractors of America. Maine's increase in construction jobs was the fifth highest in the nation.

Maine ranks highest of all the New England states in returning to pre-pandemic economic activity, according to the CNN Business' Back to Normal Index.

While this is welcome news, many Maine people and some Maine businesses are still hurting, but still persevering — and there is much more to be done, starting with work on the state budget.

That budget carries forward the work we began two years ago on Healthcare, Education and the Economy and responds to public health needs exacerbated by the pandemic.

Budget Proposals

From the beginning, my Administration has worked to make health care more affordable so that every person can see a doctor, obtain life-saving medications, stay healthy and support their families.

From the beginning, we have focused on improving public education too so that every child, no matter their zip code, has the same chance at success.

From the beginning too we have focused on expanding economic opportunity for people across the state.

Those priorities were strongly reflected in our first budget, which began to rebuild our public health infrastructure, protected public safety, funded voter-approved Medicaid expansion that now provides

health care to more than 70,000; invested in public schools and raised the minimum teacher salary.

We increased our ability to protect children from abuse and neglect, we budgeted for services for our most vulnerable citizens, and we focused on economic development to attract good paying jobs to Maine.

This pandemic has not changed those priorities but, rather, only underscored their importance and the importance of our investments in them.

Now is the time to maintain those investments.

Like many states, last spring Maine faced a significant budget shortfall, caused by the pandemic, that made crafting a biennial budget challenging.

To fill a potential hole in the budget, we curbed spending without sacrificing general purpose aid to education, without laying off hardworking state employees, without diminishing our basic social safety net or hampering our COVID-19 response.

It worked.

As a result of those cost-saving actions we took early on, and with the help of Federal funds for which Senators Susan Collins and Angus King and Representatives Chellie Pingree and Jared Golden deserve great credit, we closed the gap and we have presented comprehensive balanced budget proposals to the Legislature.

These proposals are straightforward and no-nonsense. They have basic goals: 1). to beat back the pandemic to keep Maine people healthy and save lives; 2). to fund education and 3). to maintain a stable economy and get people back to work. These budgets continue cost saving measures we put in place at the onset of the pandemic, while protecting services that Maine people count on.

These budgets include:

- \$3 million for the Health and Environmental Testing Lab, the Health Inspection Program, the Maine Immunization Program, and the Public Health Emergency Preparedness Program;
- \$5 million for COVID-19 testing, vaccines, and support services for people in quarantine;
- \$45 million in additional funds for K-12 public education, making progress toward a minimum

teacher salary of \$40,000 and helping school districts manage in-person, remote, and hybrid learning options during the pandemic. If approved, the increase will result in the highest level of state funding for education ever;

- \$6 million to fund Section 29 services for adults with developmental disabilities in their communities;
- \$25 million for the Medicaid Stabilization Fund to protect basic health care during this challenging time;
- \$45 million for MaineCare rate increases for nursing facilities, residential facilities for children and older Mainers, services for adults with intellectual and developmental disabilities, and other providers;
- \$7.5 million for mental health and substance use disorder, including community mental health and \$2 million for our OPTIONS Initiative to dispatch mobile response teams to those communities that have high rates of drug overdoses — something that is more important than ever, given the increase in overdose deaths in Maine and the rest of the nation during the pandemic;
- And \$82 million in tax relief for all Maine small businesses who received the Paycheck Protection Program, or PPP, relief, including complete relief for 99.1% of them and significant but partial relief for the less than one percent of larger businesses that received more than \$1 million dollars of PPP.

In all, my budget proposals do their best to hold spending steady and preserve public health and education during the pandemic. Together they maintain the state's important relationship with town, county and school administrative units, who receive more than a third of all General Fund appropriations.

Now, I have heard the calls of those who say we should enact sweeping budget cuts.

I agree that State government cannot be all things to all people all the time. And that it cannot solve all our problems or address the needs of all people.

But history has shown that we cannot cut our way to prosperity. During emergencies such as this, people depend on us to protect children, to secure health care,

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to safeguard educational and career opportunities and to protect the most vulnerable of our citizens.

I am not going to walk away from, or abandon, Maine families in their time of greatest need – especially those who are out of work through no fault of their own because of a worldwide pandemic.

Now, I have also heard the calls of those who say we must spend a lot more, even if it means we must dip into our savings.

This, too, we should not do.

When you have a fever — or when your state has had a fever — you don't say, "Now, get up and run laps and do a hundred pushups." Recovery, getting back in shape, is not immediate, its course not always predictable.

This budget, though, provides basic continuity, consistency and stability, something our state needs at this time. It is focused on recovery.

There is more to do.

During the pandemic, as before, our focus is on health care, education, and the economy.

I want to diversify our economy, provide good-paying jobs in every corner of this state and opportunity for all Maine families.

I want a future in this state for every Maine child. I want people to see Maine not simply as "Vacationland" but as a great place to live year-round, to work and raise a family.

And I want our young people to know that they don't have to leave the state to get a first-class education and to find work that is gratifying, useful and financially rewarding. We want career ladders that give us more plumbers, mechanics, nurses and carpenters as well as entrepreneurs who will work in software design, robotics and "Artificial Intelligence" without having to leave the state for places like Silicon Valley.

We will build that Maine and we will build a better, brighter future for all.

So, where do we start?

My Administration's 10-year economic development plan, as well as the recommendations of the Economic Recovery Committee I convened last year, point the way.

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We need a strong, vibrant, and skilled workforce here in Maine.

Maine's Workforce

There are good paying jobs in the trades, in electrical or plumbing work, in construction and manufacturing, in health care and life sciences and in clean energy that are going unfilled. We have to connect the workforce with those jobs and make an investment in new jobs at the same time.

That is why my Administration in the coming weeks will lay out a "Back to Work" bond proposal that asks for \$25 million to partner with Maine's career and technical education centers and our community colleges to provide equipment and to train skilled workers to fill jobs in high-growth industries, including manufacturing and clean energy.

To that same end, I have set a goal of doubling Maine's clean energy jobs in the next ten years, and in the coming weeks my Administration will stand up a key recommendation of the State's 10-year economic plan: the Maine Career Exploration Program.

Backed by funding secured through the New England Clean Energy Connect project, we are launching a program in Franklin and Somerset Counties to provide scholarships and paid internships for local students with local employers.

These internships will provide real world job experience in the trades, healthcare and other fields, connecting Maine kids to our economy and putting them on a path to good-paying jobs here in Maine.

Ultimately, our goal is to expand this program statewide to ensure that 100 percent of Maine students have the option for a six-month paid internship between their junior year of high school and one year after high school graduation.

The time for innovation is also now.

Heritage Industries

Maine was built by farmers, foresters, and fishermen, and we have carved our lives and livelihoods out of the bold, rocky coast, the tall pines, and the rolling fields. These industries, and all whom they employ, are the foundation of our economy and are central to our future. We must help them through this time of

hardship and transition, and we must fight against ineffective Federal regulations – like the proposed Right Whale Rule – that threaten their success.

In our Back to Work proposal, we will ask for \$50 million for these heritage industries to increase local processing infrastructure, to improve access to markets, and to allow Maine companies to modernize and add value to products grown, caught, cultured and made here in Maine.

We know what this future looks like.

Just last week, LP Building Solutions, a Tennessee-based wood products manufacturer, announced that it is investing about \$150 million to convert part of its mill in New Limerick to manufacture advanced engineered wood siding.

They chose to expand here in Maine because of our work ethic and because of our wood supply. They expect to increase local wood consumption by 30 percent and utilize local suppliers and small businesses. The result: good-paying jobs and a stronger economy.

In Western Maine "Go-Labs" is repurposing the shuttered Madison Paper Mill and is on track to become the first North American producer of home and building insulation made from wood fiber.

These heritage industries are not merely things of the past – they are also the economic engines of our future.

Broadband

There are also challenges that are common to all economic sectors: broadband and childcare, in particular.

The stories are all around us: a father of four in Owl's Head who has to bring his daughters to a restaurant to connect to WiFi in order to get their homework done. A Blue Hill doctor struggling to view his patients' charts during remote telehealth sessions. A high school student in Hope, Maine, who missed sixteen days of school because of dropped connections. And, yes, even a Governor of Maine who couldn't connect to a public health media briefing in the State's Capitol.

It seems like everyone has a story about slow or no internet access in Maine. Sometimes it can seem like that's just the way things are and that's the way it will always be. But I don't believe that.

Roads and bridges continue to demand our attention and are a major focus of bonding especially during times of historically low interest rates.

But high speed internet is as fundamental as electricity, heat, and water. It is the primary way of connecting with others in the 21st century. It is the modern equivalent of rural electrification in the 1930's and the interstate highway system in the 1950's.

We need to have high speed internet throughout our state, and with willpower and perseverance we will get there.

With the buildout of the NECEC transmission line we will have the advantage of new fiber infrastructure from Jackman to Pownal and from Windsor to Wiscasset and ten million dollars in grants for middle mile and last mile connections for all host communities.

Last year, my Administration asked for \$15 million in bond monies to expand broadband — the first new investment in internet expansion in more than a decade — and you approved.

This year, I will be asking for an additional \$30 million for infrastructure and for internet that is affordable for Maine families, students, seniors, businesses and workers across the state.

I am asking this on behalf of every child who could not learn remotely this year because they could not zoom into the classroom. I am asking for every entrepreneur who could not open the door of their new business because they could not get online. I am asking for the father or mother who wanted their child to Zoom with their grandparents but could not. I am asking for every person who is considering moving to Maine but wondering if they'll be able to work remotely.

A software engineer named Ryan told a newspaper recently that he and his wife moved from Boston to Maine in July because in part, they found a place where they can work remotely.

We know that if we build it, they will come.

Reliable high-speed internet is one thing families need desperately.

Affordable accessible childcare is another.

Childcare

A mother named Savannah in Cherryfield told us she was on a waitlist for more than a year and a half for childcare for one of her children.

Another woman named Cassie in Sidney started looking for childcare when she was five months pregnant and called more than 40 childcare facilities. After having her baby and right after she was scheduled to return to work, she was finally able to find a slot in a home-based childcare facility thirty minutes away.

Before the pandemic, close to 5,000 Maine children with working parents, mainly in rural areas, did not live close to a childcare provider.

Millions of women nationwide, including thousands in Maine, have been forced to leave the workforce during the pandemic because they lacked reliable childcare.

My Back to Work proposal will seek \$6 million for low- or no-interest loans to renovate, expand, or construct childcare facilities and increase the availability and quality of childcare slots, with half of that money going to underserved communities in rural Maine.

Knowing your child is being taken care of is key to staying in the workforce and providing for your family.

As someone who raised five daughters, and as the grandmother of two little girls, I know how precious that peace of mind is.

We will have more to say in the coming weeks on the Back to Work proposal. It will also include investments in roads and bridges, working lands and waterfronts, research and development, and energy efficiency. All these proposals will create jobs and strengthen our economy, particularly in rural Maine.

We will use every tool we have to build a healthy, strong and safe state – from the supplemental and biennial budgets, to a Back to Work bond proposal, to other legislation, and partnerships with the private sector.

Just as we rose to meet the challenge of the coronavirus pandemic, we will rise to meet the challenge of restoring our economy, never resting until we are stronger than ever before.

Conclusion

I have received hundreds, if not thousands, of handwritten notes from Maine people this past year. I read about their stories, their hopes and their heartaches. Some of the messages I have read have stayed with me long after.

One young mother writes every week. She is busy teaching her children, keeping a small business going with her husband and training the new family dog.

Recently she watched the movie *The Fellowship of the Ring* with her kids. She wrote me about the scene in which Frodo says, "I wish the Ring had never come to me. I wish none of this had happened."

And Gandalf responds, "So do all who live to see such times; but that is not for them to decide. All we have to decide is what to do with the time that is given to us."

None of us wished to see the times we have seen these last twelve months, but that is not for us to decide. All that we can do is decide what to do with the time that is given to us. And that's what Maine people have done.

We, like the rest of the nation, were dealt a bad hand last year. But we are pushing through. We will get to the other side. We will not only survive, we will rise a better, greater state for all that we have endured and all that we have learned, all whom we have saved.

We are a country, and we are a state, that knows compassion, that acts with courage, that values community. We are a people who persevere.

That is us. Now it is time to get our state back on track, focus on the future, and aim for the stars.

Last Friday an American made Rover named Perseverance, operated remotely from NASA headquarters, landed on Mars. We rooted with pride for this little vehicle just as we did fifty years ago when American heroes first set foot on the moon.

That Rover's fiery entry through the Martian atmosphere was made possible by heat shield materials produced by a company in Biddeford, Maine.

The next Rover, a human mission, we expect will be aided by a deceleration system invented by engineers at the University of Maine's Advanced Structures and Composites Center. And one day, commercial rockets

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launched with bio-derived fuels made at Brunswick Landing may take to the skies from Limestone Maine.

For now, Perseverance has put Maine on the map.

For now, perseverance is also our prerequisite for the future, our password to success, our passport for getting our state back on track.

As we look up at the stars tonight, as I did with my grandfather many years ago, we will tell our children about American ingenuity, about Maine's place in the future, about the beauty of our world and our state and about the perseverance of our people.

With that perseverance, our state will prevail.

Thank you.

Please keep the faith and stay safe.

**STATE OF THE JUDICIARY ADDRESS
OF
ACTING CHIEF JUSTICE ANDREW M. MEAD
MARCH 10, 2021**

**MAINE JUDICIAL BRANCH
THE STATE OF THE JUDICIARY
A Report to the Joint Convention of the First
Regular Session
130th Maine Legislature**

**Presented by Acting Chief Justice
Andrew M. Mead
March 10, 2021**

Governor Mills, President Jackson, Speaker Fecteau, distinguished Members of the historic 130th Maine Legislature, and people of the State of Maine.

My name is Andrew Mead. I am the Senior Associate Justice of the Maine Supreme Judicial Court; I have been serving since April 2020 as the Acting Chief Justice pursuant to statute.

Thank you for the honor of inviting me to address you on the state of the judiciary. It has been an eventful year, to put it mildly, and I have much to report. However, before moving to the events of the year, I have some heartfelt thanks to express to some very special people.

My preference would be to personally thank by name each and every one of Judicial Branch's 518 employees who have worked tirelessly to keep the doors of justice open in Maine to the maximum extent that we safely can. They have truly gone above and beyond the call of duty. Unfortunately, time constraints prevent me from naming each of them, but please understand that we are blessed with an extraordinary team of dedicated public servants who constitute the Maine Judicial Branch.

The day-to-day operation of the trial courts is overseen by a team of exceptional managers. At the top of that team are the Trial Court Chiefs:

Chief Justice Robert E. Mullen of the Superior Court
Chief Judge Jed French of the District Court, and
Deputy Chief Judge Rick E. Lawrence also of the District Court

The administrative team is led by our State Court Administrator *extraordinaire* James "Ted" Glessner.

The Trial Court Chiefs and Ted have been at the epicenter of our response to the pandemic. We have placed enormous burdens upon them during this COVID era as we have been forced to reinvent almost all of what it is we do. They have consistently and unflinchingly and successfully risen to the task in every instance. Chiefs: Thank you. You have been pillars of strength during this time.

