

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

3. Reinstatement after revocation. An application for reinstatement may be made to the board one year from the date of revocation of a license. The board may accept or reject the application for reinstatement and hold a hearing to consider reinstatement.

Sec. 12. 32 MRSA §13811, as enacted by PL 2007, c. 669, §1, is repealed.

Sec. 13. 32 MRSA §13812, as enacted by PL 2007, c. 669, §2, is repealed.

Sec. 14. Midwife data collection and reporting guidelines pending initial licensure. The Board of Complementary Health Care Providers, established in the Maine Revised Statutes, Title 5, section 12004-A, subsection 8-A, shall invite and encourage every midwife who intends to be licensed in this State to keep data records and report them to the board upon application for initial licensure. Those records must contain the following information:

1. The total number of clients served as primary maternity caregiver at the onset of care;
2. The number, by county, of live births attended as primary maternity caregiver;
3. The number, by county, of cases of fetal demise, infant deaths and maternal deaths attended as primary maternity caregiver at the discovery of the demise or death;
4. The number of women whose primary maternity care was transferred to another health care practitioner during the antepartum period and the reason for transfer;
5. The number, reason for and outcome of each nonemergency transfer of care during the intrapartum or postpartum period;
6. The number, reason for and outcome of each urgent or emergency transfer of care of an expectant mother in the antepartum period;
7. The number, reason for and outcome of each urgent or emergency transfer of care of an infant or mother during the intrapartum or immediate postpartum period;
8. The number of planned home or freestanding birth center out-of-hospital births at the onset of labor and the number of births completed in an out-of-hospital setting;
9. A brief description of any complications resulting in the morbidity or mortality of a mother or a neonate that occurs during pregnancy, postpartum and the newborn period; and
10. The number of cases involving vaginal birth after cesarean section, breech presentation and multifetal gestation, including for each such case the information contained in subsections 1 to 9.

Sec. 15. Transition provisions

1. Midwife members; initial appointments.

For purposes of initial appointments to the Board of Complementary Health Care Providers pursuant to that section of this Act that amends the Maine Revised Statutes, Title 32, section 12502, subsection 1, the midwife members need only hold a current and valid national certification as a midwife, except that after January 1, 2020 all midwife members of the board must be licensed pursuant to the requirements of Title 32, chapter 113-B, subchapter 4.

2. Expiration of terms. The terms of members of the Board of Complementary Health Care Providers who on the effective date of this Act do not meet the requirements of the Maine Revised Statutes, Title 32, section 12502, subsection 1 expire on September 1, 2016. New members appointed in accordance with the provisions of Title 32, section 12502, subsection 1 must be appointed by September 1, 2016.

Sec. 16. Contingent effective date. Those sections of this Act that repeal the Maine Revised Statutes, Title 32, sections 13811 and 13812 do not take effect unless:

1. The Board of Complementary Health Care Providers, established in the Maine Revised Statutes, Title 5, section 12004-A, subsection 8-A, either alone or in joint rulemaking with the Board of Licensure in Medicine, established in Title 5, section 12004-A, subsection 24, adopts a rule or rules concerning drug possession and administration by certified professional midwives and certified midwives; and

2. The Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation, or the Commissioner of Professional and Financial Regulation, notifies the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes that the rule or rules have been adopted.

See title page for effective date, unless otherwise indicated.

CHAPTER 503

H.P. 252 - L.D. 365

An Act To Provide a Tax Reduction for Modifications To Make a Home More Accessible for a Person with a Disability

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

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

§5219-NN. Credit for certain homestead modifications

1. Credit allowed. A person with federal adjusted gross income not exceeding \$55,000 who makes qualified expenditures for the purpose of making all or any portion of an existing homestead, as defined in section 5219-II, subsection 1, paragraph C, accessible to an individual with a disability or physical hardship who resides or will reside in the homestead is allowed a credit against the tax otherwise imposed under this Part in an amount equal to the applicable percentage of the qualified expenditures or \$9,000, whichever is less.

2. Qualified expenditures. An individual claiming a credit under this section must demonstrate to the Maine State Housing Authority that the homestead modifications for which the expenditures were incurred comply with applicable building standards governing home accessibility in the jurisdiction where the homestead is located and are consistent with standards adopted by the authority. The authority may adopt rules consistent with this section to identify the types of homestead modifications that will enable accessibility for individuals with disabilities or physical hardships. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

3. Certification. The Maine State Housing Authority shall certify to the State Tax Assessor the total qualified expenditures made by an individual seeking to claim a credit under this section. The authority may contract with a public or private entity to make the certification required under this subsection.

4. Limitations; carry-forward. The credit under this section must be taken in the taxable year in which the qualified expenditures were incurred. Any unused portion of the credit may be carried forward to the following year or years for a period not to exceed 4 years.

5. Applicable percentage. For the purposes of this section, "applicable percentage" means:

- A. For taxpayers with a federal adjusted gross income of \$0 to \$25,000, 100%;
- B. For taxpayers with a federal adjusted gross income over \$25,000 but not over \$30,000, 90%;
- C. For taxpayers with a federal adjusted gross income over \$30,000 but not over \$35,000, 80%;
- D. For taxpayers with a federal adjusted gross income over \$35,000 but not over \$40,000, 70%;
- E. For taxpayers with a federal adjusted gross income over \$40,000 but not over \$45,000, 60%; and
- F. For taxpayers with a federal adjusted gross income over \$45,000 but not over \$55,000, 50%.

6. Annual limit on credits. Credits approved under this section may not exceed \$1,000,000 for any calendar year. If the \$1,000,000 annual limitation is reached, any additional applications for a credit in that year must be held and given priority in consideration in the following calendar year.

Sec. 2. Application. This Act applies to tax years beginning on or after January 1, 2017.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

**HOUSING AUTHORITY, MAINE STATE
Home Modification Certification Program N208**

Initiative: Provides funds for the cost of conducting the home modification certification.

GENERAL FUND	2015-16	2016-17
All Other	\$0	\$50,000
GENERAL FUND TOTAL	\$0	\$50,000

See title page for effective date.

**CHAPTER 504
S.P. 694 - L.D. 1686**

**An Act To Amend the Finance
Authority of Maine Act**

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

Sec. 1. 10 MRSA §962, sub-§2, as amended by PL 2011, c. 586, §1, is further amended to read:

2. Revenue obligation securities. Issue revenue obligation securities to finance eligible projects, except that revenue obligation securities may not be issued for energy distribution system projects ~~after or energy generating system projects unless the authority issued a certificate of approval for those eligible projects before January 1, 2018~~ 2020 pursuant to ~~section 1044, subsection 13 subchapter 3;~~

Sec. 2. 10 MRSA §963-A, sub-§13, ¶B, as amended by PL 1987, c. 141, Pt. B, §7, is further amended to read:

B. For a system ~~which that~~ does generate electricity, an energy generating system ~~which, including~~ wires, cables and other material and equipment necessary and convenient for the delivery of electricity from the electricity generating facility to the transmission and distribution utility system within the State, that uses biomass, peat, solar, waste, water and related dams, wind, wood or