

# 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.**

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**Augusta, Maine**  
**2017**

**Mental Health Services - Community 0121**

Initiative: Deappropriates \$500,000 from the Mental Health Services - Community account to transfer funds to the Veterans Mental Health Case Management and Services Fund, Other Special Revenue Fund account.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	(\$500,000)	\$0	\$0

GENERAL FUND TOTAL	(\$500,000)	\$0	\$0
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**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**

DEPARTMENT TOTALS	2016-17	2017-18	2018-19
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GENERAL FUND	(\$500,000)	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	(\$500,000)	\$0	\$0
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**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

**Veterans Mental Health Case Management and Services Fund N269**

Initiative: Provides an allocation to reimburse hospitals for the costs of screening and data collection and to support a pilot program providing mental health case management and services to veterans.

OTHER SPECIAL REVENUE FUNDS	2016-17	2017-18	2018-19
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All Other	\$0	\$875,000	\$0
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$875,000	\$0
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**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

DEPARTMENT TOTALS	2016-17	2017-18	2018-19
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OTHER SPECIAL REVENUE FUNDS	\$0	\$875,000	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$875,000	\$0
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SECTION TOTALS	2016-17	2017-18	2018-19
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GENERAL FUND	(\$875,000)	\$0	\$0
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OTHER SPECIAL REVENUE FUNDS	\$0	\$875,000	\$0
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SECTION TOTAL - ALL FUNDS	(\$875,000)	\$875,000	\$0
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**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective August 2, 2017.

**CHAPTER 25**

**H.P. 806 - L.D. 1143**

**Resolve, Providing for the Official Observance of the 200th Anniversary of the Formation of the State of Maine**

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

**Whereas,** the Maine Bicentennial Commission is established to prepare and administer a plan and program for the celebration of the State's bicentennial; and

**Whereas,** the study must be initiated before the 90-day period expires so that the commission may begin its work and submit its first report by December 6, 2017; 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

**Sec. 1. Commission established. Resolved:** That, notwithstanding Joint Rule 353, the Maine Bi-

centennial Commission, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of 22 members as follows:

1. Two members of the Senate, appointed by the President of the Senate;

2. Two members of the House of Representatives, appointed by the Speaker of the House;

3. One member of the public, appointed by the Governor;

4. The Governor, or the Governor's designee;

5. The President of the Senate, or the President's designee;

6. The Speaker of the House, or the Speaker's designee;

7. The Secretary of State, or the Secretary of State's designee;

8. The State Historian, or the State Historian's designee;

9. The Chancellor of the University of Maine System, or the chancellor's designee;

10. The President of the Maine Community College System, or the president's designee;

11. A representative of a statewide business advocacy organization, appointed by the President of the Senate;

12. A representative of a statewide organization to promote tourism of the State, appointed by the President of the Senate;

13. One member representing prekindergarten to adult education and one member representing private postsecondary education, appointed by the President of the Senate;

14. A representative of a statewide museum organization that promotes the State's historical and natural heritage, appointed by the Speaker of the House;

15. A representative of a statewide humanities organization that uses humanities as a tool for positive change in the State's communities, appointed by the Speaker of the House;

16. A representative of a statewide organization that promotes arts and culture in the State, appointed by the Speaker of the House;

17. A representative of a statewide organization that promotes the heritage and history of the State, appointed by the Speaker of the House;

18. A representative of a statewide organization that promotes and enhances the value of state libraries, appointed by the Speaker of the House; and

19. A representative of a statewide organization that promotes historical preservation, appointed by the Speaker of the House; and be it further

**Sec. 3. Appointment terms. Resolved:** That the Legislators appointed to the commission serve terms coincident with their legislative terms and are appointed every 2 years. Legislators may be reappointed to the commission and may continue to serve until their replacements are designated. Other members are appointed for terms that expire December 31, 2020; a vacancy is filled in the same manner as the original appointment; and be it further

**Sec. 4. Appointments; chair; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. When appointment of all members is complete, the Executive Director of the Legislative Council shall call and convene the first meeting of the commission no later than October 16, 2017. The commission shall select a chair from among its legislative members; and be it further

**Sec. 5. Duties. Resolved:** That the commission shall prepare and administer a comprehensive plan and program for the adequate observance and celebration on a statewide basis of the bicentennial anniversary of the formation of the State of Maine, coordinate the programs and activities of all public and private agencies and organizations in the State that are planned for the observation of the anniversary and engage in such other activities as the commission determines necessary and appropriate to carry out the purposes of this resolve; and be it further

**Sec. 6. Staff assistance. Resolved:** That the Maine State Cultural Affairs Council shall provide necessary staffing services to the commission; and be it further

**Sec. 7. Meetings. Resolved:** That the commission may hold up to 5 meetings a year, one of which must be a public hearing. The chair may request authority and the Legislative Council may grant authority for additional meetings; and be it further

**Sec. 8. Report. Resolved:** That, no later than December 6, 2017, November 7, 2018, December 4, 2019 and November 4, 2020, the commission shall submit a progress report that includes its findings and recommendations for presentation to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs; and be it further

**Sec. 9. Funding. Resolved:** That the commission may accept donations and contributions from any source to assist it in carrying out the purposes of this resolve. The commission shall keep a record of contributions received and disbursements made and publish that record on the State's publicly accessible website; and be it further

**Sec. 10. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**CULTURAL AFFAIRS COUNCIL, MAINE STATE**

**State of Maine Bicentennial Celebration N257**

Initiative: Provides an ongoing allocation for outside funds received for the State of Maine bicentennial celebration to be used by the Maine Bicentennial Commission.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

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

Effective August 2, 2017.

**CHAPTER 26**

**H.P. 456 - L.D. 642**

**Resolve, To Establish the Task Force To Identify Special Education Cost Drivers and Innovative Approaches to Services**

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

**Whereas,** the Task Force To Identify Special Education Cost Drivers and Innovative Approaches to Services will work to address the rising cost of special education while maintaining high-quality services that accommodate the needs of all children; and

**Whereas,** the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; 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

**Sec. 1. Task force established. Resolved:** That, notwithstanding Joint Rule 353, the Task Force To Identify Special Education Cost Drivers and Innovative Approaches to Services, referred to in this resolve as "the task force," is established; and be it further

**Sec. 2. Task force membership. Resolved:** That the task force consists of 13 members appointed as follows:

1. A Senate member of the Joint Standing Committee on Education and Cultural Affairs, appointed by the President of the Senate;
2. A House of Representatives member of the Joint Standing Committee on Education and Cultural Affairs, appointed by the Speaker of the House;
3. A school superintendent representing the Maine School Superintendents Association, appointed by the President of the Senate;
4. A member of a school board representing the Maine School Boards Association, appointed by the Speaker of the House;
5. Two special education directors representing a statewide association of special education directors or teachers, appointed by the President of the Senate. One of the members must be a special education director who serves an urban school administrative unit, and the other member must be a special education director who serves a rural school administrative unit;
6. A principal representing the Maine Principals' Association, appointed by the Speaker of the House;
7. A teacher representing the Maine Education Association, appointed by the President of the Senate;
8. A parent of a student with special needs representing a statewide association of parents of students with special needs, appointed by the Speaker of the House;
9. An advocate for students with special needs, appointed by the President of the Senate;
10. A school finance manager or a school business manager, appointed by the Speaker of the House;
11. A special education student who graduated from a school administrative unit in the State within the last 5 years, appointed by the President of the Senate; and