

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST SPECIAL SESSION
October 23, 2017 to November 6, 2017

SECOND REGULAR SESSION
January 3, 2018 to May 2, 2018

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 5, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2018

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

Augusta, Maine
2018

Whereas, this legislation needs to take effect in time to allow for the lease of the unused school facilities by May 1, 2018; 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. 20-A MRSA §7407, sub-§6, as amended by PL 2005, c. 600, §1, is further amended to read:

6. Collection of fees. The school board may charge service and rental fees for use of facilities of the school. Except as provided in ~~subsection~~ subsections 12-A and 12-B, any funds received for service and rental fees must be retained by the school.

Sec. 2. 20-A MRSA §7407, sub-§12-B is enacted to read:

12-B. Lease of school property to State's protection and advocacy agency. The Department of Administrative and Financial Services may enter into lease agreements in accordance with state law and policy on the lease of state-owned facilities, including but not limited to the provisions of Title 5, chapter 154, to lease school property to the protection and advocacy agency for persons with disabilities designated pursuant to Title 5, section 19502. Any funds received pursuant to this subsection must first be applied in accordance with Title 5, section 1784. Any excess revenue above the requirements of Title 5, section 1784 may be retained by the school to be applied to statutorily authorized programs.

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

Effective May 2, 2018.

CHAPTER 414

H.P. 1285 - L.D. 1848

An Act To Extend Arrearage Management Programs

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

Sec. 1. 35-A MRSA §3214, sub-§2-A, as enacted by PL 2013, c. 556, §1, is amended to read:

2-A. Arrearage management program. Each investor-owned transmission and distribution utility shall implement pursuant to this subsection an arrear-

age management program to assist eligible low-income residential customers who are in arrears on their electricity bills. An arrearage management program implemented pursuant to this subsection is a plan under which a transmission and distribution utility works with an eligible low-income residential customer to establish an affordable payment plan and provide credit to that customer toward the customer's accumulated arrears as long as that customer remains in compliance with the terms of the program. If a consumer-owned transmission and distribution utility elects to implement an arrearage management program, it must do so in accordance with this subsection and rules adopted pursuant to this subsection. The commission shall establish requirements relating to the arrearage management programs by rule. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

In adopting rules regarding arrearage management programs, the commission shall:

- A. Consider best practices as developed and implemented in other states or regions;
- B. Require that an arrearage management program include an electricity usage assessment at no cost to the participant;
- ~~C. Permit each transmission and distribution utility to propose a start date for its program that is no later than October 1, 2015;~~
- D. Ensure that ~~each~~ a transmission and distribution utility develops terms and conditions for its arrearage management program in a manner that is consistent with the program's objectives and is in the best interests of all ratepayers; and
- E. Ensure that a transmission and distribution utility recovers in rates all reasonable costs of arrearage management programs, including ~~incremental costs, reconnection fees and administrative and marketing costs but not including the amount of any arrearage forgiven that is treated as bad debt for purposes of cost recovery by the transmission and distribution utility;~~
 - (1) Incremental costs;
 - (2) Reconnection fees;
 - (3) Administrative costs;
 - (4) Marketing costs;
 - (5) Costs for any 3rd-party assistance it receives in administering its arrearage management program; and
 - (6) Costs for providing financial and budgetary guidance to participants whether provided directly or through a 3rd party contracted by

the transmission and distribution utility to provide that guidance.

The amount of any arrearage forgiven that is treated as bad debt for purposes of cost recovery by the transmission and distribution utility may not be included as a reasonable cost under this paragraph.

The Efficiency Maine Trust shall work with investor-owned transmission and distribution utilities, consumer-owned transmission and distribution utilities that elect to participate in an arrearage management program and other stakeholders to provide access to a complementary low-income energy efficiency program for participants in arrearage management programs in order to help reduce participants' energy consumption.

No later than January 28, ~~2018~~ 2021, the commission shall prepare a report assessing the effectiveness of arrearage management programs, including the number of participants enrolled in the programs, the number of participants completing the programs, the number of participants who have failed to complete the programs, the payment patterns of participating customers after completing the programs, the dollar amount of arrears forgiven, a comparison of outcomes for those participating in the programs and those not participating, the impact on a any participating transmission and distribution utility's bad debt as a result of the programs, the costs and benefits to all ratepayers associated with the programs and recommendations for ways in which the programs might be improved or continued for the benefit of all ratepayers. In preparing its report, the commission shall hold at least one formal stakeholder meeting involving affected parties, including the Office of the Public Advocate and the participating transmission and distribution utilities. Parties must also be provided an opportunity to submit written comments to the commission regarding the performance of the programs.

The joint standing committee of the Legislature having jurisdiction over utilities matters may report out a bill relating to the commission report to the ~~Second~~ First Regular Session of the ~~128th~~ 130th Legislature.

This subsection is repealed September 30, ~~2018~~ 2021.

Sec. 2. 35-A MRSA §10110, sub-§2, ¶L, as enacted by PL 2013, c. 556, §2, is amended to read:

L. Pursuant to section 3214, subsection 2-A, the trust shall work with investor-owned transmission and distribution utilities, consumer-owned transmission and distribution utilities that elect to participate in an arrearage management program pursuant to section 3214, subsection 2-A and other stakeholders to provide access to a complementary low-income energy efficiency program for participants in the arrearage management pro-

grams in order to help reduce participants' energy consumption.

This paragraph is repealed September 30, ~~2018~~ 2021.

See title page for effective date.

**CHAPTER 415
S.P. 658 - L.D. 1771**

An Act To Stabilize Vulnerable Families

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

Sec. 1. 5 MRSA §20054 is enacted to read:

§20054. Integrated treatment and recovery for families

The department shall develop and fund housing-based programs employing evidence-based strategies in a holistic approach to recovery for vulnerable families affected by substance abuse. The programs must treat mothers affected by substance abuse who have at least one child under 10 years of age when entering the program in an integrated family care model. The programs must provide to a mother in the program stable housing and comprehensive services that support recovery and unification with that mother's children. Comprehensive services provided include all of the following: care coordination, health care, child care, early childhood education, home supports, after-school programming, parenting education, treatment for mental health and substance abuse, postsecondary education, community-based transportation and employment supports. The programs must include coordinated data collection to assess long-term recovery outcomes, transition to employment and independence for mothers participating in the programs.

Sec. 2. Department of Health and Human Services to issue requests for proposals. No later than January 1, 2019, the Department of Health and Human Services shall issue requests for proposals to develop, pursuant to the Maine Revised Statutes, Title 5, section 20054, 2 housing-based programs for mothers affected by substance abuse who have children under 10 years of age.

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

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF
Child Care Services 0563**