

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

Sec. 2. Moratorium on rulemaking. Resolved: That the Department of Health and Human Services may not begin any rule-making procedure connected with rate changes for reimbursement levels under Rule Chapter 101: MaineCare Benefits Manual, Sections 13, 17, 28 and 65 until at least 60 days after a completed rate study has been presented to the joint standing committee of the Legislature having jurisdiction over health and human services matters pursuant to section 1.

See title page for effective date.

CHAPTER 89

H.P. 1143 - L.D. 1675

Resolve, To Create the Task Force on Public-private Partnerships To Support Public Education

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this resolve establishes the Task Force on Public-private Partnerships To Support Public Education to conduct a comprehensive study of available public-private funding models to support public education; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; 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

Sec. 1. Task force established. Resolved: That, notwithstanding Joint Rule 353, the Task Force on Public-private Partnerships To Support Public Education, referred to in this resolve as "the task force," is established; and be it further

Sec. 2. Task force membership. Resolved: That the task force consists of 12 members appointed as follows:

1. One member of the Senate appointed by the President of the Senate;
2. Two members of the House of Representatives appointed by the Speaker of the House, including a member from each of the 2 parties holding the largest number of seats in the Legislature;

3. Four members appointed by the President of the Senate as follows:

A. One member who represents a philanthropic organization and who has experience in performance-based contracting in the social sector or social impact partnerships;

B. One member who represents business interests and who has experience in performance-based contracting in the social sector or social impact partnerships;

C. One member who represents financing interests and who has experience in performance-based contracting in the social sector or social impact partnerships; and

D. One member who represents school principals' interests;

4. Four members appointed by the Speaker of the House as follows:

A. One member who represents a philanthropic organization and who has experience in performance-based contracting in the social sector or social impact partnerships;

B. One member who represents business interests and who has experience in performance-based contracting in the social sector or social impact partnerships;

C. One member who represents financing interests and who has experience in performance-based contracting in the social sector or social impact partnerships; and

D. One member of the Maine Education Policy Research Institute; and

5. The Commissioner of Education or the commissioner's designee.

Prior to making an appointment to the task force pursuant to subsection 3, paragraph D, the President of the Senate shall seek nominations from the Maine Principals' Association. The President of the Senate shall request the Maine Principals' Association to survey its members for a recommended nomination; and be it further

Sec. 3. Chairs. Resolved: That the Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the task force; and be it further

Sec. 4. Appointments; convening of task force. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the task force. If 30 days

or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the task force to meet and conduct its business; and be it further

Sec. 5. Duties. Resolved: That the task force shall meet 4 times in order to conduct a comprehensive study on performance-based contracting and social impact partnerships for public education. In performing its work, the task force shall research the various aspects of the issues related to using performance-based contracting and social impact partnerships to support public education. The task force shall make recommendations regarding the viability of implementing performance-based contracting and social impact partnerships with private and governmental entities to support public education; and be it further

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the task force; and be it further

Sec. 7. Outside funding. Resolved: That the task force shall seek funding contributions to fully fund the costs of the task force. All funding is subject to approval by the Legislative Council in accordance with its policies. If sufficient contributions to fund the task force have not been received within 30 days after the effective date of this resolve, no meetings are authorized and no expenses of any kind may be incurred or reimbursed; and be it further

Sec. 8. Report. Resolved: That, no later than January 15, 2017, the task force shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the First Regular Session of the 128th Legislature. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may report out a bill to the First Regular Session of the 128th Legislature.

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

Effective April 29, 2016.

**CHAPTER 90
S.P. 652 - L.D. 1614**

**Resolve, To Provide Funding
for the County Jail Operations
Fund**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, funding is needed immediately for the operation of the State's county jails and one regional jail; 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

Sec. 1. Distributions by Department of Corrections. Resolved: That the Department of Corrections shall distribute the funds appropriated in this resolve prior to June 30, 2016 on the basis of the financial needs of each county jail and the regional jail. The department shall determine the financial needs of the jails in cooperation with the Maine County Commissioners Association and the Maine Sheriffs' Association, taking into consideration the revenues and verified expenditures of each jail and the use of tax assessments by each county as allowed by the Maine Revised Statutes, Title 30-A, section 701, subsection 2-C; and be it further

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**CORRECTIONS, DEPARTMENT OF
County Jail Operations Fund Z194**

Initiative: Provides one-time funding for the County Jail Operations Fund to meet funding needs for the operation of the State's county jails and regional jail.

GENERAL FUND	2015-16	2016-17
All Other	\$2,465,896	\$0
GENERAL FUND TOTAL	\$2,465,896	\$0

CORRECTIONS, DEPARTMENT OF DEPARTMENT TOTALS	2015-16	2016-17
GENERAL FUND	\$2,465,896	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$2,465,896	\$0

**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.