The Maine Supreme Judicial Court serves as a de facto Board of Directors for the operation of the courts and I could not be more honored and pleased to serve with my extraordinary colleagues. They are:

Associate Justice Catherine R. Connors
Associate Justice Andrew M. (Mark) Horton
Associate Justice Thomas E. Humphrey
Associate Justice Joseph M. Jabar

I thank them all for their unfailing support and assistance.

And I must single out Acting Senior Associate Justice Ellen Anne Gorman for particular recognition and my enduring and profound thanks.

The role of Chief Justice is a demanding one, even in the best of times. During the COVID era, it is a formidable task for one person. Fortunately, I have had the enormous, and absolutely indispensable, support of Justice Gorman. Her tireless efforts and boundless talents and commitment to the effective operation of the courts are immeasurable. Justice Gorman: Thank you, a thousand times over.

Finally, I would like to thank my wife Kelly. To her I say: As you know, I have been largely absent from the home scene over these last eleven months, but you have kept the family circle tight during these times, and your unfailingly cheerful support has buoyed me even during the most challenging times. "Thank you" isn't nearly enough. There simply aren't any words that are truly up to the task, so I will just say, "143."

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I'm going to offer this address in three segments:

First, where we've been;

Second, where we are; and

Third, where we're headed.

Let's go back in time.

Back to January 2020. Things were very much "business as usual." Little did we know, it all would change in very short order. And I am sure you remember all too well the dark days of March 2020, when the enormity of the threat of the novel coronavirus became apparent. Everyone immediately and urgently attempted to adjust and plan for a very uncertain future.

For those of us in court leadership, we knew we couldn't simply close our doors. We remained open, but only for matters involving life and liberty interests such as child protection matters, protection from abuse petitions, and individuals being held in lieu of bail awaiting trial.

We in court leadership knew we had to move forward, starting essentially from zero — a daunting task considering the geographical range of our court locations, the multitudes of people we serve, and the gravity of our mission.

We mustered all available resources and started the thoughtful response process that continues to this day.

Our mission then, as it is now, was to open the courts to the maximum degree possible while still taking responsible steps as recommended by health experts for the safety of the public and our people.

We meticulously reviewed data from all court locations and assessed urgent needs. We expanded court operations in several locations on a limited basis and staggered the attendance of court employees to minimize overlap. We carefully complied with all CDC safety measures.

We cancelled preexisting dockets, recalled warrants for unpaid fines, reviewed bail orders, and set personal recognizance bonds wherever possible.

We established basic safety rules for in-court proceedings. Everyone who could work from home was directed to do so. We had our IT department arrange for

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secure internet connections and telephone forwarding services. We obtained and deployed plexiglass barriers, masks, face shields, and air purifiers for all judicial branch locations throughout the state. We were able to accomplish these efforts in fairly short order as a result of the hard work and dedication of individuals throughout the judicial branch.

During those first weeks, we addressed the changing circumstances through ad hoc orders and directives, but it soon became apparent that we needed a new format and specific archive location for measures undertaken to address the realities of the pandemic. Thus, a new genre of judicial directives was created: the Pandemic Management Order — the "PMO."

PMOs are efficient court administration and process tools. They can be quickly implemented and revised — most have gone through multiple revisions to date — and they can be equally easily vacated when necessary. They are archived on the Judicial Branch website for quick and easy access. You can find them under the yellow "COVID" banner.

The PMOs filled a critical need as we have endeavored to reinvent almost everything we do. Input and suggestions from within and outside the judicial branch provided critical insights and information that informed the drafting of the PMOs. The PMOs have addressed, for example:

- Courthouse scheduling;
- Obtaining protection orders;
- Conditions for entry into courthouses;
- Boards and committee activities;
- Oral arguments before the Supreme Judicial Court;
- Creation of stakeholders meetings;
- Limitations on summoning for specific court dates;
- Conditions for the taking of depositions;
- Approved mailing of pleadings by email (this is not e-filing!);
- Extended deadlines for filing;
- Approved electronic signatures;
- Rescheduled bar exams;
- Promulgated special rules for eviction proceedings;

- Promulgated rules for remote video (Zoom) proceedings;
- Specified matters requiring in-person hearings;
- Approved written waivers of first appearances and arraignments;
- Established special rules for child protection hearings.

The original plan was that PMOs would be promptly vacated when the COVID siege was over. However, it is becoming increasingly apparent that many of the innovations — such as emailed filings and remote video proceedings — have demonstrated their value and will likely be retained in the future in some fashion.

As April moved toward May, it became abundantly clear that we needed a plan for scheduling that extended beyond the two-week periods that we were addressing at the time. On May 27, 2020, we issued our **"State of Maine Judicial Branch COVID-19 Phased Management Plan."**

The Plan, which consists of five discrete phases, required us to do two things as we moved cautiously toward reopening the courts: first, it required us to complete a comprehensive review of each of our 34 courthouses and 2 judicial branch facilities to establish capacity controls and create coronavirus containment processes, and secondly and separately, it required us to create new processes for handling matters based upon case types. All matters are classified and prioritized in differentiated case types based upon the specific nature of the proceeding.

Before moving to each next phase, we ensured that the necessary modified procedures were in place and that our containment measures were adequate. In each instance, we sought and obtained review and approval of our efforts by the Maine CDC and DHHS.

Throughout the summer of 2020, we moved through the phases according to the Plan. In the earliest phases, only a few case types were approved for scheduling, but as we progressed to later phases, additional case types were added to the approved list. In the meantime, however, new cases were still being filed. These newer cases, added to those cases that were

pending when the pandemic hit, have created a backlog, which continues to grow.

Phase Five, the final phase of the Plan, which opens up virtually all case types for scheduling including jury trials, was on track for commencement last October.

After months of planning and modification of processes and facilities, we successfully conducted jury trials in Bangor and Augusta in late September and early October. Through the tremendous efforts of court staff, judges, and the bar, and with the implementation of modified processes and the protective measures, those jury trials were held without any reports of viral spread or outbreak.

Unfortunately, as you know, coronavirus cases started ramping up significantly in October and November. By early November, it was obvious that the infection rates and deaths attributable to the virus were rising at an alarming rate — new case numbers that hovered in the low double digits statewide during the summer increased dramatically into three digits — and our hopes for a return to almost full operational ability in early winter were not to be realized. We issued an Addendum to the Phased Plan, and I issued a statement, explaining that the Plan's anticipated reopening dates could not be accomplished as hoped. We were unable, nor would it have been appropriate, to project a date for expansion of court operations given the uncertainty of the trajectory of the virus.

In-person dockets were already running at maximum capacity given the limitations of capacity controls, judicial resources, and availability of judicial marshals.

Let me digress for just a moment. As you likely know, judicial marshals provide security screening, among other duties, at courthouses — entry screening that now must include COVID screening measures. The ability to schedule in-person proceedings was and continues to be limited by the inadequate numbers of judicial marshals. We can't open a courthouse to the public without judicial marshals, and we simply do not have enough marshals to provide full coverage throughout the state at any one time. No technological advances could ever replace our need for additional marshals at courthouse entry points.

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Given the limitations on in-person hearings, we acquired Zoom licenses for judges and court clerks during the summer of 2020 to allow for remote video proceedings. We acquired "Zoom carts" — mobile rolling Zoom terminals with large screen video displays — all fully reimbursed with Cares Act funding later in the year.

Our proficiency with Zoom-based judicial proceedings continues to grow and our number of Zoom sessions — including both meetings and judicial proceedings — is expanding exponentially. In August 2020, we conducted 270 remote video sessions. In the month of January 2021, we conducted 1,680.

However, the simple reality is that even with these in-person and remote video processes being fully utilized, court dockets continue to be filled to capacity with priority cases involving protection, families, and criminal matters. Neither cases further down the priority list, nor jury trials, even for criminal cases, are being heard. This is a deeply distressing and frustrating circumstance for the court and litigants alike.

We have pushed forward, maximizing our available resources, and creating strategies and tools for monitoring local coronavirus trends with color-coded indicators for specific locations around the state. We involved Regional Judges, in conjunction with the Trial Court Chiefs, in making decisions regarding openings and closings on a local basis, as opposed to the statewide decisions we had previously been making. The Judges are provided with detailed weekly reports on local conditions to assist in the decision-making process.

This brings us to where we are now.

We are basically holding our own, but not moving forward in the way we would hope. We have reached the limitation of our existing resources under the current conditions of the ongoing pandemic.

The "currently pending" numbers for most case types are up from 2019 levels. Most notable are the pending criminal numbers.

At the end of January 2020, on the eve of the arrival of the pandemic, slightly over 17,000 criminal cases were listed as pending.

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At end of February 2021, slightly over 27,000 criminal matters were pending.

In other words, the number of pending criminal matters increased by approximately 10,000 cases during the past twelve months. Of that number, 52 are homicide cases, which because of their typical length and complexity tend to dominate and slow down criminal dockets.

On the civil side, here are some rounded-off, representative numbers:

General civil cases:

Pre-COVID — about 3,000; currently — about 4,300; up — about 1,300

Real Estate:

Pre-COVID — about 2,000; currently — about 1,500; down — about 500

Evictions:

Pre-COVID — about 1,300; currently — about 1,700; up — about 400

Small Claims:

Pre-COVID — about 1,300; currently — about 4,700; up — about 3,400

These numbers do not include cases that involve bankruptcies or are otherwise stayed by judicial order.

The numbers speak for themselves.

Where are we headed?

As you know, the coronavirus numbers have improved in the recent past and vaccinations are being administered throughout the state. I'm pleased to say I received my first injection a week ago when my age group was opened up!

We are cautiously optimistic that we can return to the reopening process set out in the Phased Plan. We are currently actively exploring the feasibility of resuming jury trials in several locations in the very near future.

We are seeking funding for the additional critical marshal positions.

If the coronavirus figures continue to improve, we will move tenaciously forward with the Phase Five plans.

When the virus allows us to return to something like normal, in addition to reinstating those practices that allowed us to process cases far more expeditiously prior to the pandemic, we will also look for new and innovative ways to move the dockets. We are in the process of creating working groups to develop and propose new, improved, and efficient practices in the post-COVID era.

It is difficult, if not impossible, to predict when "back to normal" will occur — that date is directly tied to the status of the virus, but we stand ready to go full steam ahead as soon as safely possible.

Although emerging victoriously from the pandemic is our primary focus these days, we are moving forward on a number of very important and exciting initiatives.

We are deeply committed to equal justice for all. We have spoken loudly and clearly on the critical need for justice systems to operate free from the scourge of racial bias and discrimination. Justice and the rule of law demand no less. The Judicial Branch has conducted critically important in-house educational programs on implicit racial bias in the past. Our current and future educational efforts, including a three-component series on racial justice, will continue to focus upon diversity, equality, and inclusion issues.

In addition to continuing educational efforts, we will be embarking on a comprehensive, introspective study to identify and address systemic racial bias within the judicial system. We need to gather and analyze the data and, where any racial inequity appears, ask the question, "Why?" and implement systemic changes as necessary to alleviate disparate treatment. We have been gathering information on resources and seeking knowledgeable consultants to help us plan for this major initiative. We will be moving to the actual planning stages in the very near future.

Construction on the York Judicial Center is underway. The new building is slated for occupancy in 2023. It will be a spacious, well lit, efficient, and safe place for judicial proceedings. Photovoltaic cells will be mounted on the roof of the building and canopies in the parking area, providing for an extremely energy and cost-efficient building that will take us well through the twenty-first century.

Our new Odyssey case management and e-filing system is up and running on a pilot project basis in Bangor and in the Business and Consumer Docket. It is, at present, in a working but evolving status with additional components and case types to be added as we gain experience.

This is truly a "shakedown cruise," during which we will identify and address any aspects requiring modification before moving to deployment in other areas. We have created an email address and secured a dedicated telephone number (available on our website) for users and stakeholders to register suggestions or concerns.

Before we vacate our PMOs, we will closely review the innovations and new processes that we created during the COVID crisis to determine which of them should be retained when this siege is over.

We will create disaster management plans so we won't have to reinvent our processes on the spot if — heaven forbid — we are faced with another widespread systemic crisis.

We have completed our Annual Report that has all of the usual facts and figures. Copies will be appearing in your mailboxes soon, if they haven't already arrived. If you would like to receive a digital copy, our legislative liaison, Julie Finn, will be happy to provide it to you upon request.

When we talk of future plans, it is important to remember that we are *still* in the midst of this pandemic, and there is *still* much to be done. However, when I envision the future, I am fully confident we will emerge better, stronger, more efficient, and more effective as a result of experiences and lessons learned during the COVID crisis.

I know this because we have exceptionally skilled and dedicated people on our team — people committed to our Mission statement which is:

"To administer justice by providing a safe, accessible, efficient and impartial system of dispute resolution that serves the public interest, protects individual rights, and instills respect for the law."

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Finally, I would be remiss if I did not mention the recent departure of three esteemed members of the Supreme Judicial Court:

Associate Justice Jeffrey L. Hjelm retired from the court at the end of 2019, but we are grateful that he continues to be a resource to the court in his role as Active Retired Justice.

Senior Associate Justice Donald G. Alexander — the "*legendary*" Justice Donald G. Alexander — retired in January 2020 but not before securing the distinction of being the longest continuously serving judge in the history of the State of Maine. His books, writings, and contributions to continuing legal education will guide the profession for generations to come.

Chief Justice Leigh Ingalls Saufley resigned in early 2020 to accept the position of Dean of the University of Maine School of Law after a long record of innovation and progress that have occurred within the Judicial Branch under her inspired leadership.

In better times, we would have convened gatherings to offer fitting tributes to these distinguished jurists, but for the meantime we are constrained by the circumstances of the pandemic.

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We wish them well.

And I thank you, Governor Mills and distinguished Members of the historic 130th Legislature for your kind attention. We wish you well in your important service to the people of the State of Maine.

And as I close, I would like to take a moment to acknowledge the challenges and losses that have confronted the people of Maine during this difficult time.

It has been an exceptionally difficult time, but I do believe we are turning a corner.

I will leave you with a short quote from Alfred Lord Tennyson:

"Hope smiles from the threshold of the year to come, whispering 'it will be happier'..."

True enough.

Be safe. Be well. And thank you.

CROSS-REFERENCE TABLES

TABLE I

Sections of the Maine Revised Statutes affected by the laws of the First Regular Session and First Special Session of the 130th Legislature and the Revisor's Report 2019, Chapter 2.

