

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 2016 to August 2, 2017

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
NOVEMBER 1, 2017

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2017

3. Payments to fund. Notwithstanding section 1585 or any other provision of law:

A. The department shall assess agencies or private entities that receive General Fund appropriations or general obligation bonds for economic development incentives an amount for contribution to the fund that is not to exceed 0.8% of General Fund appropriations received by or general obligation bonds issued to an agency or entity for economic development incentives. Private entities that receive funds from general obligation bonds for economic development incentives shall pay to the Treasurer of State in the fiscal year in which the general obligation bond was issued an assessment amount determined by the department that is not to exceed 0.8% of the proceeds from the bond issue in any fiscal year, which payment must be made from available resources other than bond proceeds. Only those programs that receive \$250,000 or more in economic development appropriations in any fiscal year or those entities that receive funds from a general obligation bond issue of \$250,000 or more for economic development incentives in any fiscal year, as identified and certified by the department and the Office of Fiscal and Program Review, may be assessed pursuant to this subsection. The department shall provide to each agency or private entity that is assessed a payment under this paragraph an annual budget for the fund and a detailed account of each institution's required assessment. Total payments made pursuant to this paragraph may not exceed \$200,000 in any fiscal year; and

B. Agencies or private entities that receive General Fund appropriations or general obligation bonds for research and development activities shall contribute to the fund an amount not to exceed 0.8% of General Fund appropriations received by and general obligation bonds issued to an agency or entity for research and development activities. Private entities that receive funds from general obligation bonds for research and development activities shall pay to the Treasurer of State in the fiscal year in which the general obligation bond was issued an amount not to exceed 0.8% of the proceeds from the bond issue in any fiscal year, which payment must be made from available resources other than bond proceeds. Only those programs that receive \$500,000 or more in research and development appropriations in any fiscal year, or those entities that receive funds from a general obligation bond issue of \$500,000 or more for research and development activities in any fiscal year, as identified and certified by the Office of Innovation, established pursuant to section 13105, and the Office of Fiscal and Program Review, may be assessed. The Office of Innovation shall provide to each agency or

private entity that is assessed a payment under this paragraph an annual budget for the fund and a detailed account of each institution's required assessment. Total payments made pursuant to this paragraph may not exceed \$200,000 in any fiscal year.

Sec. 15. 5 MRSA §13107, as amended by PL 2011, c. 563, §§8 and 9 and c. 655, Pt. EE, §10 and affected by §30, is repealed.

Sec. 16. 5 MRSA §13108, as enacted by PL 2003, c. 673, Pt. M, §8, is repealed.

Sec. 17. 5 MRSA §13109, as amended by PL 2009, c. 337, §7, is repealed.

Sec. 18. Appropriations and allocations. The following appropriations and allocations are made.

**ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF
Maine Research and Development Evaluation Fund 0985**

Initiative: Deallocates funds for the Maine Research and Development Evaluation Fund.

	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS		
All Other	(\$200,000)	(\$200,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$200,000)	(\$200,000)

See title page for effective date.

**CHAPTER 265
H.P. 955 - L.D. 1376**

An Act To Remove Barriers to Workforce Development in Alcohol and Drug Counseling

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

Sec. 1. 22 MRSA §3174-L, sub-§3 is enacted to read:

3. Licensed clinical professional counselors. A licensed clinical professional counselor, as defined in Title 32, section 13851, subsection 2, must be eligible to receive MaineCare reimbursement for counseling services at the same rate as a licensed clinical social worker, as defined in Title 32, section 7001-A, subsection 6.

Sec. 2. 32 MRSA §6207-B is enacted to read:

§6207-B. Confidential information

The nonbusiness address of a person licensed or certified under this chapter is confidential, not open to the public and not a public record as defined in Title 1, section 402, subsection 3.

Sec. 3. 32 MRSA §6214-D, sub-§1, ¶D, as enacted by PL 2003, c. 347, §16 and affected by §25, is amended to read:

D. Meet one of the following educational requirements:

(1) ~~A high school diploma or its equivalent, course work as defined by board rule and a minimum of 6,000 hours of documented supervised practice in alcohol and drug counseling or Complete 2,000 hours if the applicant holds a valid of documented supervised practice in alcohol and drug counseling as a certified alcohol and drug counselor certification;~~

(2) ~~An Possess an associate or bachelor's degree from an accredited college or university in clinically based behavioral sciences or addiction counseling or a related field as defined by board rule, course work as defined by board rule and complete a minimum of 4,000 hours of documented supervised practice in alcohol and drug counseling, except that an applicant who holds a bachelor's degree from an accredited college or university that meets the requirements of this subparagraph and who has completed at least 18 credit hours of course work in addiction counseling need only complete a minimum of 2,000 hours of documented supervised practice in alcohol and drug counseling; or~~

(3) ~~A Possess a master's degree from an accredited college or university in clinically based behavioral sciences or addiction counseling or a related field as defined by board rule, course work as defined by board rule and a minimum of 2,000 hours of documented supervised practice in alcohol and drug counseling, except that an applicant who holds a master's degree from an accredited college or university that meets the requirements of this subparagraph and who has completed at least 12 credit hours of course work in addiction counseling need only complete a minimum of 1,500 hours of documented supervised practice in alcohol and drug counseling.~~

Sec. 4. State Board of Alcohol and Drug Counselors to amend rules. No later than January 1, 2018, the Department of Professional and Financial Regulation, State Board of Alcohol and Drug Counselors shall amend its rules regarding continuing pro-

fessional education for alcohol and drug counselors as follows.

1. Reduce the hours for continuing professional education for certified alcohol and drug counselors from 24 contact hours every 2 years to 18 contact hours every 2 years.

2. Reduce the hours for continuing professional education for licensed alcohol and drug counselors from 36 contact hours every 2 years to 25 contact hours every 2 years.

3. Reduce the hours for continuing professional education for licensed alcohol and drug counselors who are also certified clinical supervisors from a total of 48 contact hours every 2 years to a total of 37 contact hours every 2 years.

4. Increase the maximum hours allowed for distance learning as a permissible continuing education activity from 10 hours to 20 hours.

Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 266

H.P. 1083 - L.D. 1572

An Act To Implement Recommendations of the Government Oversight Committee To Improve the Efficiency and Effectiveness of Legislative Reviews of Tax Expenditures

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

Sec. 1. 3 MRSA §998, sub-§2, as enacted by PL 2015, c. 344, §4, is amended to read:

2. Schedule. ~~By October 1, 2015, the~~ The committee, in consultation with the policy committee, shall establish a prioritized schedule of ongoing review of the tax expenditures assigned to the full evaluation and expedited review categories pursuant to subsection 1, paragraphs A and B. To the extent practicable, the committee shall schedule group the review of tax expenditures with similar goals ~~during the same year together.~~

Sec. 2. 3 MRSA §999, sub-§1, ¶A, as enacted by PL 2015, c. 344, §4, is amended to read:

A. ~~By January 31st of each year~~ Prior to the beginning of each evaluation, the committee, after consideration of recommendations from the of-