

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

SECOND SPECIAL SESSION
September 29, 2021

SECOND REGULAR SESSION
January 5, 2022 to May 9, 2022

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 29, 2021

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 8, 2022

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

Augusta, Maine
2022

Works Clearinghouse within the United States Department of Education, Institute of Education Sciences and the California Evidence-Based Clearinghouse for Child Welfare within the California Department of Social Services, Office of Child Abuse Prevention.

Sec. 8. 24-A MRSA §4234-A, sub-§6, ¶B, as amended by PL 2003, c. 20, Pt. VV, §20 and affected by §25, is further amended by amending subparagraph (2) to read:

(2) At the request of a reimbursing health maintenance organization, a provider of medical treatment for mental illness shall furnish data substantiating that initial or continued treatment is medically necessary health care. When making the determination of whether treatment is medically necessary health care, the provider shall use the same criteria for medical treatment for mental illness as for medical treatment for physical illness under the group contract. An insurer may not deny treatment for mental health services that use evidence-based practices and are determined to be medically necessary health care for an individual 21 years of age or younger.

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

Effective April 14, 2022.

CHAPTER 596

H.P. 1449 - L.D. 1944

An Act To Provide the State Harness Racing Commission Greater Efficiency in Rules Enforcement

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 State Harness Racing Commission places great value on resolving violations quickly when a potential return of a race purse is called for, and a disqualified participant may retain a purse garnered unfairly while distribution to the rightful recipients may be delayed because of the adjudicatory process; and

Whereas, this legislation authorizes the State Harness Racing Commission to enter into consent agreements to resolve violations of the laws and rules relating to harness racing in a more efficient and timely manner; 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. 8 MRSA §279-B, sub-§3 is enacted to read:

3. Consent agreements. The commission may execute a consent agreement that resolves a complaint or investigation without further proceedings. A consent agreement may be entered into only with the consent of the licensee, the commission and the Department of the Attorney General. Any remedy, penalty, purse return or fine that is otherwise available by law may be achieved by consent agreement, including long-term suspension and permanent revocation of a license or registration. A consent agreement is not subject to review or appeal and may be modified only by a writing executed by all parties to the original consent agreement. A consent agreement is enforceable by an action in Superior Court.

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

Effective April 14, 2022.

CHAPTER 597

H.P. 1483 - L.D. 1996

An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2022 and June 30, 2023

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 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; 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.

PUBLIC SAFETY, DEPARTMENT OF

State Police 0291

Initiative: Establishes 2 Office Associate II positions funded 65% General Fund and 35% Highway Fund within the same program and provides funding for related All Other costs to implement use of body cameras by the State Police.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$0	\$51,502
All Other	\$0	\$334,562
HIGHWAY FUND TOTAL	\$0	\$386,064

State Police 0291

Initiative: Provides funding to increase the hours of one Forensic Chemist Technician position from 40 hours to 80 hours biweekly.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$2,150	\$8,986
All Other	\$240	\$251
HIGHWAY FUND TOTAL	\$2,390	\$9,237

State Police 0291

Initiative: Establishes 3 State Police Trooper positions funded 65% General Fund and 35% Highway Fund within the same program to provide mandatory instruction at the Maine Criminal Justice Academy and provides funding for related All Other costs.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$0	\$100,896
All Other	\$0	\$46,717
HIGHWAY FUND TOTAL	\$0	\$147,613

State Police 0291

Initiative: Establishes 3 State Police Detective positions funded 65% General Fund and 35% Highway Fund within the same program and provides funding for related All Other costs.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$0	\$148,008
All Other	\$0	\$47,292
HIGHWAY FUND TOTAL	\$0	\$195,300

State Police 0291

Initiative: Establishes one State Police Sergeant-E position funded 65% General Fund and 35% Highway Fund within the same program to provide supervision in the cold case homicide unit and provides funding for related All Other costs.

HIGHWAY FUND	2021-22	2022-23
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Personal Services	\$0	\$50,596
All Other	\$0	\$15,808

HIGHWAY FUND TOTAL	\$0	\$66,404
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State Police 0291

Initiative: Establishes 8 Behavioral Health Program Coordinator positions funded 65% General Fund and 35% Highway Fund within the same program and provides funding for related All Other costs.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$0	\$276,336
All Other	\$0	\$20,045

HIGHWAY FUND TOTAL	\$0	\$296,381
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State Police 0291

Initiative: Provides funding for monthly charges for a new data server to support new evidence-tracking software.

HIGHWAY FUND	2021-22	2022-23
All Other	\$5,349	\$10,697

HIGHWAY FUND TOTAL	\$5,349	\$10,697
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State Police 0291

Initiative: Provides funding for technology costs for the evidence-tracking software annual fees.