TITLE	SECTION	SUB	PARA	EFF	CHAPTER	PART	SEC	TITLE	SECTION	SUB	PARA	EFF	CHAPTER	PART	SEC
1	72	12		AMD	PL 275		1	4	1603	3-B		NEW	PL 398	SSSS	2
1	150-O			RAL	RR 2	A	1	4	1603	4-A		NEW	PL 398	SSSS	3
1	150-P			RAL	RR 2	A	1	4	1603	7		AMD	PL 398	SSSS	4
1	150-Q			NEW	PL 287		1	4	1604	18		AMD	PL 398	SSSS	5
1	210-C			NEW	PL 38		1	4	1610-I			AMD	PL 451		1
1	403-B			NEW	PL 290		1	4	1610-M			NEW	PL 398	D	1
1	408-A	8	A	AMD	PL 313		1	4	1610-M			NEW	PL 398	SSSS	6
1	408-A	8	B	AMD	PL 375		1	4	1804	3	A	AMD	PL 481		1
1	408-A	12		NEW	PL 375		2	4	1804	3	M	AMD	PL 481		2
1	411	2	M	AMD	PL 313		2	4	1804	3	N	AMD	PL 481		3
1	411	2	N	AMD	PL 313		3	4	1804	3	O	NEW	PL 481		4
1	411	2	O	NEW	PL 313		4	4	1804	4	D	AMD	PL 398	FFF	1
1	412	1		AMD	PL 313		5	4	1804	4	D	AMD	PL 481		5
1	412	4	F	AMD	PL 313		6	4	1805	9-A		NEW	PL 481		6
1	412	4	G	AMD	PL 313		7								
1	432	2	G-1	NEW	PL 313		8	5	7-B			AMD	PL 293	C	3
1	434	2	G-1	NEW	PL 313		9	5	7-B		1st	AMD	PL 258		1
1	1016-C			AMD	PL 132		1	5	8			AMD	PL 398	E	1
								5	8-C		1st	AMD	PL 431		1
2	6	3		AMD	PL 398	U	1	5	18	1	D	AMD	PL 332		1
2	6	12		RP	PL 398	GGG	1	5	18-A	4		AMD	PL 332		2
2	6	13		NEW	PL 398	GGG	2	5	19	2-A		RP	PL 132		2
2	6-A	3		AMD	PL 398	UUU	1	5	19	3-A		AMD	PL 132		3
2	201			NEW	PL 21		1	5	55-A			RP	PL 36		1
								5	59			NEW	PL 140		2
3	312-A	11-A		RPR	PL 293	B	1	5	90-T			RP	PL 36		2
3	312-A	11-A		RPR	PL 293	C	1	5	131	3		NEW	PL 392		1
3	313			RPR	PL 114		1	5	135		8th	NEW	PL 231		1
3	317	4	B	AMD	PL 293	C	2	5	138		6th	NEW	PL 231		2
3	701	11-A		RP	PL 277		1	5	138		6th	NEW	PL 234		1
3	734			RP	PL 277		2	5	171			NEW	PL 356		1
3	902	1-D		NEW	PL 475		1	5	172			NEW	PL 356		1
								5	173			NEW	PL 356		1
4	8-C	1		AMD	PL 343		1	5	174			NEW	PL 356		1
4	18-A	3-A	C	AMD	PL 329		1	5	175			NEW	PL 356		1
4	18-B	7		AMD	PL 245	G	1	5	176			NEW	PL 356		1
4	18-B	7		AMD	PL 329		2	5	177			NEW	PL 356		1
4	961			NEW	PL 337		1	5	178			NEW	PL 356		1
4	1051			RPR	PL 140		1	5	179			NEW	PL 356		1
4	1051			RPR	PL 293	A	1	5	200-K	8		NEW	PL 353		1
4	1201	6-A	B	AMD	PL 277		3	5	200-M			NEW	PL 292		1
4	1201	10-A		NEW	PL 277		4	5	285	1	G	AMD	PL 341		1
4	1201	12-A		RP	PL 277		5	5	285	1-A	B	AMD	PL 341		2
4	1201	12-B		NEW	PL 277		6	5	285	1-A	D	AMD	PL 312		1
4	1234			AMD	PL 277		7	5	285	3-E		NEW	PL 341		3
4	1353	1		AMD	PL 277		8	5	285-A	1		AMD	PL 312		2
4	1353	4	C	AMD	PL 277		9	5	285-A	2	F	AMD	PL 312		3
4	1553	2	B	AFF	PL 351		3	5	286		1st	AMD	PL 312		4
4	1553	2	B	AMD	PL 351		1	5	286		6th	AMD	PL 312		5
4	1553	3		AFF	PL 351		3	5	286-M	2	C	AMD	PL 312		6
4	1553	3		AMD	PL 351		2	5	286-M	3		AMD	PL 19		1
4	1603	3-A		NEW	PL 398	SSSS	1	5	286-M	5	D	AMD	PL 19		2

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5	286-M	6	D	AMD	PL	19	3	5	3360-N	1		AMD	PL	118	1
5	782			AMD	PL	348	1	5	4552			AMD	PL	366	1
5	783			AMD	PL	348	2	5	4553	5-A		AMD	PL	366	2
5	784	1		AMD	PL	348	3	5	4553	10	G	AMD	PL	366	3
5	784	2	A	AMD	PL	348	4	5	4571			AMD	PL	366	4
5	784	2	B	AMD	PL	348	5	5	4572	1		AMD	PL	366	5
5	785			AMD	PL	348	6	5	4572	1		AMD	PL	476	1
5	786			AMD	PL	348	7	5	4572	1	D	AMD	PL	293	B
5	787			AMD	PL	348	8	5	4573-A	3		NEW	PL	366	6
5	789		2nd	AMD	PL	348	9	5	4575	2		AMD	PL	348	11
5	937	1	F	AMD	PL	398	FF	5	4581		1st	AMD	PL	366	7
5	937	1	M	AMD	PL	398	FF	5	4581		1st	AMD	PL	476	2
5	937	1	N	NEW	PL	398	FF	5	4581-A			AMD	PL	476	3
5	947-B	1	L	AMD	PL	398	U	5	4581-A	1		AMD	PL	366	8
5	947-B	1	M	AMD	PL	398	U	5	4581-A	2		AMD	PL	366	9
5	947-B	1	N	NEW	PL	398	U	5	4581-A	3		AMD	PL	366	10
5	949	1		AMD	PL	398	UUU	5	4583			AMD	PL	366	11
5	1509-A			AMD	PL	150		5	4591			AMD	PL	366	12
5	1518-A			RP	PL	398	ZZZ	5	4592	1		AMD	PL	366	13
5	1531	2		RPR	PL	293	A	5	4592	2		AMD	PL	366	14
5	1536	1	F	RP	PL	398	ZZZ	5	4592	6		AMD	PL	366	15
5	1536	1	G	NEW	PL	398	ZZZ	5	4595			AMD	PL	366	16
5	1536	3		AMD	PL	398	ZZZ	5	4596			AMD	PL	366	17
5	1547	7		AMD	PL	36		5	4601			AMD	PL	366	18
5	1582	4		AMD	PL	29	L	5	4602			AMD	PL	366	19
5	1591	2	J	AMD	PL	398	VV	5	4612	2-A		AMD	PL	366	20
5	1591	6		NEW	PL	398	EEE	5	4622	1	A	AMD	PL	366	21
5	1591	6		NEW	PL	398	EEEE	5	4634			AMD	PL	366	22
5	1660-D	11		AMD	PL	10		5	4684-A			AMD	PL	366	23
5	1660-E			RP	PL	10		5	4751			NEW	PL	460	1
5	1660-F	1	A	AMD	PL	10		5	4752			NEW	PL	460	1
5	1660-F	1	A-1	NEW	PL	10		5	4753			NEW	PL	460	1
5	1660-L			RP	PL	10		5	4754			NEW	PL	460	1
5	1660-M			AMD	PL	10		5	6201	1-B		NEW	PL	398	FFFF
5	1710-D			RPR	PL	293	A	5	6201	2		AMD	PL	398	FFFF
5	1710-I			RPR	PL	293	A	5	6201	3		AMD	PL	135	1
5	1742-B		1st	AMD	PL	275		5	6201	4-A		NEW	PL	135	2
5	1742-D	2	A	AMD	PL	348		5	6203	3		AMD	PL	33	1
5	1742-G			NEW	PL	262		5	6203	3		AMD	PL	135	3
5	1816-B			NEW	PL	332		5	6203	3		AMD	PL	409	1
5	1824-B			NEW	PL	332		5	6203	3	A	AMD	PL	398	FFFF
5	1957			NEW	PL	231		5	6203-A	3		AMD	PL	33	2
5	1957			NEW	PL	234		5	6203-C			NEW	PL	135	4
5	2041			RPR	PL	293	A	5	6207	2		AMD	PL	398	FFFF
5	2041	1		AMD	PL	459		5	6207	2		AMD	PL	409	2
5	2041	8		AMD	PL	459		5	6207	3		AMD	PL	398	FFFF
5	2042			RPR	PL	293	A	5	6207	3		AMD	PL	409	3
5	2045			NEW	PL	293	A	5	6207	6		NEW	PL	398	FFFF
5	2046			NEW	PL	293	A	5	7503	13		AMD	PL	155	1
5	2047			NEW	PL	293	A	5	7503	13-A		NEW	PL	155	2
5	2048			NEW	PL	293	A	5	7506			NEW	PL	155	3
5	3101	1		RPR	PL	293	A	5	8055	4		NEW	PL	257	1
5	3101	2		RPR	PL	293	A	5	8055	5		NEW	PL	257	2
5	3102			RPR	PL	293	A	5	10004	3		AMD	PL	349	1
5	3103			RPR	PL	293	A	5	10051	1		AMD	PL	173	1
5	3121			NEW	PL	459		5	11007	3		AMD	PL	277	10
5	3122			NEW	PL	459		5	12002	3-A		AMD	PL	348	12
5	3123			NEW	PL	459		5	12002-A	2	B	AMD	PL	348	13
5	3124			NEW	PL	459		5	12004-C	7		AMD	PL	293	A
5	3125			NEW	PL	459		5	12004-G	4-B		RP	PL	36	4

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5	12004-G	14-J		NEW	PL 391		1	5	17851-A	4	B	AMD	PL	474		9
5	12004-G	33-G		NEW	PL 356		2	5	17851-A	5		COR	RR	2	A	9
5	12004-G	33-G		NEW	PL 364		1	5	17851-A	5		AMD	PL	474		10
5	12004-I	2-G		RP	PL 36		5	5	17851-A	6-B		AMD	PL	293	B	3
5	12004-I	4-B		RP	PL 36		6	5	17851-B	1		AMD	PL	398	LLL	2
5	12004-I	6-I		NEW	PL 450		1	5	17902	1	A	AMD	PL	277		19
5	12004-I	12-A		AMD	PL 398	NNN	1	5	17911		1st	AMD	PL	277		20
5	12004-I	18-G		NEW	PL 346		1	5	17921	1	B	AMD	PL	277		21
5	12004-I	22-B		RP	PL 36		7	5	17925	1	A	RP	PL	277		22
5	12004-I	30-B		NEW	PL 423	A	1	5	17926			AMD	PL	277		23
5	12004-I	31-B		NEW	PL 459		4	5	17927		1st	AMD	PL	277		24
5	12004-I	74-J		RP	PL 436		1	5	17929	2	B	AMD	PL	277		25
5	12004-J	1-A		NEW	PL 483	KK	1	5	17930	2	C	AMD	PL	277		26
5	12004-J	19		NEW	PL 398	MMMM	1	5	17930	3	E	AMD	PL	277		27
5	12004-J	19		NEW	PL 436		2	5	17932	2		AMD	PL	277		28
5	12004-K	10		AMD	PL 9		1	5	17953	3	A	AMD	PL	277		29
5	12004-K	12		RP	PL 36		8	5	17953	5-A	A	AMD	PL	277		30
5	12004-L	10		RP	PL 36		9	5	18251	3		AMD	PL	286		1
5	12021	6	G-1	NEW	PL 364		2	5	18252		1st	AMD	PL	286		2
5	13056	3		RPR	PL 293	A	12	5	18252-A	1	A	AMD	PL	90		1
5	13056	6	B	AMD	PL 293	A	13	5	18252-A	1	A	AMD	PL	286		3
5	13056-I			NEW	PL 420		1	5	18252-A	1	B	AMD	PL	90		2
5	13073-C			NEW	PL 319		1	5	18252-A	1	B	AMD	PL	286		4
5	13080-S	3	B	NEW	PL 18		1	5	18252-A	1	E	NEW	PL	90		3
5	13103			RP	PL 36		10	5	18252-C			NEW	PL	286		5
5	13104			RP	PL 36		10	5	18254	1		AMD	PL	90		4
5	13120-T			NEW	PL 450		2	5	18502	1	A	RP	PL	277		31
5	15303	6-B		RP	PL 36		11	5	18503			AMD	PL	277		32
5	17001	4	A	AMD	PL 225		1	5	18512		1st	AMD	PL	277		33
5	17001	12	B	AMD	PL 277		11	5	18521	1	B	AMD	PL	277		34
5	17001	18-B		NEW	PL 277		12	5	18525	1	A	RP	PL	277		35
5	17001	19-A		RP	PL 277		13	5	18526			AMD	PL	277		36
5	17001	19-B		NEW	PL 277		14	5	18527		1st	AMD	PL	277		37
5	17001	42	A	AMD	PL 6		1	5	18529	2	B	AMD	PL	277		38
5	17057	5	B	AMD	PL 366		24	5	18530	2	C	AMD	PL	277		39
5	17106			RP	PL 277		15	5	18530	3	E	AMD	PL	277		40
5	17106-A		1st	AMD	PL 277		16	5	18553	3	A	AMD	PL	277		41
5	17106-A	6		AMD	PL 277		17	5	18553	5-A	A	AMD	PL	277		42
5	17106-B			NEW	PL 277		18	5	20011			NEW	PL	398	VV	2
5	17704-B			AMD	PL 225		2	5	20057			NEW	PL	472		1
5	17768			NEW	PL 225		3	5	25001			AMD	PL	436		4
5	17851-A	1	K	AMD	PL 398	LLL	1	5	25002	1	D	AMD	PL	436		5
5	17851-A	1	K	AMD	PL 474		1	5	25007	1	C	AMD	PL	398	RRRR	1
5	17851-A	1	M	COR	RR 2	A	2	5	25007	2	D	AMD	PL	436		6
5	17851-A	1	N	RAL	RR 2	A	3	5	25009			RP	PL	436		7
5	17851-A	1	N	RAL	RR 2	A	4	5	25010			AMD	PL	436		8
5	17851-A	1	N	AMD	PL 398	KKK	1	5	25011			NEW	PL	436		9
5	17851-A	1	N	AMD	PL 474		2									
5	17851-A	1	O	RAL	RR 2	A	3	6	102	2	A	COR	RR	2	A	10
5	17851-A	1	O	AMD	PL 474		3									
5	17851-A	1	P	RAL	RR 2	A	4	7	164			NEW	PL	135		5
5	17851-A	1	P	AMD	PL 474		4	7	218-A	2		AMD	PL	398	OO	1
5	17851-A	1	Q	NEW	PL 474		5	7	219-A			NEW	PL	177		1
5	17851-A	2		COR	RR 2	A	5	7	219-B			NEW	PL	468		1
5	17851-A	2		AMD	PL 474		6	7	285			AMD	PL	64		1
5	17851-A	3	A	COR	RR 2	A	6	7	320-A			NEW	PL	483	KK	2
5	17851-A	3	A	AMD	PL 474		7	7	320-B			NEW	PL	483	KK	2
5	17851-A	4	A	COR	RR 2	A	7	7	320-C			NEW	PL	483	KK	2
5	17851-A	4	A	AMD	PL 474		8	7	543-A	1		AMD	PL	111		1

