

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 6, 2016 to April 29, 2016**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 29, 2016**

**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**  
**2016**

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

**Office of Substance Abuse and Mental Health  
Services 0679**

Initiative: Provides funding to increase substance abuse residential treatment for the uninsured.

GENERAL FUND	2015-16	2016-17
All Other	\$200,000	\$400,000
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GENERAL FUND TOTAL	\$200,000	\$400,000

**Office of Substance Abuse and Mental Health  
Services 0679**

Initiative: Provides funding to increase substance abuse outpatient services for the uninsured, including individual, group and intensive outpatient treatment.

GENERAL FUND	2015-16	2016-17
All Other	\$75,000	\$125,000
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GENERAL FUND TOTAL	\$75,000	\$125,000

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

DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$275,000	\$525,000
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DEPARTMENT TOTAL - ALL FUNDS	\$275,000	\$525,000

**PART F**

**Sec. F-1. Transfer of funds.** Notwithstanding any other provision of law, the State Controller shall transfer to the unappropriated surplus of the General Fund \$725,000 no later than June 30, 2016 and \$1,775,000 no later than June 30, 2017 from the Medical Use of Marijuana Fund, established in the Maine Revised Statutes, Title 22, section 2430.

**PART G**

**Sec. G-1. Appropriations and allocations.** The following appropriations and allocations are made.

**JUDICIAL DEPARTMENT**

**Courts - Supreme, Superior and District 0063**

Initiative: Transfers funds from Personal Services to All Other to provide funding to support increased

criminal dockets, including an increase in criminal jury trials.

GENERAL FUND	2015-16	2016-17
Personal Services	(\$240,000)	\$0
All Other	\$240,000	\$0
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GENERAL FUND TOTAL	\$0	\$0

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

Effective January 19, 2016.

**CHAPTER 379  
H.P. 1013 - L.D. 1490**

**An Act Regarding the Maine  
Arts Commission**

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

**Sec. 1. 27 MRSA §405,** as amended by PL 2013, c. 181, §1, is further amended to read:

**§405. Hearings; contracts**

The Maine Arts Commission is authorized and empowered to hold public and private hearings; to enter into contracts, within the limit of funds available, with individuals or organizations; and institutions for services furthering the educational objectives of the commission's programs; to enter into contracts, within the limit of funds available, with local and regional associations for cooperative endeavors furthering the educational objectives of the commission's programs; to establish and administer an endowment fund; to accept gifts, contributions and bequests of funds from individuals, foundations, corporations and other organizations or institutions for the purpose of furthering the commission's mission; to make and sign any agreements; and to do and perform any acts that are necessary to carry out the purposes of this chapter. ~~Any funds, if given as an endowment, must be invested by the Treasurer of State according to the laws governing the investment of trust funds.~~ As determined by the Director of the Maine Arts Commission, with the approval of the commission, the endowment's principal and interest may be used to further the commission's mission, as long as the endowment funds are used only for the purposes for which the endowment is established in accordance with the intent of the donor. The commission may request and receive from any department, division, board, bureau, commission or

agency of the State such assistance and data as necessary to carry out its powers and duties.

See title page for effective date.

**CHAPTER 380**

**H.P. 1016 - L.D. 1493**

**An Act To Provide a Private Support Organization for the Maine Arts Commission**

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

**Sec. 1. 27 MRSA §410-A** is enacted to read:

**§410-A. Private support organization**

**1. Designation of private support organization.** The Director of the Maine Arts Commission shall designate a nonprofit organization as the private support organization for the Maine Arts Commission. The designated organization must be incorporated as a nonprofit corporation under the laws of the State, and its sole purpose, as reflected in its bylaws, must be to organize and foster support for the Maine Arts Commission and its programs.

**2. Member on board of directors.** The Director of the Maine Arts Commission, or the director's designee, shall serve as a member of the private support organization's board of directors.

**3. Plan of work.** The Director of the Maine Arts Commission shall negotiate an annual memorandum of understanding between the Maine Arts Commission and the private support organization that outlines a plan of work identifying priority projects of mutual benefit and cooperation.

**4. Use of property.** The Director of the Maine Arts Commission may permit the appropriate use of fixed property, equipment and facilities of the Maine Arts Commission by the private support organization. Such use must be directly in keeping with the purpose of the private support organization as set out in subsection 1 and must comply with all appropriate state policies and procedures.

See title page for effective date.

**CHAPTER 381**

**H.P. 1020 - L.D. 1497**

**An Act To Align the Child and Family Services and Child Protection Act with the Federal Preventing Sex Trafficking and Strengthening Families 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,** federal law requires Maine to enact changes to state law in compliance with the federal Preventing Sex Trafficking and Strengthening Families Act, Public Law 113-183; and

**Whereas,** Maine's Child and Family Services and Child Protection Act is out of compliance with Public Law 113-183; and

**Whereas,** it is necessary for Maine to have authority to provide child welfare services for the protection of children and families prior to 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. 22 MRSA §4008, sub-§3, ¶K,** as amended by PL 2013, c. 293, §2, is further amended to read:

K. A relative or other person whom the department is investigating for possible custody or placement of the child; ~~and~~

**Sec. 2. 22 MRSA §4008, sub-§3, ¶L,** as enacted by PL 2013, c. 293, §3, is amended to read:

L. To a licensing board of a mandated reporter, in the case of a mandated reporter under section 4011-A, subsection 1 who appears from the record or relevant circumstances to have failed to make a required report. Any information disclosed by the department personally identifying a licensee's client or patient remains confidential and may be used only in a proceeding as provided by Title 5, section 9057, subsection 6-; ~~and~~

**Sec. 3. 22 MRSA §4008, sub-§3, ¶M** is enacted to read:

M. Law enforcement authorities for entry into the National Crime Information Center database of