

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

B. Confirmation that the culvert proposed for upgrade or replacement is on a municipal road, not a state road or private road;

C. The extent to which the proposed project meets the Department of Environmental Protection's design standard of at least 1.2 times the stream's bankfull width, with a natural stream bottom or embedded structure, and meets or exceeds the Department of Transportation's 100-year flood standard;

D. The degree of urgency of the proposed project, including whether a culvert is at high risk of failure due to age, location within a watershed or reach with high flood risk or severe flood history; and

E. The expected contribution to reducing the frequency or severity of flooding to upstream and downstream communities and improving storm water management within the proposed project area; and

2. Cost-effectiveness. The extent to which the proposed project represents an efficient and cost-effective investment, including the proportion of total project funding that will be provided from other sources and the potential avoided costs associated with the proposed project. Funds may not be used to cover all of the costs associated with a proposed project.

Total \$5,000,000

Sec. 6. Contingent upon ratification of bond issue. Sections 1 to 5 do not become effective unless the people of the State ratify the issuance of the bonds as set forth in this Act.

Sec. 7. Appropriation balances at year-end. At the end of each fiscal year, all unencumbered appropriation balances representing state money carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds lapse to the Office of the Treasurer of State to be used for the retirement of general obligation bonds.

Sec. 8. Bonds authorized but not issued. Any bonds authorized but not issued within 5 years of ratification of this Act are deauthorized and may not be issued, except that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds for an additional amount of time not to exceed 5 years.

Sec. 9. Referendum for ratification; submission at election; form of question; effective date. This Act must be submitted to the legal voters of the State at a statewide election held in the month of November following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a

statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor a \$106,000,000 bond issue, including \$101,000,000 for construction, reconstruction and rehabilitation of highways and bridges and for facilities and equipment related to ports, piers, harbors, marine transportation, freight and passenger railroads, aviation, transit and bicycle and pedestrian trails, to be used to match an estimated \$137,000,000 in federal and other funds, and \$5,000,000 for the upgrade of municipal culverts at stream crossings?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If a majority of the legal votes are cast in favor of this Act, the Governor shall proclaim the result without delay and this Act becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purposes of this referendum.

Effective pending referendum.

CHAPTER 468

S.P. 740 - L.D. 1910

An Act To Fund Enhanced Data Sharing between the Department of Public Safety, Bureau of State Police and the Maine Judicial Branch

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.

PUBLIC SAFETY, DEPARTMENT OF State Police 0291

Initiative: Provides funding to reprogram the Maine telecommunications and routing operations system, or METRO, data switch.

| | | |
|---|----------------|------------------|
| GENERAL FUND | 2017-18 | 2018-19 |
| All Other | \$0 | \$97,500 |
| GENERAL FUND TOTAL | \$0 | \$97,500 |
| HIGHWAY FUND | 2017-18 | 2018-19 |
| All Other | \$0 | \$52,500 |
| HIGHWAY FUND TOTAL | \$0 | \$52,500 |
| PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS | 2017-18 | 2018-19 |
| GENERAL FUND | \$0 | \$97,500 |
| HIGHWAY FUND | \$0 | \$52,500 |
| DEPARTMENT TOTAL - ALL FUNDS | \$0 | \$150,000 |

See title page for effective date.

CHAPTER 469

H.P. 1363 - L.D. 1918

**An Act To Authorize the
Installation of a Gold Star
Family Memorial in Capitol
Park**

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

Sec. 1. 3 MRSA §902, sub-§1-C is enacted to read:

1-C. Gold star family memorial. Notwithstanding section 902-A, subsection 2, paragraph B, the commission may arrange for and oversee the development and installation of a monument honoring gold star families.

See title page for effective date.

CHAPTER 470

S.P. 756 - L.D. 1922

**An Act To Amend the Child
and Family Services and Child
Protection Act**

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

Sec. 1. 22 MRSA §4003, sub-§3, as amended by PL 1999, c. 731, Pt. AA, §3, is further amended to read:

3. Rehabilitation and reunification. ~~Give family rehabilitation and reunification priority~~ Require that reasonable efforts be made to rehabilitate and reunify families as a means for protecting the welfare of children, but prevent needless delay for permanent plans for children when rehabilitation and reunification is not possible;

See title page for effective date.

CHAPTER 471

S.P. 758 - L.D. 1923

**An Act To Improve the Child
Welfare System**

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

Whereas, maintaining a sufficient number of qualified foster homes provides a critical safety net for vulnerable children; and

Whereas, recruitment and retention of highly qualified child welfare staff will allow for more timely and thorough investigations of allegations of abuse and neglect; and

Whereas, a new comprehensive child welfare information system will make more information available in a timely manner, which will allow for better outcomes for children; and

Whereas, this legislation provides funding necessary to enhance the child welfare system and services available to children in the care of the State; 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. Rate increase for foster homes. The daily rates for foster homes must be increased as follows: Unlicensed Homes must be increased from \$10.00 to \$18.50, Level A Licensed Homes must be increased from \$16.50 to \$25.00, Level B Licensed Homes must be increased from \$26.25 to \$35.00, Level C Licensed Homes must be increased from \$39.38 to \$45.00, Level D Licensed Homes must be increased from \$52.50 to \$60.00, Level E Licensed Homes must