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7	543-A	4			AMD PL 111		3	9-A	16-103				NEW PL 357		2
7	606	1	E		AMD PL 105		1	9-A	16-104				NEW PL 357		2
7	606	1	F		AMD PL 105		2	9-A	16-105				NEW PL 357		2
7	606	1	G		NEW PL 105		3	9-A	16-106				NEW PL 357		2
7	606	3			NEW PL 197		1	9-A	16-107				NEW PL 357		2
7	901				NEW PL 43		1	9-A	16-108				NEW PL 357		2
7	902				NEW PL 43		1	9-A	16-109				NEW PL 357		2
7	903				NEW PL 43		1	9-A	16-110				NEW PL 357		2
7	904				NEW PL 43		1	9-A	16-111				NEW PL 357		2
7	905				NEW PL 43		1								
7	974-A	1	C		AMD PL 31		1	9-B	145	1	F-1		NEW PL 140		3
7	974-A	2			RP PL 31		2	9-B	325	3	E		AMD PL 188		1
7	974-A	2-A			NEW PL 31		3	9-B	325	3	F		NEW PL 188		2
7	2471		1st		COR RR 2	A	11	9-B	354	2			AMD PL 5		1
7	2471	1			COR RR 2	A	12	9-B	427	13-A			AMD PL 5		2
7	3906-B	12			RP PL 99		1	9-B	846	1			AMD PL 188		3
7	3906-B	12-A			NEW PL 99		2	9-B	872	2			AMD PL 188		4
7	3906-C	1	E		AMD PL 99		3	9-B	1054	3	B		AMD PL 5		3
7	3906-C	1	I		AMD PL 99		4	9-B	1212	1-A			NEW PL 5		4
7	3907	22-C			NEW PL 99		5	9-B	1222	1-A			NEW PL 5		5
7	3916	1-A			RPR PL 99		6	9-B	1232	1-A			NEW PL 5		6
7	3916	4			AMD PL 99		7								
7	3923-G	6			AMD PL 99		8	10	363	2-A			RPR PL 293	A	15
7	3950-A	2			AMD PL 99		9	10	945-C		1st		AMD PL 46		1
								10	945-C	1			AMD PL 46		2
8	275-A	1	A		RPR PL 406		1	10	945-C	2			AMD PL 46		3
8	275-A	1	B		RPR PL 406		2	10	945-C	4			AMD PL 46		4
8	275-B	3			NEW PL 406		3	10	949	2	B		AMD PL 36		12
8	275-C	1			AMD PL 406		4	10	1019	2			AMD PL 483	FF	1
8	1003	3	I		AMD PL 398	VV	3	10	1019	4			AMD PL 483	FF	2
8	1012		1st		AMD PL 22		1	10	1020	2	D		AMD PL 1	M	1
8	1012	1	C		AMD PL 22		2	10	1020	6-A			RP PL 1	M	2
8	1012-A		1st		AMD PL 22		3	10	1020-B				RP PL 1	M	3
8	1012-A	1	C		AMD PL 22		4	10	1020-C	1	A		AMD PL 1	M	4
8	1017	4			AMD PL 22		5	10	1020-D				NEW PL 1	M	5
8	1018	2			AMD PL 22		6	10	1023-N		1st		AMD PL 31		4
								10	1053	6	E		AMD PL 1	M	6
9-A	1-201	1			AMD PL 245	A	1	10	1053	6	F		AMD PL 1	M	7
9-A	1-301	17			AMD PL 245	A	2	10	1053	6	G		RP PL 1	M	8
9-A	2-301	2			AMD PL 245	A	3	10	1100-T	2	C		AMD PL 412		1
9-A	2-302	1			AMD PL 245	D	1	10	1100-T	2-C	C		AMD PL 412		2
9-A	2-701				NEW PL 297		1	10	1100-T	2-C	D		AMD PL 412		3
9-A	2-702				NEW PL 297		1	10	1100-T	4			AMD PL 412		4
9-A	5-201	2			AMD PL 297		2	10	1100-AA	1	A		AMD PL 133		1-3
9-A	5-201	2-A			NEW PL 297		3	10	1100-AA	1	C-1		NEW PL 133		4
9-A	6-105-A				AMD PL 245	B	1	10	1100-AA	1	E		AMD PL 133		5
9-A	6-116	2			AMD PL 245	A	4	10	1100-AA	4	B		AMD PL 133		6
9-A	6-202	1			AMD PL 245	B	2	10	1100-AA	9	A		COR RR 2	A	13
9-A	6-203	3-D			NEW PL 245	A	5	10	1100-AA	9	B		COR RR 2	A	14
9-A	8-509	2			AMD PL 150		2	10	1105	1	C		AMD PL 175		1
9-A	10-201				AMD PL 245	D	2	10	1107		1st		AMD PL 182		1
9-A	12-106	2			AMD PL 245	D	3	10	1273				AMD PL 245	A	6
9-A	12-107	4			RP PL 245	C	1	10	1310-A	1	G		RPR PL 245	D	4
9-A	14-105	5			RP PL 293	A	14	10	1310-H	3			RPR PL 293	A	16
9-A	15-101				NEW PL 357		1	10	1396	2			AMD PL 245	D	5
9-A	15-102				NEW PL 357		1	10	1396	3			RP PL 245	D	6
9-A	15-103				NEW PL 357		1	10	1400-B	1			AMD PL 245	D	7
9-A	15-104				NEW PL 357		1	10	1400-B	3			AMD PL 245	D	8
9-A	16-101				NEW PL 357		2	10	1495-D	1-A			NEW PL 245	D	9

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10	1495-H	6		RPR	PL 245	A	7	12	6072-A	8		AMD	PL 168		1
10	1496	1	A	AMD	PL 348		14	12	6072-C	2		AFF	PL 52		21
10	1500-H	6		AMD	PL 245	D	11	12	6072-C	2		AMD	PL 52		13
10	1500-H	6-A		NEW	PL 245	D	12	12	6072-C	2-B		AFF	PL 52		21
10	1500-H	7	B	AMD	PL 245	D	13	12	6072-C	2-B		NEW	PL 52		14
10	1500-M			NEW	PL 160		1	12	6072-C	2-C		NEW	PL 52		15
10	1661-A			AMD	PL 348		15	12	6072-C	6		AFF	PL 52		21
10	2364-B	1	H	AMD	PL 280		1	12	6072-C	6		AMD	PL 52		16
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10	2364-B	6		AMD	PL 280		4	12	6085	7		NEW	PL 52		18
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10	8003	2-A	P	NEW	PL 167		4	12	6455	5-A	A	RP	PL 58		1
10	8003	2-A	Q	NEW	PL 167		5	12	6455	5-A	B	RP	PL 58		2
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10	9722	6	G	AMD	PL 293	A	17	12	6810-A	1-A		AMD	PL 129		1
10	9722	6	I	AMD	PL 293	A	18	12	6810-A	3		AMD	PL 129		2
10	9722	6	M	RP	PL 293	A	19	12	6810-A	4	C	NEW	PL 129		3
10	9722	6	N	RP	PL 293	A	20	12	6810-A	7-A		AMD	PL 129		4
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12	351			NEW	PL 143		1	12	6954-A	1-A		AMD	PL 249		2
12	352			NEW	PL 143		1	12	8003	3	R	NEW	PL 280		5
12	353			NEW	PL 143		1	12	8004		3rd	AMD	PL 330		2
12	541-A			AMD	PL 398	YYY	1	12	8006			NEW	PL 280		6
12	550-B	6		AMD	PL 182		2	12	8868	4		AMD	PL 30		1
12	1806	4	H	AMD	PL 162		1	12	8869-B			NEW	PL 63		1
12	1806	4	I	AMD	PL 162		2	12	8876	2		RPR	PL 293	A	21
12	1806	4	J	NEW	PL 162		3	12	8881	3		AMD	PL 30		2
12	1819		4th	NEW	PL 415		1	12	8881	10		AMD	PL 30		3
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12	1893	2	A	RPR	PL 215		3	12	10001	58-A		NEW	PL 65		1
12	5015		2nd	COR	RR 2	A	17	12	10001	67-B		NEW	PL 54		1
12	5018			NEW	PL 437		1	12	10105	14		AMD	PL 409		4
12	6004		3rd	AMD	PL 330		1	12	10105	19		NEW	PL 65		2
12	6022	3		AMD	PL 398	JJJ	1	12	10109	1-A		NEW	PL 409		5
12	6024	1-A		AMD	PL 71		1	12	10151	1		AMD	PL 72		1
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12	6072	6	C	AMD	PL 52		3	12	10264			AMD	PL 409		6
12	6072	11		AMD	PL 52		4	12	10608		3rd	AMD	PL 330		3
12	6072	12		AMD	PL 52		5	12	10652			AMD	PL 54		2
12	6072	12-A	C	AMD	PL 52		6	12	10657	4		NEW	PL 124		1
12	6072	12-C		AMD	PL 52		7	12	10901	4		AMD	PL 411		1
12	6072	13		AMD	PL 52		8	12	10902	3		AMD	PL 411		2
12	6072	15		RP	PL 52		9	12	10902	6	E	AFF	PL 100		13
12	6072-A	5		AMD	PL 52		10	12	10902	6	E	AMD	PL 100		1
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12	10902-A			NEW	PL 124		2	12	12853			AMD	PL 162		6
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12	11109-A	3	B	AMD	PL 184		2	12	12853	7		RPR	PL 162		8
12	11151	1		AFF	PL 100		13	12	12863			NEW	PL 162		9
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12	11151-A	3		AMD	PL 100		4	12	12954	6-A	G	AMD	PL 54		17
12	11154	2		RPR	PL 184		3	12	12955	2		AMD	PL 54		18
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12	11161			RP	PL 112		2	12	13001	21		AMD	PL 54		20
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12	11209	1		AMD	PL 74		2	12	13056	12	A	AMD	PL 130		2
12	11214	1	C	RP	PL 112		3	12	13068-A	10		AMD	PL 166		1
12	11217	2		AMD	PL 54		7	12	13104	2		RPR	PL 411		7
12	11217	2	I	NEW	PL 184		6	12	13104	4		AMD	PL 104		1
12	11217	3-A		NEW	PL 184		7	12	13104	12-A	A	AMD	PL 130		3
12	11226-B			NEW	PL 87		1	12	13106-A	15	A	AMD	PL 184		13
12	11251	1		AFF	PL 100		13	12	13106-A	19	A	AMD	PL 184		14
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12	11351			RPR	PL 100		7	12	13155	5		AFF	PL 215		15
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12	12159	1		AMD	PL 54		10	12	13155	12		NEW	PL 215		10
12	12201	2		AMD	PL 411		4	12	13157-A	1-A		AMD	PL 215		11
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12	12260	4		AFF	PL 100		13	12	13157-A	16	A	AMD	PL 184		19
12	12260	4		RP	PL 100		8	12	13157-A	19	A	AMD	PL 184		20
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12	12260	5		RP	PL 100		9								
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12	12260-A	2		AMD	PL 100		10	13-B	604	5		AMD	PL 304		2
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12	12304-A			RP	PL 54		12	14	173			NEW	PL 178		1
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12	12306	1		AMD	PL 121		5	14	752-F			NEW	PL 328		1
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12	12404	2		AMD	PL 60		1	14	1202-A			AMD	PL 348		17
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15	709	1-C		AMD	PL 365		2	15	3318-A	5		AFF	PL 365		37
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15	1026	3	A	AMD	PL 397		2, 3	15	3402	1	B	AMD	PL 23		1
15	1026	3	B-1	NEW	PL 397		4	15	3402	1	D	AMD	PL 23		2
15	1026	4	C	AMD	PL 397		5	15	3402	1	H	NEW	PL 23		3
15	1026	5	A	AMD	PL 397		6	15	3402	2-A		RP	PL 23		4
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15	3203-A	4	G	NEW	PL 326		2	15	5822	4		RP	PL 454		9
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15	3308			AFF	PL 365		37								
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15	3308-A	2		AMD	PL 365		14	16	807			RP	PL 153		1
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17	1831	7-D			NEW PL 136		4	17-A	1609-A				NEW PL 260		3
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17	1837-A	2			AMD PL 136		8	17-A	1807	2	D-1		NEW PL 174		4
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17	1837-B				NEW PL 136		11	17-A	1810	1			AMD PL 403		2
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17	2264-A				AMD PL 374		3	17-A	1814				AMD PL 403		5
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17-A	852	1-A			NEW PL 469		2	18-B	1206				NEW PL 235		1
17-A	852	3	RP		PL 469		3	18-B	1207				NEW PL 235		1
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17-A	853-A	5			NEW PL 315		2	18-B	1209				NEW PL 235		1
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18-B	1226			NEW	PL 235		1	19-A	1868			AFF	PL 141		20
18-B	1227			NEW	PL 235		1	19-A	1868			AMD	PL 141		13
18-B	1228			NEW	PL 235		1	19-A	1869			AFF	PL 141		20
18-B	1229			NEW	PL 235		1	19-A	1869			AMD	PL 141		14
								19-A	1870			AFF	PL 141		20
18-C	1-602			AMD	PL 250		1	19-A	1870			AMD	PL 141		15
18-C	1-701			AMD	PL 14		1	19-A	1871			AFF	PL 141		20
18-C	1-701	4		AMD	PL 250		2	19-A	1871			AMD	PL 141		16
18-C	3-108	1	D	AMD	PL 4		1	19-A	1872			AFF	PL 141		20
18-C	5-204	2	C	AMD	PL 340		1	19-A	1872			AMD	PL 141		17
18-C	5-308	4		AMD	PL 4		2	19-A	1924	3		AFF	PL 141		20
18-C	5-312	1	A	AMD	PL 463		1	19-A	1924	3		AMD	PL 141		18
18-C	5-409	4		AMD	PL 4		3	19-A	2201-A			NEW	PL 300		1
18-C	5-415	1		AMD	PL 398	KK	1	19-A	2360-B			NEW	PL 300		2
18-C	5-416	5		NEW	PL 398	KK	2	19-A	3016	10		AFF	PL 141		20
18-C	5-423	2	E	AMD	PL 4		4	19-A	3016	10		AMD	PL 141		19
18-C	5-431	8		AMD	PL 4		5	19-A	4011	1		AMD	PL 432		1
18-C	5-511	4		AMD	PL 4		6	19-A	4011	4		AMD	PL 432		2
18-C	5-704			AMD	PL 275		5	19-A	4012	5		AMD	PL 293	A	22
18-C	5-710			AMD	PL 398	KK	3	19-A	4013	1	A	AMD	PL 174		9
18-C	5-711	1		AMD	PL 398	KK	4	19-A	4013	4	A	AMD	PL 174		10
18-C	5-803-A			NEW	PL 452		1	19-A	4014			AMD	PL 174		11
18-C	8-301	2	A-1	AMD	PL 4		6								
18-C	9-308	1	E	COR	RR 2	A	22	20-A	1	24-A	C	AMD	PL 348		23
18-C	9-401	4	A	AMD	PL 348		21	20-A	1	24-A	D	AMD	PL 348		24
18-C	9-401	7		AMD	PL 348		22	20-A	10	2	G	AMD	PL 293	A	23
								20-A	10	2	H	AMD	PL 293	A	24
19-A	651	2		RPR	PL 49		1	20-A	11	3	D	AMD	PL 144		1
19-A	656	2		AMD	PL 49		2	20-A	11	3	E	AMD	PL 144		2
19-A	951-A	2	C	AMD	PL 122		1	20-A	11	3	F	NEW	PL 144		3
19-A	951-A	5	M-1	NEW	PL 122		2	20-A	203	1	M	AMD	PL 398	FF	4
19-A	953	1		AMD	PL 122		3	20-A	203	1	O	AMD	PL 398	FF	5
19-A	953	10		NEW	PL 285		1	20-A	254	17		AMD	PL 12		1
19-A	1653	2	E	AMD	PL 174		8	20-A	257-A			AMD	PL 445		1
19-A	1653	2	F	NEW	PL 14		2	20-A	257-A	1-A		NEW	PL 61		1
19-A	1653	6-A	A	AMD	PL 360		6	20-A	1001	8-A		AMD	PL 320		1
19-A	1658			AMD	PL 340		2	20-A	1001	8-A	A	AMD	PL 295		1, 2
19-A	1843	3		RPR	PL 14		3	20-A	1001	9		AMD	PL 295		3
19-A	1844	1	A	AFF	PL 141		20	20-A	1001	9		AMD	PL 320		2
19-A	1844	1	A	AMD	PL 141		1	20-A	1001	9-A	A	AMD	PL 320		3
19-A	1851	3		AFF	PL 141		20	20-A	1001	15		AMD	PL 295		4
19-A	1851	3		AMD	PL 141		20	20-A	1001	16		AMD	PL 464		1
19-A	1861			AFF	PL 141		2	20-A	1001	21		NEW	PL 281		1
19-A	1861			AMD	PL 141		4	20-A	1001	21		NEW	PL 471		1
19-A	1862			AFF	PL 141		20	20-A	1002	1	A	AMD	PL 242		1
19-A	1862			AMD	PL 141		5	20-A	1002	1	A-1	NEW	PL 242		2
19-A	1863		1st	AFF	PL 141		20	20-A	1002	2		AMD	PL 242		3
19-A	1863		1st	AMD	PL 141		6	20-A	1002	2-B		NEW	PL 242		4
19-A	1863	1		AFF	PL 141		20	20-A	1055	12		AFF	PL 365		37
19-A	1863	1		AMD	PL 141		7	20-A	1055	12		AMD	PL 365		27
19-A	1863	3	A	AFF	PL 141		20	20-A	1255	2		COR	RR 2	B	1
19-A	1863	3	A	AMD	PL 141		8	20-A	1255	9		COR	RR 2	B	2
19-A	1864			AFF	PL 141		20	20-A	2404	1-A		NEW	PL 248		1
19-A	1864			AMD	PL 141		9	20-A	2404	3		AMD	PL 366		27
19-A	1865			AFF	PL 141		20	20-A	2412	4	A	AMD	PL 366		28
19-A	1865			AMD	PL 141		10	20-A	2951	6		AMD	PL 386		1
19-A	1866			AFF	PL 141		20	20-A	3254-A	2		AMD	PL 348		25
19-A	1866			AMD	PL 141		11	20-A	3272	3	C	AMD	PL 25		1
19-A	1867			AFF	PL 141		20	20-A	3605		1st	COR	RR 2	B	3
19-A	1867			AMD	PL 141		12	20-A	3618		1st	COR	RR 2	B	4

