

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.

Augusta, Maine
2016

CHAPTER 476
H.P. 1022 - L.D. 1499

**An Act To Increase the Safety
of Social Workers**

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

Sec. 1. 32 MRSA §7032 is enacted to read:

§7032. Addresses confidential

The address and telephone number of an applicant for licensure or a person licensed under this chapter that are in the possession of the board are confidential. Nothing in this section prohibits the board and its staff from using and disclosing the address and telephone number of an applicant or licensee as necessary to perform the duties and functions of the board.

See title page for effective date.

CHAPTER 477
H.P. 1115 - L.D. 1638

**An Act To Increase
Payments to MaineCare
Providers That Are Subject to
Maine's Service Provider 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 State's MaineCare providers that are subject to the service provider tax have experienced an increase in the tax since January 1, 2016; and

Whereas, MaineCare providers have insufficient reserves to withstand cost increases; and

Whereas, private nonmedical institutions and other facilities provide services to Maine's vulnerable citizens, including children, individuals with substance use disorders, and adults with intellectual disabilities and autistic disorder; and

Whereas, private nonmedical institutions and other facilities that provide such services need increased funding to continue providing those services; 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.

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

Developmental Services Waiver - MaineCare 0987

Initiative: Provides funding for additional payments to providers.

GENERAL FUND	2015-16	2016-17
All Other	\$261,418	\$1,002,949
GENERAL FUND TOTAL	\$261,418	\$1,002,949

Medicaid Services - Developmental Services 0705

Initiative: Provides funding for additional payments to providers.

GENERAL FUND	2015-16	2016-17
All Other	\$5,843	\$22,415
GENERAL FUND TOTAL	\$5,843	\$22,415

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$51,183	\$204,732
OTHER SPECIAL REVENUE FUNDS TOTAL	\$51,183	\$204,732

**Mental Health Services - Community Medicaid
0732**

Initiative: Provides funding for additional payments to providers.

GENERAL FUND	2015-16	2016-17
All Other	\$70,040	\$268,714
GENERAL FUND TOTAL	\$70,040	\$268,714

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$13,413	\$53,653
OTHER SPECIAL REVENUE FUNDS TOTAL	\$13,413	\$53,653

Office of Substance Abuse and Mental Health Services - Medicaid Seed 0844

SECOND REGULAR SESSION - 2015

PUBLIC LAW, C. 477

Initiative: Provides funding for additional payments to providers.

GENERAL FUND	2015-16	2016-17
All Other	\$6,260	\$24,019

GENERAL FUND TOTAL	\$6,260	\$24,019
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OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$1,199	\$4,796

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,199	\$4,796
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**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF
(FORMERLY BDS)
DEPARTMENT TOTALS**

GENERAL FUND	\$343,561	\$1,318,097
OTHER SPECIAL REVENUE FUNDS	\$65,795	\$263,181

DEPARTMENT TOTAL - ALL FUNDS	\$409,356	\$1,581,278
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**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF (FORMERLY DHS)**

Medical Care - Payments to Providers 0147

Initiative: Adjusts funding as a result of the increase in the federal medical assistance percentage for federal fiscal year 2017.

GENERAL FUND	2015-16	2016-17
All Other	\$0	(\$1,336,078)

GENERAL FUND TOTAL	\$0	(\$1,336,078)
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FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$0	\$1,336,078

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$1,336,078
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Medical Care - Payments to Providers 0147

Initiative: Provides funding for additional payments to providers.

GENERAL FUND	2015-16	2016-17
All Other	\$139,442	\$534,978

GENERAL FUND TOTAL	\$139,442	\$534,978
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FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$966,158	\$3,943,566

FEDERAL EXPENDITURES FUND TOTAL	\$966,158	\$3,943,566
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OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$26,704	\$106,818

OTHER SPECIAL REVENUE FUNDS TOTAL	\$26,704	\$106,818
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Temporary Assistance for Needy Families 0138

Initiative: One-time reduction of funding for projected savings in the Temporary Assistance for Needy Families program.

GENERAL FUND	2015-16	2016-17
All Other	\$0	(\$1,000,000)

GENERAL FUND TOTAL	\$0	(\$1,000,000)
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**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF
(FORMERLY DHS)
DEPARTMENT TOTALS**

	2015-16	2016-17
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GENERAL FUND	\$139,442	(\$1,801,100)
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FEDERAL EXPENDITURES FUND	\$966,158	\$5,279,644
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OTHER SPECIAL REVENUE FUNDS	\$26,704	\$106,818
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DEPARTMENT TOTAL - ALL FUNDS	\$1,132,304	\$3,585,362
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SECTION TOTALS	2015-16	2016-17
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GENERAL FUND	\$483,003	(\$483,003)
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FEDERAL EXPENDITURES FUND	\$966,158	\$5,279,644
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OTHER SPECIAL REVENUE FUNDS	\$92,499	\$369,999
SECTION TOTAL - ALL FUNDS	\$1,541,660	\$5,166,640

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

Effective April 15, 2016.

CHAPTER 478 S.P. 699 - L.D. 1694

An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges and Multimodal Facilities

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.

TRANSPORTATION, DEPARTMENT OF

Provides funds to construct, reconstruct or rehabilitate Priority 1, Priority 2 and Priority 3 state highways under the Maine Revised Statutes, Title 23, section 73, subsection 7 and associated improvements, for the municipal partnership initiative and to replace and rehabilitate bridges.

Total	\$80,000,000
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Provides funds for facilities, equipment and property acquisition related to ports, harbors, marine transportation, aviation, freight and passenger railroads, transit and bicycle and pedestrian trails that preserve public safety or otherwise have demonstrated high transportation economic value.

Total	\$20,000,000
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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