

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**September 27, 2011**

**SECOND REGULAR SESSION**  
**January 4, 2012 to May 31, 2012**

**THE EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**LAWS IS**  
**SEPTEMBER 28, 2011**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 30, 2012**

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

---

---

**Augusta, Maine**  
**2012**

**Dorothea Dix Psychiatric Center 0120**

Initiative: Reduces funding from savings from limiting reimbursement for medical services provided to a resident of a state institution outside of a state institution to the Medicare rate.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	(\$2,970)
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	(\$2,970)

**Dorothea Dix Psychiatric Center 0120**

Initiative: Reduces funding from savings from limiting reimbursement for medical services provided to a resident of a state institution outside of a state institution to the Medicare rate.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	(\$9,810)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$9,810)

**Dorothea Dix Psychiatric Center 0120**

Initiative: Reduces funding from savings from limiting reimbursement for medical services provided to a resident of a state institution outside of a state institution to the Medicare rate.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	(\$1,590)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$1,590)

**Riverview Psychiatric Center 0105**

Initiative: Reduces funding from savings from limiting reimbursement for medical services provided to a resident of a state institution outside of a state institution to the Medicare rate.

<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	(\$9,288)
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	(\$9,288)

**Riverview Psychiatric Center 0105**

Initiative: Reduces funding from savings from limiting reimbursement for medical services provided to a resident of a state institution outside of a state institution to the Medicare rate.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	(\$78,181)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$78,181)

**Riverview Psychiatric Center 0105**

Initiative: Reduces funding from savings from limiting reimbursement for medical services provided to a resident of a state institution outside of a state institution to the Medicare rate.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	(\$7,340)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$7,340)

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**

<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
GENERAL FUND	\$0	(\$63,079)
OTHER SPECIAL REVENUE FUNDS	\$0	(\$96,921)
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$0	(\$160,000)

See title page for effective date.

**CHAPTER 675**

**S.P. 552 - L.D. 1653**

**An Act To Make Fisheries and Wildlife and Marine Resources Projects Eligible for Tax Increment Financing**

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

**Sec. 1. 30-A MRSA §5222, sub-§10-A is enacted to read:**

**10-A. Fisheries and wildlife or marine resources project.** "Fisheries and wildlife or marine resources project" means a project approved by the Department of Inland Fisheries and Wildlife or the Department of Marine Resources undertaken for the

purpose of improving public access to freshwater or saltwater fisheries and wildlife resources of the State for fishing, hunting, research or observation or for conservation or improvement of the freshwater or saltwater fisheries and wildlife resources of the State.

**Sec. 2. 30-A MRSA §5223, sub-§3, ¶A,** as amended by PL 2007, c. 413, §3, is further amended to read:

A. At least 25%, by area, of the real property within a development district must meet at least one of the following criteria:

- (1) Must be a blighted area;
- (2) Must be in need of rehabilitation, redevelopment or conservation work including a fisheries and wildlife or marine resources project; or
- (3) Must be suitable for commercial or arts district uses.

**Sec. 3. 30-A MRSA §5225, sub-§1, ¶C,** as amended by PL 2011, c. 101, §14 and c. 102, §1, 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 or employment training 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 or investment funds;
- (4) Costs of services to provide skills development and training for residents of the municipality or plantation. These costs may not exceed 20% of the total project costs and must be designated as training funds in the development program;
- (5) Quality child care costs, including finance costs and construction, staffing, training, certification and accreditation costs related to child 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; and

(8) Costs associated with the development of fisheries and wildlife or marine resources projects; and

**Sec. 4. Fisheries and wildlife or marine resources projects; rules.** The Department of Inland Fisheries and Wildlife, in consultation with the Department of Economic and Community Development, shall adopt rules establishing standards and a process for approval of fisheries and wildlife projects eligible for tax increment financing under the Maine Revised Statutes, Title 30-A, chapter 206. The Department of Marine Resources, in consultation with the Department of Economic and Community Development, shall adopt rules establishing standards and a process for approval of marine resources projects eligible for tax increment financing under the Maine Revised Statutes, Title 30-A, chapter 206. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 5. Appropriations and allocations.** The following appropriations and allocations are made.