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20-A	3619		1st		COR RR 2	B	5	20-A	6991			NEW	PL 248		3
20-A	3624		1st		COR RR 2	B	6	20-A	6992			NEW	PL 248		3
20-A	3625	1			COR RR 2	B	7	20-A	6993			NEW	PL 248		3
20-A	3626		1st		COR RR 2	B	8	20-A	6994			NEW	PL 248		3
20-A	3627		1st		COR RR 2	B	9	20-A	6995			NEW	PL 248		3
20-A	3628		1st		COR RR 2	B	10	20-A	7209	4		AMD	PL 398	II	1
20-A	3629		1st		COR RR 2	B	11	20-A	8308			NEW	PL 237		1
20-A	3631		1st		COR RR 2	B	12	20-A	8803			NEW	PL 32		1
20-A	3656	3	B		COR RR 2	B	13	20-A	10001	1		COR	RR 2	B	19
20-A	3656	3	C		COR RR 2	B	14	20-A	10010-A			NEW	PL 248		4
20-A	3661	3	B		COR RR 2	B	15	20-A	10952	7		AMD	PL 398	PPP	1
20-A	3661	3	C		COR RR 2	B	16	20-A	11471			AMD	PL 17		1
20-A	4014				NEW PL 453		1	20-A	11472			AMD	PL 17		2
20-A	4502	1	A		COR RR 2	A	23	20-A	11474	2		AMD	PL 17		3
20-A	4516	2			COR RR 2	B	17	20-A	11475	11		AMD	PL 17		4
20-A	4706				AFF PL 247		3	20-A	11476			AMD	PL 17		5
20-A	4706				AMD PL 247		1	20-A	11478	1		AMD	PL 17		6
20-A	4711				AMD PL 190		1	20-A	11479			AMD	PL 17		7
20-A	4712				AMD PL 190		2	20-A	11483			AMD	PL 17		8
20-A	4713				NEW PL 75		1	20-A	11485			AMD	PL 17		9
20-A	4721	1			AMD PL 190		3	20-A	11614	2		AMD	PL 398	XXX	1
20-A	4730				NEW PL 75		2	20-A	12004	2		COR	RR 2	B	20
20-A	4730				NEW PL 190		4	20-A	12545			AMD	PL 181	A	1
20-A	4802	1	B-1		NEW PL 140		4	20-A	12552	1		COR	RR 2	B	21
20-A	5003				AMD PL 157		1	20-A	12704	6		AMD	PL 348		26
20-A	5161	1-B			NEW PL 445		2	20-A	12723			NEW	PL 372		1
20-A	5161	2-A			AMD PL 445		3	20-A	12801		1st	COR	RR 2	B	22
20-A	5161	2-B			NEW PL 445		4	20-A	12902			NEW	PL 243		1
20-A	5161	2-C			NEW PL 445		5	20-A	12951			NEW	PL 346		2
20-A	5161	4-A			NEW PL 445		6	20-A	12952			NEW	PL 346		2
20-A	5161	6			AMD PL 445		7	20-A	12953			NEW	PL 346		2
20-A	5161	11			NEW PL 445		8	20-A	12954			NEW	PL 346		2
20-A	5163	3			AMD PL 445		9	20-A	12955			NEW	PL 346		2
20-A	5163	4			RP PL 445		10	20-A	12956			NEW	PL 346		2
20-A	5163	5			AMD PL 445		11	20-A	12957			NEW	PL 346		2
20-A	5163	5-A			NEW PL 445		12	20-A	12958			NEW	PL 346		2
20-A	5164		2nd		AMD PL 445		13	20-A	13001-A	7		AMD	PL 228		1
20-A	5165				NEW PL 445		14	20-A	13003	2		COR	RR 2	B	23
20-A	5205	12			NEW PL 248		2	20-A	13012-B			NEW	PL 228		2
20-A	6001-B	3-A			AFF PL 365		37	20-A	13013	2-B		RPR	PL 228		3
20-A	6001-B	3-A			AMD PL 365		28	20-A	13013-A	3		AMD	PL 398	JJ	1
20-A	6202		1st		AMD PL 462		1	20-A	13019	1		AMD	PL 228		4
20-A	6209		1st		AMD PL 190		5	20-A	13019-H	4		NEW	PL 228		5
20-A	6209	2	A		RPR PL 190		6	20-A	13022	1	A	AMD	PL 228		6
20-A	6209	3			AMD PL 190		7	20-A	13022	3		AMD	PL 228		7
20-A	6307				NEW PL 115		1	20-A	13022	4		AMD	PL 228		8
20-A	6354	1			COR RR 2	B	18	20-A	13022	8		AMD	PL 228		9
20-A	6555	2	D		AMD PL 320		4	20-A	13031			AMD	PL 228		10
20-A	6556				NEW PL 156		1	20-A	13032		1st	AMD	PL 228		11
20-A	6556				NEW PL 398	HH	1	20-A	13407			AMD	PL 441		1
20-A	6601-A				AMD PL 212		1	20-A	13451	3		AMD	PL 312		7
20-A	6602	1	B		AMD PL 398	OOOO	1	20-A	13451	3		AMD	PL 483	NN	1
20-A	6602	1	D		AMD PL 398	OOOO	2	20-A	13601	2	B	COR	RR 2	B	24
20-A	6602	1	H		NEW PL 398	OOOO	3	20-A	13605			NEW	PL 378		1
20-A	6602	1	I		NEW PL 398	OOOO	4	20-A	15671	7	B	AMD	PL 1	C	1
20-A	6602	1	J		NEW PL 398	OOOO	5	20-A	15671	7	B	AMD	PL 29	C	1
20-A	6602	1	K		NEW PL 398	OOOO	6	20-A	15671	7	B	AMD	PL 398	C	1
20-A	6602	12			AMD PL 426		1	20-A	15671-A	2	B	AMD	PL 1	C	2
20-A	6602	12-A			NEW PL 426		2	20-A	15671-A	2	B	AMD	PL 29	C	2, 3
20-A	6804-A				NEW PL 383		1	20-A	15671-A	2	B	AMD	PL 398	C	2, 3

