

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.

Augusta, Maine
2014

Sec. 28. Use of electronic technology. The State Board of Corrections shall work with the judicial branch to use electronic technology whenever possible to reduce the level of physical transfer of inmates between a county jail facility and a court. The board shall report its progress on the use of electronic technology to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters by February 28, 2015.

Sec. 29. Rename program; State Board of Corrections. Notwithstanding any other provision of law, the State Board of Corrections Investment Fund program within the State Board of Corrections is renamed the State Board of Corrections Operational Support Fund program.

Sec. 30. Appointment of members to the State Board of Corrections; transitional members of board. Members for the 5 positions on the State Board of Corrections as described in the Maine Revised Statutes, Title 34-A, section 1802, subsection 1 must be appointed as provided in Title 34-A, section 1802, subsection 1. Notwithstanding Title 34-A, section 1802, on the effective date of this Act, the State Board of Corrections consists of the following 5 members:

1. The most recently appointed member representing sheriffs;
2. The most recently appointed member representing county commissioners;
3. The 2 members representing the executive branch; and
4. The most recently appointed member representing the public.

The 5 members of the State Board of Corrections on the effective date of this Act as described in subsections 1 to 4 may remain on the State Board of Corrections until the member or the member's successor is appointed and confirmed.

Sec. 31. Appropriations and allocations. The following appropriations and allocations are made.

**CORRECTIONS, STATE BOARD OF
State Board of Corrections Investment Fund Z087**

Initiative: Provides one-time funding for an anticipated shortfall in fiscal year 2013-14.

GENERAL FUND	2013-14	2014-15
All Other	\$1,200,000	\$0
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GENERAL FUND TOTAL	\$1,200,000	\$0

State Board of Corrections Investment Fund Z087

Initiative: Adjusts funding to bring allocations in line with available resources projected by the Revenue Forecasting Committee for fiscal years 2013-14 and 2014-15.

OTHER SPECIAL REVENUE FUNDS	2013-14	2014-15
All Other	\$3,806	(\$7,696)
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,806	(\$7,696)
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**CORRECTIONS, STATE
BOARD OF
DEPARTMENT TOTALS**

	2013-14	2014-15
GENERAL FUND	\$1,200,000	\$0
OTHER SPECIAL REVENUE FUNDS	\$3,806	(\$7,696)
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DEPARTMENT TOTAL - ALL FUNDS	\$1,203,806	(\$7,696)

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

Effective May 1, 2014.

**CHAPTER 599
S.P. 172 - L.D. 440**

**An Act To Create a Tax Credit
for Primary Care Professionals
Practicing in Underserved
Areas**

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

Sec. 1. 36 MRSA §5219-KK is enacted to read:

§5219-KK. Primary care access credit

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

A. "Eligible primary care professional" means a person licensed under Title 32, chapter 31, subchapter 3 or subchapter 4; Title 32, chapter 36, subchapter 4; or Title 32, chapter 48, subchapter 2 and who, on or after January 1, 2013:

- (1) First begins practicing primary care medicine in the State by joining an existing health care practice in an underserved area or

establishing a new health care practice or purchasing an existing health care practice in an underserved area;

(2) Agrees to practice full time for at least 5 years in an underserved area;

(3) Is certified under subsection 3 to be eligible by the Department of Health and Human Services; and

(4) Has an unpaid student loan owed to an institution for course work directly related to that person's training in primary care medicine.

B. "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 defined by the federal Department of Health and Human Services, Health Resources and Services Administration.

2. Credit. For tax years beginning on or after January 1, 2014 but before January 1, 2019, an eligible primary care professional is allowed a credit against the taxes due under this Part as follows.

A. The credit may be claimed in the first year that the eligible primary care professional meets the conditions of eligibility for at least 6 months and each of the 4 subsequent years or until the student loan of the eligible primary care professional is paid in full, whichever comes first.

B. The credit may be claimed in an amount equal to the annual payments made on the student loan not to exceed \$6,000 in the first year, \$9,000 in the 2nd year, \$12,000 in the 3rd year, \$15,000 in the 4th year and \$18,000 in the 5th year.

C. The credit may not reduce the tax due under this Part to less than zero.

3. Eligibility limitation; certification. The Department of Health and Human Services shall certify up to 5 eligible primary care professionals each year. The Department of Health and Human Services shall monitor certified primary care professionals to ensure that they continue to be eligible for the credit under this section and shall decertify any primary care professional who ceases to meet the conditions of eligibility. The Department of Health and Human Services shall notify the bureau whenever a primary care professional is certified or decertified. A decertified primary care professional ceases to be eligible for the credit under this section beginning with the tax year during which the primary care professional is decertified.

4. Rules. The Department of Health and Human Services 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.

5. Annual report. By January 15, 2016 and annually thereafter, the Department of Health and Human Services and the bureau shall submit a report to the joint standing committee of the Legislature having jurisdiction over taxation matters. The report must indicate the number of eligible primary care professionals certified and decertified each year by the Department of Health and Human Services pursuant to this section and the total annual loss of revenue attributable to the credit under subsection 2.

Sec. 2. Transfer from the Medical Use of Marijuana Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$23,000 by June 30, 2015 from the Medical Use of Marijuana Fund, Other Special Revenue Funds account in the Department of Health and Human Services to the unappropriated surplus of the General Fund.

See title page for effective date.

CHAPTER 600

H.P. 1060 - L.D. 1479

An Act To Clarify Telecommunications Regulation Reform

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

Sec. 1. 35-A MRSA §116, sub-§1, ¶B, as amended by PL 2011, c. 623, Pt. B, §1, is repealed and the following enacted in its place:

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.

Sec. 2. 35-A MRSA §7104, sub-§3, as amended by PL 2011, c. 623, Pt. B, §14, is further amended to read:

3. Authority. The commission shall adopt rules to implement this section and may require voice net-