

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

§9327. Private party burn permit software

The Director of the Bureau of Forestry shall allow a municipality to use burn permit software acquired from a private party to establish a publicly accessible online system to issue a permit to burn pursuant to section 9325 if the issuance of a permit to burn using the private party burn permit software is in accordance with the criteria in section 9321.

1. Approval. The Director of the Bureau of Forestry shall approve private party burn permit software within 10 business days after a vendor or owner of a private party burn permit software system submits a request for review of the software to the director if the software submitted meets the requirements of this section and there are fewer than 2 private party burn permit software programs approved and in use pursuant to this section.

2. Limit on private party burn permit software. No more than 2 private party burn permit software programs may be approved and in operation in the State.

3. Notification. If the Director of the Bureau of Forestry does not approve the private party burn permit software that has been submitted for review under subsection 1, the director shall notify the vendor or owner of the private party burn permit software in writing of the reasons why the software has not been approved.

4. Appeal. A denial of approval of a private party burn permit software system is a final agency action that may be appealed in accordance with Title 5, chapter 375, subchapter 7.

5. Fee. If a person uses private party burn permit software to apply for a permit to burn, that person may not be charged a fee for the permit.

6. Private party burn permit software to be provided at no charge. A vendor or owner of a private party burn permit software system may not charge a municipality for use of private party burn permit software approved under subsection 1.

7. Application for burn permit not using private party burn permit software. A person may not be required to apply for a permit to burn using private party burn permit software, but may apply as otherwise provided in this article.

8. Rules. The Director of the Bureau of Forestry may adopt rules relating to private party burn permit software requirements. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

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

Effective July 9, 2018.

CHAPTER 450**S.P. 519 - L.D. 1490****An Act To Stabilize Funding
for the County Jails**

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

Sec. 1. Allocation to fund county and regional jails. One-time funding provided pursuant to section 3 to the Department of Corrections, County Jails Operation Fund for county and regional jails to offset unusually high costs incurred in fiscal year 2017-18 or incurring in fiscal year 2018-19 must be allocated as specified in this section.

1. Of the \$3,000,000 appropriation, \$2,712,008 must be allocated to the following jails in the following amounts:

- A. Androscoggin County Jail, \$354,895;
- B. Aroostook County Jail, \$67,427;
- C. Cumberland County Jail, \$300,954;
- D. Franklin County Jail, \$121,358;
- E. Hancock County Jail, \$92,083;
- F. Oxford County Jail, \$691,718;
- G. Penobscot County Jail, \$468,864;
- H. Piscataquis County Jail, \$225,626;
- I. Somerset County Jail, \$194,754; and
- J. Two Bridges Regional Jail, \$194,329.

2. The Department of Corrections shall use the remaining \$287,992 to reimburse county and regional jails for unexpected situations, as documented by the jails to the Department of Corrections, that cause expenditures in fiscal year 2018-19 that are not anticipated by the jails and that are in excess of the budgets of the jails and the amounts listed in paragraph A.

Funds provided under this section that are not expended by the county or regional jail during fiscal year 2018-19 lapse to the Department of Corrections, County Jails Operation Fund for use in a future year.

Sec. 2. Transfers from available fiscal year 2018-19 Department of Professional and Financial Regulation Other Special Revenue Funds balances to General Fund. At the close of fiscal year 2018-19, the State Controller shall transfer \$3,000,000 from available balances in Other Special

Revenue Funds accounts within the Department of Professional and Financial Regulation to the General Fund unappropriated surplus. On or before June 30, 2019, the Commissioner of Professional and Financial Regulation shall determine from which accounts the funds will be transferred so that the sum equals \$3,000,000 and notify the State Controller and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs of the amounts to be transferred from each account.

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

**CORRECTIONS, DEPARTMENT OF
County Jails Operation Fund Z227**

Initiative: Appropriates additional funds on an ongoing basis for the County Jails Operation Fund program of which \$1,700,000 must be spent on community corrections as required pursuant to the Maine Revised Statutes, Title 34-A, section 1210-D, subsection 1.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$3,000,000
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GENERAL FUND TOTAL	\$0	\$3,000,000

County Jails Operation Fund Z227

Initiative: Provides one-time funding for county and regional jails with unusually high costs incurred during fiscal year 2017-18, such costs having been incurred to meet State of Maine jail standards and operational guidelines for the incarceration of inmates awaiting adjudication or serving sentences and for such unanticipated expenditures in fiscal year 2018-19. This appropriation is to be allocated to county and regional jails as provided in section 1.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$3,000,000
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GENERAL FUND TOTAL	\$0	\$3,000,000

County Jails Operation Fund Z227

Initiative: Appropriates funds for the Kennebec County Criminogenic Addiction Recovery Academy (CARA) program.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$120,000
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GENERAL FUND TOTAL	\$0	\$120,000

**CORRECTIONS,
DEPARTMENT OF**

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$0	\$6,120,000
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$6,120,000

See title page for effective date.

**CHAPTER 451
H.P. 1216 - L.D. 1762**

**An Act To Ensure Sustainable
Health Care Access in the
Jackman Region**

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

Whereas, health care access is an integral part of health care in the State; and

Whereas, the Jackman Community Health Center provides vital 24-hour medical services for the northern Somerset County region; and

Whereas, the Jackman Community Health Center's financial situation puts these services at risk; and

Whereas, without these medical services many of the most vulnerable residents would no longer be able to remain in the region; 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. Appropriations and allocations.
The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Office of MaineCare Services 0129

Initiative: Provides funding for health care access at the Jackman Community Health Center.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$150,000