

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**August 29, 2013**

**SECOND REGULAR SESSION**  
**January 8, 2014 to May 2, 2014**

**THE EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**EMERGENCY LAW IS**  
**SEPTEMBER 6, 2013**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 1, 2014**

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

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**Augusta, Maine**  
**2014**

cial assistance to access assisted housing programs; and

Sec. 3. 22 MRSA §7861, sub-§4 is enacted to read:

4. Residential care facility depreciation. Calculating depreciation recapture for a residential care facility, as defined in section 7852, subsection 14, that is reimbursed by the department under the rules of reimbursement for room and board costs, including depreciation, when the facility is sold on or after July 1, 2013, using a methodology that provides percentage credits for buildings, fixed equipment and moveable equipment based on the number of years of operation of the residential care facility by the owner that is consistent with the following:

A. For the purposes of determining depreciation recapture for buildings and fixed equipment, the methodology must determine the number of years of operation by reference to the date on which the owner began operating with the original license;

B. For the purposes of determining depreciation recapture for moveable equipment, the methodology must enable percentage credits to reach 100% after the first 6 years of the assigned useful life; and

C. The methodology must treat as equivalent to the owner of the residential care facility any person or entity that owns or controls the entity that owns the residential care facility and any entity that is owned or controlled by the owner of the residential care facility.

Sec. 4. Application for state plan amendment. By October 1, 2014 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 an application for approval of a state plan amendment for the MaineCare program to authorize the methodology for calculating recapture of depreciation in the sale of nursing facilities as enacted in the Maine Revised Statutes, Title 22, section 3175-D, subsection 2 to apply to sales occurring on or after July 1, 2014.

Sec. 5. Contingent effective date. That section of this Act that enacts the Maine Revised Statutes, Title 22, section 3175-D, subsection 2 does not take effect unless the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services approves an application for a state plan amendment for the MaineCare program submitted under this Act. The Commissioner of Health and Human Services shall notify the Secretary of State, the Secretary of the Senate, the Clerk of the House and the Revisor of Statutes when the commissioner has received approval of the state plan amendment submitted under this Act from the Centers for Medicare and Medicaid Services.

See title page for effective date, unless otherwise indicated.

CHAPTER 583

H.P. 314 - L.D. 464

An Act To Change Compensation for Career and Technical Education Region Cooperative Board Meeting Attendance

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

Sec. 1. 20-A MRSA §8457, sub-§4, as amended by PL 1991, c. 518, §25, is further amended to read:

4. Compensation. A cooperative board member may be paid up to \$10 \$20 for each meeting of the cooperative board or its subcommittees that the member attends.

See title page for effective date.

CHAPTER 584

H.P. 1221 - L.D. 1697

An Act To Provide Funding for the Veterans Treatment Courts

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.

ATTORNEY GENERAL, DEPARTMENT OF THE

District Attorneys Salaries 0409

Initiative: Establishes one part-time Assistant District Attorney position for participation in veterans treatment courts.

GENERAL FUND	2013-14	2014-15
POSITIONS - LEGISLATIVE COUNT	0.000	0.500
Personal Services	\$0	\$42,045
GENERAL FUND TOTAL	\$0	\$42,045

ATTORNEY GENERAL, DEPARTMENT OF THE DEPARTMENT TOTALS	2013-14	2014-15

GENERAL FUND	\$0	\$42,045
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$42,045

**DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF**

**Veterans Services 0110**

Initiative: Recognizes savings from managing vacancies.

GENERAL FUND	2013-14	2014-15
Personal Services	\$0	(\$42,045)
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GENERAL FUND TOTAL	\$0	(\$42,045)

**DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF**

**DEPARTMENT TOTALS**

GENERAL FUND	\$0	(\$42,045)
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DEPARTMENT TOTAL - ALL FUNDS	\$0	(\$42,045)

SECTION TOTALS	2013-14	2014-15
GENERAL FUND	\$0	\$0
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SECTION TOTAL - ALL FUNDS	\$0	\$0

See title page for effective date.

**CHAPTER 585**

**H.P. 1242 - L.D. 1734**

**An Act To Create a Cold Case Homicide Unit in the Department of the Attorney General**

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

**Sec. 1. 5 MRSA §200-J** is enacted to read:

**§200-J. Cold case homicide unit**

The Attorney General in collaboration with the Commissioner of Public Safety shall establish a cold

case homicide unit within the Department of the Attorney General to work exclusively on unsolved murders in the State. The unit must consist of personnel from the Department of the Attorney General and the Department of Public Safety, Bureau of State Police and must include at a minimum one attorney from the Department of the Attorney General, 2 detectives from the Bureau of State Police and one employee of the bureau's crime laboratory. The Attorney General shall adopt rules for the operation of the unit. Rules adopted pursuant to this section are routine technical rules as defined in chapter 375, subchapter 2-A.

**Sec. 2. 25 MRSA §1505-A**, as enacted by PL 2001, c. 439, Pt. XXXX, §1, is repealed.

**Sec. 3. Federal funding; cold case homicide unit.** The Commissioner of Public Safety and the Attorney General shall pursue any federal funding available in order to establish a cold case homicide unit within the Department of the Attorney General as described in the Maine Revised Statutes, Title 5, section 200-J.

**Sec. 4. Contingent effective date.** Those sections of this Act that enact the Maine Revised Statutes, Title 5, section 200-J and repeal Title 25, section 1505-A do not take effect unless sufficient federal funding becomes available to support the costs of the cold case homicide unit. The Commissioner of Public Safety shall notify the Secretary of State and the Revisor of Statutes when sufficient federal funding is available.

See title page for effective date, unless otherwise indicated.

**CHAPTER 586**

**H.P. 1280 - L.D. 1788**

**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 Years Ending June 30, 2014 and June 30, 2015**

**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