**INLAND FISHERIES AND WILDLIFE,  
DEPARTMENT OF  
Fisheries and Hatcheries Operations 0535**

Initiative: Provides one-time funding for rule-making costs associated with establishing standards and a process for approval of fisheries and wildlife projects eligible for tax increment financing.

GENERAL FUND	2011-12	2012-13
All Other	\$0	\$7,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$7,000</b>

See title page for effective date.

**CHAPTER 676  
S.P. 604 - L.D. 1756**

**An Act To Establish a Separate  
State Council for Juveniles  
under the Interstate Compact  
for Juveniles**

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

**Sec. 1. 34-A MRSA §9921**, as enacted by PL 2003, c. 706, Pt. B, §9, is amended to read:

**§9921. State Council for Adult Offender Supervi-  
sion established**

The State Council for ~~Juvenile and Adult Of-  
fender Supervision~~, referred to in this section as "the  
council," is established to provide oversight and guid-  
ance to the State's participation in the Interstate Com-  
pact for Adult Offender Supervision ~~and the Interstate  
Compact for Juveniles~~.

**1. Membership.** The council consists of ~~at least~~  
& 7 members as follows:

A. ~~One member of the~~ The Senate, ~~appointed by~~  
~~the President of the Senate~~ chair of the joint stand-  
ing committee of the Legislature having jurisdic-  
tion over criminal justice and public safety mat-  
ters or the chair's designee;

B. ~~One member of the~~ The House of Representa-  
tives, ~~appointed by the Speaker of the House~~ chair  
of the joint standing committee of the Legislature  
having jurisdiction over criminal justice and pub-  
lic safety matters or the chair's designee;

C. Three members who are appointed by the  
~~Governor~~ commissioner for a term of 4 years, or  
until a successor is appointed, and who are eligi-  
ble for reappointment at the discretion of the  
~~Governor~~ commissioner:

- (1) One prosecutor;
- (2) One representative of a statewide associa-  
tion representing victims of crime; and
- (3) One representative representing law en-  
forcement;

D. The compact ~~administrators~~ administrator for  
the Interstate Compact for Adult Offender Super-

~~vision and the Interstate Compact for Juveniles,~~  
who may be ~~designees~~ a designee appointed by  
the ~~Commissioner of Corrections~~ commissioner  
to administer the Interstate Compact for Adult Of-  
fender Supervision ~~and the Interstate Compact for  
Juveniles; and~~

E. The Associate Commissioner for Adult Ser-  
vices or the associate commissioner's designee;  
~~and.~~

~~F. The Associate Commissioner for Juvenile Ser-  
vices or the associate commissioner's designee.~~

The council shall invite the Chief Justice of the Su-  
preme Judicial Court to designate a trial judge to act as  
advisor to the council.

**Sec. 2. 34-A MRSA §9922** is enacted to read:

**§9922. State Council for Juvenile Supervision es-  
tablished**

The State Council for Juvenile Supervision, re-  
ferred to in this section as "the council," is established  
to provide oversight and guidance to the State's par-  
ticipation in the Interstate Compact for Juveniles.

**1. Membership.** The council consists of 7 mem-  
bers as follows:

A. The Senate chair of the joint standing commit-  
tee of the Legislature having jurisdiction over  
criminal justice and public safety matters or the  
chair's designee;

B. The House chair of the joint standing commit-  
tee of the Legislature having jurisdiction over  
criminal justice and public safety matters or the  
chair's designee;

C. Three members who are appointed by the  
commissioner for a term of 4 years, or until a suc-  
cessor is appointed, who are eligible for reap-  
pointment at the discretion of the commissioner  
and who are members of the Juvenile Justice Ad-  
visory Group appointed by the Governor under  
section 1209:

- (1) One prosecutor;
- (2) One representative of a statewide associa-  
tion representing victims of crime; and
- (3) One representative representing law en-  
forcement;

D. The compact administrator for the Interstate  
Compact for Juveniles, who may be a designee  
appointed by the commissioner to administer the  
Interstate Compact for Juveniles; and

E. The Associate Commissioner for Juvenile Ser-  
vices or the associate commissioner's designee.