

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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

Augusta, Maine
2019

Sec. 1. 36 MRSA §5219-DD, sub-§2, as amended by PL 2011, c. 434, §1, is further amended to read:

2. Credit. An eligible dentist determined to be eligible before January 1, 2012 is allowed a credit for each taxable year, not to exceed \$15,000, against the taxes due under this Part. ~~For dentists~~ An eligible dentist determined to be eligible on or after January 1, 2012, an eligible dentist but before January 1, 2018 is allowed a credit for each taxable year, not to exceed \$12,000, against the taxes due under this Part. An eligible dentist determined to be eligible on or after January 1, 2018 but before January 1, 2023 is allowed a credit, not to exceed \$6,000 in the first year, \$9,000 in the 2nd year, \$12,000 in the 3rd year, \$15,000 in the 4th year and \$18,000 in the 5th year, against the taxes due under this Part. The credit may be claimed in the first year that the eligible dentist meets the conditions of eligibility for at least 6 months and each of the 4 subsequent years. The credit is not refundable.

Sec. 2. 36 MRSA §5219-DD, sub-§3, as amended by PL 2011, c. 434, §2, is further amended to read:

3. Eligibility limitation; certification. The oral health program shall certify up to 5 eligible dentists in each year in 2009, 2010 and 2011 ~~and~~ up to 6 additional eligible dentists in each year from 2012 through 2015 and up to 5 eligible dentists in each year from 2018 through 2022. Additional dentists may not be certified after ~~2015~~ 2022. The oral health program shall monitor certified dentists to ensure that they continue to be eligible for the credit under this section and shall decertify any dentist who ceases to meet the conditions of eligibility. The oral health program shall notify the bureau whenever a dentist is certified or decertified. A decertified dentist ceases to be eligible for the credit under this section beginning with the tax year during which the dentist is decertified.

Sec. 3. 36 MRSA §5219-DD, sub-§6, as amended by PL 2011, c. 434, §3, is further amended to read:

6. Repeal. This section is repealed December 31, ~~2020~~ 2027.

Sec. 4. 36 MRSA §5219-LL, sub-§§2 and 3, as reallocated by RR 2013, c. 2, §46, are amended to read:

2. Credit. For tax years beginning on or after January 1, 2014 ~~but before January 1, 2019~~, an eligible primary care professional is allowed a credit against the taxes due under this Part as follows.

A. The credit may be claimed in the first year that the eligible primary care professional meets the conditions of eligibility for at least 6 months and each of the 4 subsequent years or until the student

loan of the eligible primary care professional is paid in full, whichever comes first.

B. The credit may be claimed in an amount equal to the annual payments made on the student loan not to exceed \$6,000 in the first year, \$9,000 in the 2nd year, \$12,000 in the 3rd year, \$15,000 in the 4th year and \$18,000 in the 5th year.

C. The credit may not reduce the tax due under this Part to less than zero.

3. Eligibility limitation; certification. The Department of Health and Human Services shall certify up to 5 10 eligible primary care professionals each year. The Department of Health and Human Services shall monitor certified primary care professionals to ensure that they continue to be eligible for the credit under this section and shall decertify any primary care professional who ceases to meet the conditions of eligibility. The Department of Health and Human Services shall notify the bureau whenever a primary care professional is certified or decertified. A decertified primary care professional ceases to be eligible for the credit under this section beginning with the tax year during which the primary care professional is decertified.

See title page for effective date.

CHAPTER 436

H.P. 916 - L.D. 1322

An Act Regarding Mental Health First Aid Training for Corrections Personnel

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

Sec. 1. 25 MRSA §2804-D, sub-§1, as amended by PL 2013, c. 147, §33, is further amended to read:

1. Required. As a condition to the continued employment of any person as a corrections officer, that person must successfully complete, within the first 12 months of employment, a basic training course as approved by the board. Thereafter, as a condition of continued employment as a corrections officer, the officer must satisfactorily maintain the basic certification. The board, under extenuating and emergency circumstances in individual cases, may extend the 12-month period for not more than 180 days. The board, in individual cases, may waive basic training requirements when the facts indicate that an equivalent course has been successfully completed in another state or federal jurisdiction. A full-time correctional trade instructor ~~hired after January 1, 2002~~ must meet the requirements established under this subsection for corrections officers. Beginning January 1, 2018,

the basic training course must include 8 hours of training in how to identify, understand and respond to signs of mental illnesses and substance use disorder that is provided by a trainer who is certified by a nationally recognized organization that provides evidence-based mental health first aid training.

Sec. 2. Jails, prisons and correctional facilities to incrementally train corrections personnel in mental health first aid. Every jail, prison and state correctional facility shall ensure that 20% of corrections officers at the jail, prison or state correctional facility are trained in mental health first aid by 2022. For purposes of this section, "corrections officer" has the same meaning as in the Maine Revised Statutes, Title 25, section 2801-A, subsection 2.

Sec. 3. Report. Every jail, prison and state correctional facility shall report to the Commissioner of Corrections when personnel at the facility have received mental health first aid training at the Maine Criminal Justice Academy as required by section 2. When all jails, prisons and state correctional facilities in the State have reported to the commissioner, the commissioner shall report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters that the provisions of section 2 have been met.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF
Criminal Justice Academy 0290**

Initiative: Provides an allocation to provide 8 hours of mental health first aid training as part of basic corrections training.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	\$30,265
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$30,265

See title page for effective date.

**CHAPTER 437
S.P. 557 - L.D. 1584**

**An Act To Expand the Local
Foods Economy by Promoting
Local Foods Procurement**

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

Sec. 1. 7 MRSA c. 8-A, sub-c. 3 is enacted to read:

SUBCHAPTER 3

LOCAL FOODS PROCUREMENT PROGRAM

§220. Local foods procurement program; local foods access

In accordance with this section, the commissioner shall establish and promote a local foods procurement program with the goal that no later than 2025, 20% of all food and food products procured by state institutions be local food or food products.

1. Guidelines. The commissioner shall establish guidelines to assist state institutions to assess their ability to procure local foods or food products while minimizing costs for that procurement.

2. Education and outreach. The commissioner shall provide education and outreach for the purpose of supporting local foods providers, such as farms, farmers' markets, community supported agriculture and seafood providers, to further the goal established in this section.

3. Access to local foods for recipients of benefits. The commissioner shall improve access to local foods for recipients of benefits under any food supplement program administered by the Department of Health and Human Services under Title 22 by:

A. Expanding opportunities for farmers to sell local foods to recipients of food supplement program benefits by promoting the use of electronic benefits transfer cards at farmers' markets and, in partnership with a statewide federation of farmers' markets, encouraging participation in community supported agriculture by recipients of food supplement program benefits;

B. Assisting farmers' markets in accepting payments through the electronic benefits transfer system by helping them secure equipment, including equipment that does not require the use of electricity, for processing payments through the electronic benefits transfer system; and

C. In partnership with the Commissioner of Health and Human Services, educating recipients of food supplement program benefits of the opportunity to use the benefits at farmers' markets and the advantages of such use.

4. Rules. The commissioner shall adopt rules necessary to carry out the provisions of this subchapter. The rules must include, but are not limited to, definitions of "local foods" and "local foods providers" that are consistent with the provisions of this chapter and must establish a method and baseline to determine the percentage of local foods or food products procured by state institutions based on dollars spent. Rules adopted under this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.