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20-A	15674	1	B	AMD	PL 428		1	21-A	159	2		COR	RR 2	B	38
20-A	15674	1	C	AMD	PL 428		2	21-A	161	2-B		AFF	PL 398	UUUU	7
20-A	15674	1	D	NEW	PL 428		3	21-A	161	2-B		NEW	PL 398	UUUU	1
20-A	15674	2		AMD	PL 428		4	21-A	181	1	B	AMD	PL 398	OO	3
20-A	15675		1st	AMD	PL 428		5	21-A	196-A	1	B	AMD	PL 310		1
20-A	15678	2	A-1	NEW	PL 29	C	4	21-A	196-A	1	J	NEW	PL 310		2
20-A	15678	3		AMD	PL 428		6	21-A	196-A	4		NEW	PL 310		3
20-A	15679	3		AMD	PL 428		7	21-A	196-A	5		NEW	PL 310		4
20-A	15679	5		AMD	PL 428		8	21-A	232	1		AMD	PL 273		3
20-A	15683	1	A	AMD	PL 428		9	21-A	232	5		AFF	PL 273		30
20-A	15689	7-A		AMD	PL 441		2	21-A	232	5		NEW	PL 273		4
20-A	15689-A	25		AMD	PL 398	C	4	21-A	301	1	E	AMD	PL 335		1
20-A	15689-B	6		AMD	PL 213		1	21-A	314		1st	COR	RR 2	B	39
20-A	16104		1st	COR	RR 2	B	25	21-A	333		1st	COR	RR 2	B	40
								21-A	335	1		COR	RR 2	B	41
21-A	1	3-A		AMD	PL 217		1	21-A	335	3		COR	RR 2	B	42
21-A	1	5		COR	RR 2	B	26	21-A	335	5		AMD	PL 273		5
21-A	1	26		AMD	PL 275		6	21-A	336		1st	COR	RR 2	B	43
21-A	1	27-C		RPR	PL 273		1	21-A	338			COR	RR 2	B	44
21-A	1	27-D		AFF	PL 439		15	21-A	352			COR	RR 2	B	45
21-A	1	27-D		NEW	PL 439		1	21-A	354	3		COR	RR 2	B	46
21-A	1	29-A		AMD	PL 217		2	21-A	354	5		AMD	PL 273		6
21-A	2			COR	RR 2	B	27	21-A	355		1st	COR	RR 2	B	47
21-A	23	2		COR	RR 2	B	28	21-A	361		1st	COR	RR 2	B	48
21-A	23	6		COR	RR 2	B	29	21-A	363	2		COR	RR 2	B	49
21-A	23	8		COR	RR 2	B	30	21-A	391	1		COR	RR 2	B	50
21-A	23	12		COR	RR 2	B	31	21-A	441			AMD	PL 273		7
21-A	23	13		COR	RR 2	B	32	21-A	442			AMD	PL 273		8
21-A	101	7		COR	RR 2	B	33	21-A	503-A	1		AMD	PL 273		9
21-A	102	3		COR	RR 2	B	34	21-A	504	3		COR	RR 2	B	51
21-A	103	4		COR	RR 2	B	35	21-A	601	3		AMD	PL 273		10
21-A	112-A	3		AMD	PL 246		1	21-A	605-A	3		NEW	PL 246		3
21-A	112-A	3-A		NEW	PL 246		2	21-A	626-A			AMD	PL 246		4
21-A	121	1		COR	RR 2	B	36	21-A	627	5		NEW	PL 246		5
21-A	121	1-A		AFF	PL 439		15	21-A	628	1		COR	RR 2	B	52
21-A	121	1-A		AMD	PL 439		2	21-A	628	2		COR	RR 2	B	53
21-A	121-A			AFF	PL 439		15	21-A	630			AMD	PL 348		28
21-A	121-A			AMD	PL 439		3	21-A	662	1		COR	RR 2	B	54
21-A	129	1		COR	RR 2	B	37	21-A	662	2		COR	RR 2	B	55
21-A	129	1		AFF	PL 439		15	21-A	662	3		COR	RR 2	B	56
21-A	129	1		AMD	PL 439		4	21-A	723-A	5-B		AMD	PL 273		11
21-A	130			AFF	PL 439		15	21-A	724-A			COR	RR 2	B	57
21-A	130			AMD	PL 439		5	21-A	732	1		COR	RR 2	B	58
21-A	142		1st	AFF	PL 439		15	21-A	752	3		AFF	PL 398	UUUU	7
21-A	142		1st	AMD	PL 439		6	21-A	752	3		AMD	PL 398	UUUU	2
21-A	144		1st	AFF	PL 439		15	21-A	752-B			NEW	PL 273		12
21-A	144		1st	AMD	PL 439		7	21-A	753-A	3	A	AMD	PL 273		13
21-A	144	1		AFF	PL 439		15	21-A	753-A	6		AMD	PL 273		14
21-A	144	1		AMD	PL 439		8	21-A	753-A	7		NEW	PL 273		15
21-A	145		1st	AFF	PL 439		15	21-A	753-A	8		AFF	PL 398	UUUU	7
21-A	145		1st	AMD	PL 439		9	21-A	753-A	8		NEW	PL 398	UUUU	3
21-A	145	2		AFF	PL 439		15	21-A	753-A	9		AFF	PL 398	UUUU	7
21-A	145	2		AMD	PL 439		10	21-A	753-A	9		NEW	PL 398	UUUU	4
21-A	152	1		AFF	PL 439		15	21-A	753-B	1		AMD	PL 273		16
21-A	152	1		AMD	PL 439		11	21-A	753-B	1		AFF	PL 398	UUUU	7
21-A	152	5		AFF	PL 439		15	21-A	753-B	1		AMD	PL 398	UUUU	5
21-A	152	5		AMD	PL 439		12	21-A	753-B	2	C	AMD	PL 273		17
21-A	152	6		AFF	PL 439		15	21-A	753-B	2	D	AMD	PL 273		18
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21-A	753-B	8		AMD	PL 273		21	21-A	1056-D			AFF	PL 274		13
21-A	756	2		AMD	PL 273		22	21-A	1056-D			NEW	PL 274		12
21-A	756-A			NEW	PL 273		23	21-A	1057			AMD	PL 217		9
21-A	759	2		AMD	PL 273		24	21-A	1059		1st	AMD	PL 217		10
21-A	759	3	A	RP	PL 273		25	21-A	1060			AMD	PL 217		11
21-A	759	3	A-1	NEW	PL 273		26	21-A	1125		2-C	NEW	PL 132		10
21-A	759	3	B	RP	PL 273		27	21-A	1125		5-A	AMD	PL 132		11
21-A	759	6		RPR	PL 246		6	21-A	1125		6-E	AMD	PL 132		12
21-A	760-B		1st	AMD	PL 11		1	21-A	1125		6-F	AMD	PL 217		12
21-A	760-B	2		AMD	PL 11		2	21-A	1125		8-B	AMD	PL 132		13
21-A	765			NEW	PL 273		28	21-A	1125		8-C	AMD	PL 132		14
21-A	803			AMD	PL 273		29	21-A	1125		8-D	AMD	PL 132		15
21-A	812	2		COR	RR 2 B		59	22	22		1st	AMD	PL 398	OO	4
21-A	812	6		COR	RR 2 B		60	22	42	5		AMD	PL 423	A	2
21-A	812	7		COR	RR 2 B		61	22	264			NEW	PL 398	MMMM	2
21-A	814	1		COR	RR 2 B		62	22	785			NEW	PL 470		1
21-A	816	1		COR	RR 2 B		63	22	802	1	C	AMD	PL 349		2
21-A	821	3		COR	RR 2 B		64	22	802	1	D	AMD	PL 349		3
21-A	823			COR	RR 2 B		65	22	802	1	E	NEW	PL 349		4
21-A	824			COR	RR 2 B		66	22	802	2	B	AMD	PL 349		5
21-A	825	1		COR	RR 2 B		67	22	802	2	C	AMD	PL 349		6
21-A	826	1		COR	RR 2 B		68	22	802	2	D	NEW	PL 349		7
21-A	826	3		COR	RR 2 B		69	22	804	2		AMD	PL 349		8
21-A	827	3	A	COR	RR 2 B		70	22	804	3		NEW	PL 349		9
21-A	843	5		COR	RR 2 B		71	22	1319-C	3		AMD	PL 35		1
21-A	847	1		COR	RR 2 B		72	22	1406-A			NEW	PL 423	A	3
21-A	1004-A	2		AFF	PL 274		13	22	1425			NEW	PL 369		1
21-A	1004-A	2		AMD	PL 274		1	22	1471-B	1		AMD	PL 179		1
21-A	1012	4-B		AFF	PL 274		13	22	1542	1		AMD	PL 57		1
21-A	1012	4-B		NEW	PL 274		2	22	1708	3	F	AMD	PL 29	R	1
21-A	1012	6		AFF	PL 274		13	22	1711-C	6	T	AMD	PL 398	MMMM	3
21-A	1012	6		NEW	PL 274		3	22	1711-C	6	U	AMD	PL 398	MMMM	4
21-A	1013-A	3		AMD	PL 132		4	22	1711-C	6	V	NEW	PL 398	MMMM	5
21-A	1014	2-B		AMD	PL 132		5, 6	22	1718-D			COR	RR 2 A		24
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21-A	1015	1		AMD	PL 274		4	22	1718-D	3		RAL	RR 2 A		25
21-A	1015	2		AFF	PL 274		13	22	1718-D	5		RAL	RR 2 A		26
21-A	1015	2		RPR	PL 274		5	22	1718-G			NEW	PL 28 A		2
21-A	1015	2-A		AFF	PL 274		13	22	1816			AMD	PL 398	MM	1
21-A	1015	2-A		NEW	PL 274		6	22	1826		2nd	COR	RR 2 A		26
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21-A	1015	10		NEW	PL 274		7	22	1964		3rd	RP	PL 398	NN	1
21-A	1015-A			AFF	PL 274		13	22	2163			AMD	PL 64		2
21-A	1015-A			RP	PL 274		8	22	2175			RP	PL 125		1
21-A	1019-B	1		AMD	PL 132		7	22	2175			RP	PL 125		1
21-A	1019-B	2		AMD	PL 132		8	22	2353	2-A		NEW	PL 161		1
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21-A	1054			RPR	PL 217		6	22	2423-A	2	I	AMD	PL 367		1
21-A	1054-A			AMD	PL 217		7	22	2423-A	2	I-1	NEW	PL 367		2
21-A	1054-B			RPR	PL 276		1	22	2423-A	2	K-1	AMD	PL 367		3
21-A	1056-B			RP	PL 217		8	22	2423-A	2	P	AMD	PL 367		4
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22	2424	4		AMD	PL 387		7	22	2602-A	3		NEW	PL 483	BB	2
22	2425-A	3		AMD	PL 367		11	22	2660-U			AMD	PL 483	BB	3
22	2425-A	3-A		AMD	PL 387		8	22	2660-W	3	B	AMD	PL 483	BB	4
22	2425-A	5	A	AMD	PL 367		12	22	2660-W	3	C	AMD	PL 483	BB	5
22	2425-A	10		AMD	PL 387		9	22	2660-W	3	D	NEW	PL 483	BB	6
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22	2425-A	13	A	AMD	PL 387		10	22	2662	5		AMD	PL 35		2
22	2428	1-A	F	RPR	PL 293	A	27	22	2700	8		NEW	PL 94		1
22	2428	1-A	F	AMD	PL 367		13	22	2703			AMD	PL 49		3
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22	2430	5		AMD	PL 387		11	22	2706-A			AMD	PL 49		5
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22	2430-F	1		AMD	PL 387		13	22	2765	1	B	AMD	PL 309		3
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22	3174-FFF			NEW	PL 438		1	22	7801	1	G	AMD	PL 35		12
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22	3571	3		AMD	PL 348		30	22	7802	6		AMD	PL 35		15
22	3737	3		AMD	PL 138		1	22	8101	2		AMD	PL 98		1
22	3739	2	G	RP	PL 293	A	28	22	8101	4-A		AMD	PL 98		2
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22	3762	8	B	AMD	PL 1	N	1	22	8110	2		AMD	PL 42		2
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22	3763	1-A		AMD	PL 97		2	22	8301-A	1-A	C	AMD	PL 35		17
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22	3931			NEW	PL 457		2	22	8302-A	2	I	AMD	PL 35		24
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22	4008	2	A-2	NEW	PL 148		1	22	8704	1	A	AMD	PL 423	B	2
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22	4055	1		AMD	PL 340		5	22	8732	2		RPR	PL 305		6
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23	3028			RP	PL 145		1	24-A	2271			NEW	PL 24		1
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24	2852	3		COR	RR 2 B		82	24-A	4303-C	2	E	AMD	PL 241		2
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24-A	7402	8		AMD	PL 352		2	25	2806-A	5	K	AMD	PL 255		2
24-A	7402	9		AMD	PL 352		3	25	2806-A	5	L	AMD	PL 255		3
24-A	7402	11		AMD	PL 352		4	25	2806-A	5	M	NEW	PL 255		4
24-A	7402	12		AMD	PL 352		5	25	2806-A	10		AMD	PL 255		5
24-A	7402	13		AMD	PL 352		6	25	2925	1		AMD	PL 348		37
24-A	7403			RP	PL 352		7	25	2929	2	B	AFF	PL 365		37
24-A	7403-A			NEW	PL 352		8	25	2929	2	B	AMD	PL 365		29
24-A	7404			RP	PL 352		9	25	2929	4	B	AFF	PL 365		37
24-A	7404-A			NEW	PL 352		10	25	2929	4	B	AMD	PL 365		30
24-A	7405			RP	PL 352		11	25	2932	1		AMD	PL 348		38
24-A	7501			NEW	PL 218		5	25	2952	4		RP	PL 36		13
24-A	7501			AFF	PL 391		4	25	2954			RP	PL 36		14
24-A	7501			NEW	PL 391		2	25	2955		1st	AMD	PL 36		15
24-A	7502			NEW	PL 218		5	25	2955		2nd	AMD	PL 36		16
24-A	7502			AFF	PL 391		4	25	2955	1		AMD	PL 36		17
24-A	7502			NEW	PL 391		2	25	2956	1		AMD	PL 36		18
24-A	7503			NEW	PL 218		5	25	2957			AMD	PL 36		19
24-A	7503			AFF	PL 391		4	25	2958			AMD	PL 36		20
24-A	7503			NEW	PL 391		2	25	6001			AFF	PL 394		2
24-A	7504			NEW	PL 218		5	25	6001			NEW	PL 394		1
24-A	7505			NEW	PL 218		5								
24-A	7506			NEW	PL 218		5	26	3	3	B	RPR	PL 293	A	43
								26	565			AMD	PL 103		1
25	1510			NEW	PL 384		1	26	600-A			NEW	PL 404		1
25	1542-A	1	R	RPR	PL 293	A	30	26	621-A	7		NEW	PL 158		1
25	1542-A	1	S	RPR	PL 293	A	31	26	626-A		1st	AMD	PL 404		2
25	1542-A	1	T	RPR	PL 293	A	32	26	635			AMD	PL 425		1
25	1542-A	1	U	RAL	PL 293	A	33	26	640			NEW	PL 102		1
25	1542-A	1	V	NEW	PL 293	A	34	26	663	8		AMD	PL 288		1
25	1542-A	1	V	NEW	PL 400		2	26	809	6		AMD	PL 67		1
25	1542-A	1	W	NEW	PL 293	A	35	26	809	7	B	AMD	PL 67		2
25	1542-A	1	X	RAL	PL 293	A	33	26	843	4	D	AMD	PL 189		1
25	1542-A	3	O	RPR	PL 293	A	36	26	931		1st	AMD	PL 421		1
25	1542-A	3	S	RPR	PL 293	A	37	26	935		3rd	AMD	PL 275		11
25	1542-A	3	T	RPR	PL 293	A	38	26	965	1	C	AMD	PL 96		1
25	1542-A	3	U	NEW	PL 293	A	39	26	965	1-A		NEW	PL 96		2
25	1542-A	3	U	NEW	PL 400		3	26	968	1		AMD	PL 421		2
25	1542-A	3	V	NEW	PL 293	A	40	26	976			NEW	PL 282		1
25	1542-A	3	W	NEW	PL 293	A	41	26	1038			NEW	PL 282		2
25	1542-A	4		RPR	PL 293	A	42	26	1043	17	B	AMD	PL 456		1
25	1544		2nd	AMD	PL 366		30	26	1043	17	C	AMD	PL 456		2
25	1544		2nd	AMD	PL 369		2	26	1043	19		AMD	PL 456		3
25	1801			NEW	PL 164		1	26	1043	20		AMD	PL 456		4
25	2201			AMD	PL 62		1	26	1043	28		AMD	PL 275		12
25	2202			AMD	PL 62		2	26	1050			AMD	PL 456		5
25	2469			AFF	PL 194		3	26	1051	5		AMD	PL 456		6
25	2469			NEW	PL 194		1	26	1051	9		AMD	PL 456		7
25	2491			NEW	PL 422		1	26	1082	1		AMD	PL 456		8
25	2492			NEW	PL 422		1	26	1082	2		AMD	PL 456		9
25	2493			NEW	PL 422		1	26	1082	13		AMD	PL 456		10

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26	1162			AMD	PL 456		11	28-A	1652	1		AMD	PL 8		7
26	1190	2	C	AMD	PL 456		12	28-A	1652	1-A		AMD	PL 8		8
26	1190	2	C-1	NEW	PL 456		13	28-A	1652	2		AMD	PL 8		9
26	1191	1		AMD	PL 456		14	28-A	1652	2-A		AMD	PL 8		10
26	1191	3		AMD	PL 456		15								
26	1191	6		AMD	PL 456		16	28-B	102	35		AMD	PL 226		1
26	1192	1		AMD	PL 456		17	28-B	102	37		AMD	PL 226		2
26	1192	2		AMD	PL 456		18	28-B	102	51		AMD	PL 251		5
26	1192	3		AMD	PL 348		39	28-B	108			AMD	PL 226		3
26	1192	3		AMD	PL 456		19	28-B	109			AMD	PL 226		4
26	1192	6		AMD	PL 456		20	28-B	205	4	A	AMD	PL 226		5
26	1192	6-C		AMD	PL 456		21	28-B	504	4-A		NEW	PL 314		1
26	1193	1	A	AMD	PL 456		22	28-B	507			AMD	PL 314		2
26	1193	3	B	AMD	PL 348		40	28-B	604-A	2		RP	PL 226		6
26	1194	1		AMD	PL 456		23	28-B	902	1		AMD	PL 363		1
26	1194	2		AMD	PL 456		24	28-B	902	5		AMD	PL 363		2
26	1194	3		AMD	PL 456		25								
26	1194	6		AMD	PL 456		26	29-A	101	3	E	AMD	PL 216		1
26	1195	1-A		NEW	PL 456		27	29-A	101	3	F	AMD	PL 216		2
26	1195	2		AMD	PL 456		28	29-A	101	3	G	NEW	PL 216		3
26	1195	5-A		NEW	PL 456		29	29-A	101	4	C	AMD	PL 216		4
26	1197	8-B	B-1	AMD	PL 456		30	29-A	101	4	D	AMD	PL 216		5
26	1221	10	E	AMD	PL 456		31	29-A	101	4	E	NEW	PL 216		6
26	1221	15		AMD	PL 456		32	29-A	101	19-A		AMD	PL 216		7
26	1226	1	A	AMD	PL 456		33	29-A	101	47-A		AMD	PL 216		8
26	1251	2		AMD	PL 456		34	29-A	101	63-C		NEW	PL 239		4
26	1296			NEW	PL 282		3	29-A	101	63-D		NEW	PL 239		5
26	1304	3-A		NEW	PL 465		1	29-A	115		3rd	AMD	PL 330		10
26	1304	10		NEW	PL 465		2	29-A	201	6		NEW	PL 216		9
26	1312	1		AMD	PL 465		3	29-A	351	1		AFF	PL 427		4
26	1317			NEW	PL 465		4	29-A	351	1		AMD	PL 427		1
26	1411-A	6	D	AMD	PL 348		41	29-A	351	1-A		AFF	PL 427		4
26	2065			NEW	PL 456		37	29-A	351	1-A		AMD	PL 427		2
26	2103	1		RP	PL 442		1	29-A	351	2	A	AFF	PL 427		4
26	2103	1-A		NEW	PL 442		2	29-A	351	2	A	AMD	PL 427		3
26	3205	2		AMD	PL 95		1	29-A	354			AMD	PL 216		10
26	3205	10		AMD	PL 95		2	29-A	453	2		AMD	PL 216		11
26	3211	7		NEW	PL 147		1	29-A	453	3-A		AMD	PL 232		1
								29-A	453	3-B		NEW	PL 232		2
27	553			AMD	PL 269		1	29-A	453	3-C		NEW	PL 232		3
27	553	3		NEW	PL 269		2	29-A	454	2		AMD	PL 89		1
								29-A	456-I			NEW	PL 56		1
28-A	2	21		AMD	PL 275		13	29-A	462	2		AMD	PL 126		1
28-A	125	1		AMD	PL 137		1	29-A	468	10	B	AMD	PL 216		12
28-A	125	4		AMD	PL 137		2	29-A	501	7	H	NEW	PL 216		13
28-A	453	1-A		AMD	PL 172		1	29-A	522			RP	PL 216		14
28-A	460	2	J	AMD	PL 131		1	29-A	524	4		AMD	PL 216		15
28-A	707	7		AMD	PL 8		1	29-A	602	11		AMD	PL 216		16
28-A	1012	3		AMD	PL 76		1	29-A	664-A	1		AMD	PL 216		17
28-A	1052	1		AMD	PL 76		2	29-A	664-A	3		AMD	PL 216		18
28-A	1056			NEW	PL 3		1	29-A	664-A	5		AMD	PL 216		19
28-A	1205	2	H	AMD	PL 131		2	29-A	702	2-A		NEW	PL 216		20
28-A	1207	2	H	AMD	PL 131		3	29-A	752-A	2		AMD	PL 216		21
28-A	1355-A	5	F-1	NEW	PL 91		1	29-A	852	2		AMD	PL 216		22
28-A	1355-A	5	H	AMD	PL 91		2	29-A	903	3		AMD	PL 216		23
28-A	1357			NEW	PL 8		2	29-A	952	1	D	AMD	PL 216		24
28-A	1651	1		AMD	PL 8		3	29-A	952	1	E	AMD	PL 216		25
28-A	1651	3	C	AMD	PL 8		4	29-A	952	1	F	RP	PL 216		26
28-A	1651	3	D	AMD	PL 8		5	29-A	952	1-A		NEW	PL 216		27
28-A	1651	3	E	NEW	PL 8		6	29-A	952	1-B		NEW	PL 216		28

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29-A	952	3			AMD PL 216		29	30-A	822	2			AMD PL 275		16
29-A	952	4			RP PL 216		30	30-A	822	3			AMD PL 275		17
29-A	1002	4			AMD PL 216		31	30-A	823	1			AMD PL 55		1
29-A	1101	1			AMD PL 216		32	30-A	852	2			AMD PL 275		18
29-A	1102-A				RPR PL 216		33	30-A	892	4			AMD PL 275		19
29-A	1108	1	B		AMD PL 216		34	30-A	1556	1			AMD PL 211		1
29-A	1110	1			AMD PL 216		35	30-A	1605	8			AMD PL 275		20
29-A	1256				AMD PL 216		36	30-A	1606				AMD PL 169		1
29-A	1304	2	I		NEW PL 216		37	30-A	1606	1			AMD PL 338		2
29-A	1351	3			AMD PL 216		38	30-A	2001	10	A		AMD PL 275		21
29-A	1352	3			AMD PL 216		39	30-A	2521				AMD PL 275		22
29-A	1352	5			AMD PL 216		40	30-A	2524	2			AMD PL 275		23
29-A	1352	6	B		AMD PL 216		41	30-A	2524	3			AMD PL 275		24
29-A	1354	2	A		AMD PL 216		42	30-A	2525	1	B		AMD PL 275		25
29-A	1354	2	D		NEW PL 216		43	30-A	2526	3	A		AMD PL 275		26
29-A	1354	4			AMD PL 216		44	30-A	2526	4			AMD PL 275		27
29-A	1410	6			COR RR 2	A	29	30-A	2526	5	A		AMD PL 275		28
29-A	1601	10			NEW PL 200		1	30-A	2526	5	C		AMD PL 275		29
29-A	1605	3	C		AMD PL 254		1	30-A	2526	6	B		AMD PL 275		30
29-A	1605	4			AMD PL 254		2	30-A	2526	7	B		AMD PL 275		31
29-A	1605	5			AMD PL 254		3	30-A	2526	7	C		AMD PL 275		32
29-A	1605	9			NEW PL 254		4	30-A	2528	2			AMD PL 275		33
29-A	1909				AMD PL 216		45	30-A	2528	5			AMD PL 185		1
29-A	1922	4	B		AMD PL 368		1	30-A	2602	2			AMD PL 275		34
29-A	1922	4	C		AMD PL 368		2	30-A	2602	3			AMD PL 275		35
29-A	1922	4	D		NEW PL 368		3	30-A	2631	2			AMD PL 275		36
29-A	1922	7			AMD PL 368		4	30-A	2632				AMD PL 275		37
29-A	2053	3	A		AMD PL 239		6	30-A	2633	2			AMD PL 275		38
29-A	2053	6			AMD PL 239		7	30-A	2633	3			AMD PL 275		39
29-A	2054	1	G		AMD PL 186		1	30-A	2634				AMD PL 275		40
29-A	2054	2	C		AMD PL 205		1	30-A	2635				AMD PL 275		41
29-A	2054	2	F		AMD PL 26		1	30-A	2636				AMD PL 275		42
29-A	2054	2	F		AMD PL 113		1	30-A	2637				AMD PL 275		43
29-A	2063	14	G		AMD PL 86		1	30-A	2638	2			AMD PL 275		44
29-A	2081	2-B			AMD PL 293	B	5	30-A	2638	3			AMD PL 275		45
29-A	2091	1			AMD PL 85		1	30-A	3010	6			AMD PL 348		48
29-A	2092	3			NEW PL 216		46	30-A	3964-A	3			AMD PL 245	A	8
29-A	2251	12			NEW PL 379		1	30-A	4312	3	K		AMD PL 293	A	44
29-A	2431	2	B		AMD PL 204		1	30-A	4312	3	M		AMD PL 293	A	45
29-A	2472	2-A			AMD PL 216		47	30-A	4356	3			AMD PL 275		46
29-A	2508	1			AMD PL 216		48	30-A	4363				NEW PL 219		1
								30-A	4702	1	B		AMD PL 275		47
30	6205	1			AFF PL 139		3	30-A	4702	15			AMD PL 275		48
30	6205	1			AMD PL 139		1	30-A	4706	5	B		AMD PL 366		31
30	6205	2	B		AFF PL 139		3	30-A	4721	2			AMD PL 275		49
30	6205	2	B		AMD PL 139		2	30-A	4721	4			AMD PL 275		50
30	6206	3	A		RAL RR 2	A	30	30-A	4722	1	FF		AMD PL 322		1
30	6206	3	B		RAL RR 2	A	30	30-A	4722	1	GG		AMD PL 322		2
								30-A	4722	1	HH		NEW PL 322		3
30-A	52	1			AMD PL 275		14	30-A	4725				AMD PL 275		51
30-A	371-B	3	D		AMD PL 202		1	30-A	4741	18			AMD PL 270		1
30-A	371-B	3-A			NEW PL 202		2	30-A	4741	19			AMD PL 270		2
30-A	371-B	4			AMD PL 202		3	30-A	4741	20			NEW PL 270		3
30-A	471	1			AMD PL 348		42	30-A	5222	1-C			NEW PL 261		1
30-A	471	2			AMD PL 348		43	30-A	5225	1	A		AMD PL 261		2-4
30-A	471	3	A		AMD PL 348		44	30-A	5225	1	B		AMD PL 261		5
30-A	472	1			AMD PL 348		45	30-A	5225	1	C		RPR PL 261		6
30-A	472	2			AMD PL 348		46	30-A	5225	1	C		RPR PL 293	B	6
30-A	472	3	A		AMD PL 348		47	30-A	5225	1	D		AMD PL 261		7
30-A	722	2			AMD PL 275		15	30-A	5225	1	E		NEW PL 261		8

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30-A	5250-J	5			AMD PL 398	III	1	32	2291				NEW PL 324		2
30-A	5681	5			AMD PL 29	F	1	32	2292				NEW PL 324		2
30-A	5681	5			AMD PL 398	G	1	32	2293				NEW PL 324		2
30-A	5903	6-A			RPR PL 293	A	46	32	2294				NEW PL 324		2
30-A	6006-G	1			AMD PL 239		8	32	2295				NEW PL 324		2
30-A	6006-G	4	A		AMD PL 224	D	1	32	2296				NEW PL 324		2
30-A	6006-G	4	B		AMD PL 239		9	32	2297				NEW PL 324		2
30-A	7007				AMD PL 275		52	32	2298				NEW PL 324		2
								32	2299				NEW PL 324		2
32	69				NEW PL 291	B	1	32	2300				NEW PL 324		2
32	81-A		2nd		AMD PL 159		1	32	2447				NEW PL 291	B	6
32	82	1			AMD PL 220		1	32	2448				NEW PL 291	B	6
32	83	12-A			NEW PL 220		2	32	2449				NEW PL 291	B	6
32	83	17-B	A		AMD PL 275		53	32	2450				NEW PL 291	B	6
32	85	8			NEW PL 161		4	32	2450-A				NEW PL 291	B	6
32	85-B				NEW PL 220		3	32	2600-AA				NEW PL 291	B	7
32	86	1	A		NEW PL 241		4	32	2600-BB				NEW PL 291	B	7
32	86	4			NEW PL 161		5	32	2600-CC				NEW PL 291	B	7
32	88	2	K		NEW PL 15		1	32	2600-DD				NEW PL 291	B	7
32	88	2	K		NEW PL 241		5	32	2600-EE				NEW PL 291	B	7
32	88-C				NEW PL 82		1	32	3120				NEW PL 291	B	8
32	91-B	1	E		NEW PL 15		2	32	3271	2			AMD PL 229		1
32	91-B	1	F		NEW PL 15		3	32	3300-D				AMD PL 293	B	7
32	96				NEW PL 15		4	32	3300-AA				NEW PL 291	B	9
32	566				NEW PL 291	B	2	32	3300-BB				NEW PL 291	B	9
32	567				NEW PL 291	B	2	32	3300-CC				NEW PL 291	B	9
32	568				NEW PL 291	B	2	32	3300-DD				NEW PL 291	B	9
32	569				NEW PL 291	B	2	32	3300-EE				NEW PL 291	B	9
32	570				NEW PL 291	B	2	32	3661				NEW PL 291	B	10
32	1222	1-A			NEW PL 125		17	32	3662				NEW PL 291	B	10
32	1222	1-B			NEW PL 125		18	32	3663				NEW PL 291	B	10
32	1231-A				AMD PL 125		19	32	3664				NEW PL 291	B	10
32	1233				RP PL 125		20	32	3665				NEW PL 291	B	10
32	1233-A				NEW PL 125		21	32	3814				AFF PL 233		6
32	1243				AMD PL 125		22	32	3814				AMD PL 233		1
32	1352-A	1	A-1		NEW PL 47		1	32	3817-A				NEW PL 302		1
32	1400	5			AMD PL 183		1	32	3841				NEW PL 291	B	11
32	1501		6		NEW PL 268		1	32	3841				NEW PL 331		1
32	1521	1-D			AMD PL 48		1	32	3842				NEW PL 291	B	11
32	1521	7			RP PL 48		2	32	3842				NEW PL 331		1
32	1524-C	1			AMD PL 48		3	32	3843				NEW PL 291	B	11
32	1524-C	2			RP PL 48		4	32	3843				NEW PL 331		1
32	1524-C	3			NEW PL 48		5	32	3844				NEW PL 291	B	11
32	1533				NEW PL 291	B	3	32	3844				NEW PL 331		1
32	2104	4	B		AMD PL 81		1	32	3845				NEW PL 291	B	11
32	2104	4	C		AMD PL 81		2	32	3845				NEW PL 331		1
32	2104	4	D		RP PL 81		3	32	3846				NEW PL 331		1
32	2266				NEW PL 291	B	4	32	3847				NEW PL 331		1
32	2267				NEW PL 291	B	4	32	3848				NEW PL 331		1
32	2268				NEW PL 291	B	4	32	3849				NEW PL 331		1
32	2269				NEW PL 291	B	4	32	3850				NEW PL 331		1
32	2270				NEW PL 291	B	4	32	3850-A				NEW PL 331		1
32	2272	12			RP PL 278		1	32	3850-B				NEW PL 331		1
32	2272	12-D			NEW PL 278		2	32	3850-C				NEW PL 331		1
32	2283	4			NEW PL 278		3	32	3850-D				NEW PL 331		1
32	2287				NEW PL 291	B	5	32	4171				AMD PL 173		3
32	2287				NEW PL 324		2	32	4172		1st		AMD PL 173		4
32	2288				NEW PL 324		2	32	4173				AMD PL 173		5
32	2289				NEW PL 324		2	32	4173-A				AMD PL 173		6
32	2290				NEW PL 324		2	32	4173-A	1			AMD PL 173		7

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32	4173-A	3		AMD	PL 173		8	32	10008			AMD	PL 186		2
32	4174			AMD	PL 173		9	32	11013	11		NEW	PL 245	E	1
32	4175			AMD	PL 173		10	32	11019	1		AMD	PL 245	F	1
32	4175-A			NEW	PL 173		11	32	11020			NEW	PL 245	F	2
32	4175-B			NEW	PL 173		12	32	11021			NEW	PL 245	F	3
32	4176		1st	AMD	PL 173		13	32	11031	2		AMD	PL 245	D	26
32	4177			RP	PL 173		14	32	11051			AMD	PL 245	A	11
32	4178		1st	AMD	PL 173		15	32	11051-B			NEW	PL 245	A	12
32	4179		1st	AMD	PL 173		16	32	11051-C			NEW	PL 245	A	13
32	4181		1st	AMD	PL 173		17	32	12232	4		AMD	PL 68		1
32	4182		1st	AMD	PL 173		18	32	12252	1		AMD	PL 68		2
32	4201			RPR	PL 125		23	32	12253			NEW	PL 68		3
32	4204	3		NEW	PL 125		24	32	12275	14		AMD	PL 68		4
32	4205			NEW	PL 125		25	32	12611			NEW	PL 291	B	18
32	4252	1		NEW	PL 125		26	32	12612			NEW	PL 291	B	18
32	4301	1		NEW	PL 125		27	32	12613			NEW	PL 291	B	18
32	4301	2		NEW	PL 125		28	32	12614			NEW	PL 291	B	18
32	4311	2		AMD	PL 125		29	32	12615			NEW	PL 291	B	18
32	4312	2-A		NEW	PL 125		30	32	13702-A	2-A		AMD	PL 271		1
32	4312	2-B		NEW	PL 125		31	32	13702-A	4		AMD	PL 289		2
32	4314	1		NEW	PL 125		32	32	13702-A	22		AMD	PL 146		1
32	4316			AMD	PL 125		33	32	13702-A	23		AMD	PL 289		3
32	4319			NEW	PL 125		34	32	13702-A	28		AMD	PL 146		2
32	4324	1		NEW	PL 125		35	32	13702-A	28		AMD	PL 265		5
32	4324	2		NEW	PL 125		36	32	13702-A	28		AMD	PL 271		2
32	4324	3		NEW	PL 125		37	32	13721	1	A	AMD	PL 289		4
32	4327	3		NEW	PL 125		38	32	13722	1	B	AMD	PL 146		3
32	4330			NEW	PL 125		39	32	13722	1	B-1	AMD	PL 289		5
32	4878	2		AMD	PL 83		1	32	13722	1	B-2	NEW	PL 289		6
32	4879			NEW	PL 291	B	12	32	13725			NEW	PL 303		1
32	6102	10		AMD	PL 245	A	9	32	13732	1	C	RP	PL 289		7
32	6102	15		NEW	PL 245	A	10	32	13733			RP	PL 289		8
32	6103	3		NEW	PL 245	D	14	32	13733-A			NEW	PL 289		9
32	6103	4		NEW	PL 245	D	15	32	13735		1st	AMD	PL 84		1
32	6108			RP	PL 245	D	16	32	13742-A	1	E	AMD	PL 303		2
32	6110	1		RP	PL 245	D	17	32	13742-A	1	F	AMD	PL 303		3
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32	6110	3		AMD	PL 245	D	19	32	13752	2	C	AMD	PL 289		10
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32	6133	4		NEW	PL 245	D	22	32	13786-D	2		AMD	PL 20		1
32	6137			RP	PL 245	D	23	32	13786-D	3		AMD	PL 20		2
32	6173			AMD	PL 245	D	24	32	13786-E			NEW	PL 265		6
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32	6231			NEW	PL 291	B	13	32	13787-A	4		AMD	PL 434		13
32	6232			NEW	PL 291	B	13	32	13800-D			NEW	PL 303		5
32	6233			NEW	PL 291	B	13	32	13831	2-A		NEW	PL 28	B	2
32	6234			NEW	PL 291	B	13	32	13831	5		NEW	PL 271		3
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32	7075			NEW	PL 291	B	14	32	13849-B			NEW	PL 291	B	19
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32	13854	4		AFF	PL 233		6	34-A	1001	21		RP	PL 365		32
32	13854	4		NEW	PL 233		5	34-A	1001	22		AFF	PL 365		37
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32	13868			NEW	PL 302		3	34-A	1206-A	1	B	AMD	PL 174		13
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32	15202	13		AMD	PL 348		50	34-A	1208-B	3		NEW	PL 263		2
32	17401			NEW	PL 291	B	22	34-A	1214	4		AFF	PL 365		37
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32	17404			NEW	PL 291	B	22	34-A	1216	1	D	AFF	PL 365		37
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32	18302	36		NEW	PL 223		4	34-A	3011	1		AFF	PL 365		37
32	18302	37		NEW	PL 223		5	34-A	3011	1		AMD	PL 365		36
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32	18325	1	Q	NEW	PL 134		3	34-A	3031	2	B	AMD	PL 359		3
32	18342	1	A	AMD	PL 163		1	34-A	3031	8		AMD	PL 263		3
32	18342	2	A	AMD	PL 163		2	34-A	3031	9		AMD	PL 263		4
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32	18342	3	B	AMD	PL 163		4	34-A	3036-A	1		AMD	PL 376		1
32	18342	6	A	AMD	PL 88		1	34-A	3036-A	2		AMD	PL 376		2
32	18342	6	B	AMD	PL 88		2	34-A	3036-A	2-A		NEW	PL 376		3
32	18342	6	D	AMD	PL 223		6	34-A	3036-A	7	C	AMD	PL 376		4
32	18344	1	B	AMD	PL 163		5	34-A	3036-A	10		AMD	PL 376		5
32	18345	1	A	AMD	PL 163		6	34-A	3036-A	12		NEW	PL 376		6
32	18345	2	C	AMD	PL 44		1-3	34-A	3036-A	13		NEW	PL 376		7
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32	18373	2		RP	PL 223		11	34-B	1409	3		COR	RR 2	B	90
32	18374			AMD	PL 223		12	34-B	1409	6	B	COR	RR 2	B	91
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34-B	5605	4		AMD	PL 284	A	15	35-A	3203			AMD	PL 108		5
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34-B	6204		2-A	AMD	PL 348		52	35-A	3210-H			NEW	PL 327		1
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35-A	10203				NEW PL 142		1	36	1760	107			NEW PL 399		1
35-A	10204				NEW PL 142		1	36	1760	107			AFF PL 416		2
35-A	10205				NEW PL 142		1	36	1760	107			NEW PL 416		1
35-A	10206				NEW PL 142		1	36	1760	107			NEW PL 417		1
35-A	10207				NEW PL 142		1	36	1760	107			NEW PL 440		1
35-A	10208				NEW PL 142		1	36	1817	5			RP PL 293	A	49
35-A	10209				NEW PL 142		1	36	1819	2			AMD PL 181	B	6
35-A	10210				NEW PL 142		1	36	1820				NEW PL 446		2
								36	2016	4	A		AMD PL 398	IIII	4
36	111	1-A			AMD PL 1	B	1	36	2513-C				NEW PL 354		18
36	111	1-A			AMD PL 398	H	1	36	2519				AMD PL 181	A	4
36	112	8	A		AMD PL 1	M	9	36	2529	3			AMD PL 398	IIII	5
36	112	8	D		RP PL 1	M	10	36	2536		1st		AMD PL 253	A	2

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TITLE	SECTION	SUB	PARA	EFF	CHAPTER	PART	SEC	TITLE	SECTION	SUB	PARA	EFF	CHAPTER	PART	SEC
36	2557	25			AMD PL 348		57	36	5219-WW 2	A			AMD PL 1	Y	1
36	2559				AMD PL 398	LL	1	36	5219-WW 4	C			NEW PL 1	Y	2
36	2559				AMD PL 398	VV	4	36	5219-XX				AMD PL 181	A	13
36	2726	1			AMD PL 253	C	3	36	5219-YY				NEW PL 473		2
36	2873	4	B		AMD PL 398	LL	2	36	5219-YY				NEW PL 482		3
36	2891	1-A			AMD PL 253	B	5	36	5219-YY 1	I			AMD PL 485		1
36	2892		7th		AMD PL 29	M	1	36	5219-YY 3	A			AMD PL 485		2
36	2892		8th		NEW PL 29	M	2	36	5220 4	B			AMD PL 253	A	7
36	4911				RAL RR 2	A	39	36	5221				AMD PL 253	A	8
36	4921	13			NEW PL 323		1	36	5228 6				AMD PL 253	A	9
36	4921	14			NEW PL 323		2	36	5242		2nd		NEW PL 181	A	14
36	4923	1			AMD PL 323		3	36	5283-A 1				AMD PL 437		2
36	4923	3-A			NEW PL 323		4	36	5293				NEW PL 437		3
36	4923-A				NEW PL 323		5	36	6234				NEW PL 69		1
36	4941				RAL RR 2	A	39	36	6250 2-A				NEW PL 483	AA	2
36	5102	6-C			AMD PL 181	D	2	36	6250 3				AMD PL 483	AA	3
36	5102	10			AMD PL 181	E	1	36	6250 3-A				NEW PL 483	AA	4
36	5122	1	LL		RP PL 1	H	1	36	6250 3-B				NEW PL 483	AA	5
36	5122	1	MM		NEW PL 1	D	1	36	6251				AMD PL 483	AA	6
36	5122	1	NN		NEW PL 1	E	1	36	6252 2				AMD PL 483	AA	7
36	5122	1	OO		NEW PL 1	X	1	36	6252 4				NEW PL 483	AA	8
36	5122	2	O		AMD PL 366		34	36	6252 5				NEW PL 483	AA	9
36	5122	2	X		AMD PL 181	A	5	36	6253				AMD PL 483	AA	10
36	5122	2	TT		RP PL 1	H	2	36	6254 1				AMD PL 483	AA	11
36	5122	2	UU		NEW PL 1	D	2	36	6254 4				NEW PL 483	AA	12
36	5122	2	VV		NEW PL 1	E	2	36	6255 3				AMD PL 483	AA	13
36	5122	2	WW		NEW PL 1	Z	1	36	6257				AMD PL 483	AA	14
36	5164	2			AMD PL 253	A	3	36	6258 1	D			AMD PL 483	AA	15
36	5195	7			AMD PL 181	A	6	36	6261 2				AMD PL 483	AA	16
36	5196	1			AMD PL 181	A	7	36	6262 2				AMD PL 483	AA	17
36	5196	3			AMD PL 181	A	8	36	6262 3				AMD PL 483	AA	18
36	5196	4			AMD PL 181	A	9	36	6266				AMD PL 483	AA	19
36	5196	5			AMD PL 181	A	10	36	6267				RP PL 483	AA	20
36	5196	6			AMD PL 181	A	11	36	6271 3				AMD PL 120		1
36	5200-A 1		DD		RP PL 1	H	3	36	6754 1	D			AMD PL 398	III	7
36	5200-A 1		FF		AMD PL 1	U	1								
36	5200-A 1		GG		NEW PL 1	E	3	37-B 111					RP PL 293	A	50
36	5200-A 1		HH		NEW PL 1	G	1	37-B 503 9					NEW PL 37		1
36	5200-A 1		KK		NEW PL 1	X	2	37-B 504 4	A-1				AMD PL 37		2
36	5200-A 2		GG		RP PL 1	H	4	37-B 504 4	H				AMD PL 299	B	4
36	5200-A 2		HH		NEW PL 1	E	4	37-B 603					RPR PL 238		1
36	5200-A 2		II		NEW PL 1	G	2	37-B 604 2					AMD PL 238		2
36	5200-B				NEW PL 181	E	2	37-B 604 3					AMD PL 238		3
36	5204				RP PL 253	A	4	37-B 606					AMD PL 238		4
36	5204-A				RP PL 253	A	5	37-B 610		2nd			RP PL 238		5
36	5211 14				AMD PL 181	E	3	37-B 742 1	E				NEW PL 28	C	1
36	5219-S 1				AMD PL 398	H	3	37-B 744 9					NEW PL 1	BB	1
36	5219-S 2				AMD PL 398	H	4	37-B 746					NEW PL 1	BB	2
36	5219-S 3				AMD PL 398	H	5	37-B 783		2nd			AMD PL 154		2
36	5219-S 7				NEW PL 479		1								
36	5219-W 4				AMD PL 398	III	6	38 1-A					AMD PL 53		1
36	5219-X 6				NEW PL 181	A	12	38 343-D					RP PL 36		22
36	5219-KK 1	A-1			AMD PL 483	AA	1	38 352 5-A					AMD PL 186		3
36	5219-KK 2-B				AMD PL 398	H	6	38 353-A 4					AMD PL 36		23
36	5219-KK 2-C				NEW PL 398	H	7	38 353 4-A					RP PL 186		4
36	5219-KK 2-D				NEW PL 398	H	8	38 424-C					NEW PL 449		1
36	5219-NN 2	F			AMD PL 1	F	1	38 436-A 13					AMD PL 30		6
36	5219-NN 2	G			AMD PL 1	F	2	38 438-B 1	C				AMD PL 30		7
36	5219-NN 2	H			NEW PL 1	F	3	38 439-A 4-D					NEW PL 336		1
36	5219-UU	1st			AMD PL 253	A	6	38 465 1	C				AMD PL 50		1, 2

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TITLE	SECTION	SUB	PARA	EFF	CHAPTER	PART	SEC	TITLE	SECTION	SUB	PARA	EFF	CHAPTER	PART	SEC
38	465	2	C	AMD	PL 50		3, 4								
38	480-Q	2-E		COR	RR 2	A	40								
38	480-B	2-B		AMD	PL 30		8								
38	480-E	14		NEW	PL 186		5								
38	480-Q	31		RP	PL 186		6								
38	484	10		RPR	PL 293	A	51								
38	488	7		AMD	PL 123		1								
38	488	19		AMD	PL 51		1								
38	488	27	A	AMD	PL 123		2								
38	489-A	1	H	AMD	PL 51		2								
38	546	6		AMD	PL 293	B	12								
38	585-O			NEW	PL 119		1								
38	590	1		RPR	PL 294		1								
38	969	3		COR	RR 2	A	41								
38	1154			RPR	PL 293	B	13								
38	1208		4th	AMD	PL 70		1								
38	1303-C	38		AMD	PL 186		7								
38	1303-C	43		RP	PL 186		8								
38	1310-B-1			NEW	PL 478		1								
38	1319-H	1	A	AMD	PL 186		9								
38	1319-H	2		AMD	PL 186		10								
38	1319-I	3		AMD	PL 186		11								
38	1319-I	4-A		AMD	PL 186		12								
38	1319-J		1st	AMD	PL 186		13								
38	1319-O	2	A	AMD	PL 186		14								
38	1319-X			AMD	PL 186		15								
38	1319-X		1st	AMD	PL 186		16								
38	1319-X		2nd	AMD	PL 186		17								
38	1362	1	F	AMD	PL 117		1								
38	1362	1	G	AMD	PL 117		2								
38	1362	1	H	NEW	PL 117		3								
38	1367-B			AMD	PL 117		4								
38	1571	3		AMD	PL 208		1								
38	1571	3-A		NEW	PL 208		2								
38	1571	6		AMD	PL 208		3								
38	1572	3	C	AMD	PL 208		4								
38	1609-A	3	B	AMD	PL 221		1								
38	1609-A	3	C	AMD	PL 221		2								
38	1609-A	3	D	NEW	PL 221		3								
38	1609-A	3-A		NEW	PL 221		4								
38	1611	3	A	AMD	PL 186		18								
38	1612			NEW	PL 94		2								
38	1612			NEW	PL 192		1								
38	1612			NEW	PL 477		1								
38	1613			NEW	PL 433		1								
38	1776	11		AMD	PL 94		3								
38	1776	11		AMD	PL 455		1								
38	1805			NEW	PL 424		1								
38	2146			NEW	PL 455		2								
38	2203-A	1		AMD	PL 230		1								
38	2203-A	3		AMD	PL 230		2								
38	2204			RP	PL 230		3								
38	3113	1-A		NEW	PL 186		19								
39-A	201	3-A	B	AMD	PL 419		1								
39-A	328-B	1	A	AMD	PL 325		1								

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TABLE II

Public Laws not allocated to the Maine Revised Statutes affected by the laws of the First Regular Session and the First Special Session of the 130th Legislature and the Revisor's Report 2019, Chapter 2.

YEAR	CHAP	SEC	AFFECTED BY	(TYPE)	YEAR	CHAP	SEC	YEAR	CHAP	SEC	AFFECTED BY	(TYPE)	YEAR	CHAP	SEC
1999	639	2	RP	PL	2021	301	2	2019	616	C-13	AMD	PL	2021	1	C-4
2019	343	D-18	AMD	PL	2021	293	A-52	2019	628	4	AMD	PL	2021	181	A-15
2019	343	O-1	AMD	PL	2021	1	K-1	2019	650	20	COR	RR	2019	2	A-42
2019	343	ZZZ-1	AMD	PL	2021	1	T-1	2021	29	C-5	AMD	PL	2021	398	C-5
2019	343	BBBB-4	AMD	PL	2021	1	Q-1	2021	29	C-6	AMD	PL	2021	398	C-6
2019	446	7	AMD	PL	2021	19	4	2021	29	C-7	AMD	PL	2021	398	C-7
2019	550	3	RP	PL	2021	253	B-6	2021	29	S	RP	PL	2021	398	MMM-1
2019	551	3	RP	PL	2021	253	B-7	2021	398	ZZZ-7	AMD	PL	2021	483	OO-1
2019	552	3	RP	PL	2021	253	B-8	2021	459	9	NEW	PL	2021	484	1
2019	574	1	AMD	PL	2021	293	B-14	2021	482	5	RP	PL	2021	485	3
2019	616	C-12	AMD	PL	2021	1	C-3								

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