HIGHWAY FUND	2021-22	2022-23
All Other	\$3,957	\$3,957

HIGHWAY FUND TOTAL	\$3,957	\$3,957
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State Police 0291

Initiative: Provides one-time funding to upgrade polygraph equipment.

HIGHWAY FUND	2021-22	2022-23
All Other	\$7,195	\$0

HIGHWAY FUND TOTAL	\$7,195	\$0
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State Police 0291

Initiative: Provides one-time funding for noise-reduction equipment.

HIGHWAY FUND	2021-22	2022-23
All Other	\$0	\$42,840

HIGHWAY FUND TOTAL	\$0	\$42,840
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State Police 0291

Initiative: Provides funding for increased technology costs for the Odyssey software system.

HIGHWAY FUND	2021-22	2022-23
All Other	\$11,153	\$11,153

HIGHWAY FUND TOTAL	\$11,153	\$11,153
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State Police 0291

Initiative: Provides funding for technology costs related to a server, licenses and yearly maintenance costs for the Maine State Police Crime Laboratory.

HIGHWAY FUND	2021-22	2022-23
All Other	\$9,963	\$9,963
HIGHWAY FUND TOTAL	<u>\$9,963</u>	<u>\$9,963</u>

State Police 0291

Initiative: Establishes one State Police Polygraph Examiner position funded 65% General Fund and 35% Highway Fund within the same program and provides funding for related All Other costs.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$0	\$42,014
All Other	\$0	\$2,714
HIGHWAY FUND TOTAL	<u>\$0</u>	<u>\$44,728</u>

**PUBLIC SAFETY,
DEPARTMENT OF
DEPARTMENT TOTALS**

	2021-22	2022-23
HIGHWAY FUND	\$40,007	\$1,224,337
DEPARTMENT TOTAL - ALL FUNDS	<u>\$40,007</u>	<u>\$1,224,337</u>

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

**SECRETARY OF STATE, DEPARTMENT OF
Administration - Motor Vehicles 0077**

Initiative: Establishes 2 Customer Service Representative Specialist positions and provides funding for related All Other costs.

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	2.000
Personal Services	\$0	\$152,716
All Other	\$0	\$28,833
HIGHWAY FUND TOTAL	<u>\$0</u>	<u>\$181,549</u>

Administration - Motor Vehicles 0077

Initiative: Establishes one Planning and Research Associate II position and funds All Other costs within the Department of the Secretary of State's central office to assist in the facilitation of the Address Confidentiality Program, including, but not limited to, aiding participants in enrolling in the program, navigating matters that may arise and processing daily mailings to participants.

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$105,708
All Other	\$0	\$7,345
HIGHWAY FUND TOTAL	<u>\$0</u>	<u>\$113,053</u>

Administration - Motor Vehicles 0077

Initiative: Provides funding for technology cost increases.

HIGHWAY FUND	2021-22	2022-23
All Other	\$152,049	\$223,993
HIGHWAY FUND TOTAL	<u>\$152,049</u>	<u>\$223,993</u>

Administration - Motor Vehicles 0077

Initiative: Provides funding for meter postage increases.

HIGHWAY FUND	2021-22	2022-23
All Other	\$3,780	\$15,119
HIGHWAY FUND TOTAL	<u>\$3,780</u>	<u>\$15,119</u>

Administration - Motor Vehicles 0077

Initiative: Provides funding for the additional cost of aluminum used to make registration plates.

HIGHWAY FUND	2021-22	2022-23
All Other	\$58,518	\$228,413
HIGHWAY FUND TOTAL	<u>\$58,518</u>	<u>\$228,413</u>

Administration - Motor Vehicles 0077

Initiative: Establishes one Contract/Grant Manager position and provides funding for related All Other costs.

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$106,317
All Other	\$0	\$15,318
HIGHWAY FUND TOTAL	<u>\$0</u>	<u>\$121,635</u>

Administration - Motor Vehicles 0077

Initiative: Provides one-time funding for the roofing project and repair of the concrete buttresses at the Maine State Prison plate shop.

HIGHWAY FUND	2021-22	2022-23
Capital Expenditures	\$128,000	\$14,000
HIGHWAY FUND TOTAL	<u>\$128,000</u>	<u>\$14,000</u>

Administration - Motor Vehicles 0077

Initiative: Establishes one Agency Application Architect position and provides funding for related All Other costs.

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$122,610
All Other	\$0	\$18,201
HIGHWAY FUND TOTAL	<u>\$0</u>	<u>\$140,811</u>

Administration - Motor Vehicles 0077

Initiative: Provides funding for the increase in the International Registration Plan, Inc. annual membership dues.

HIGHWAY FUND	2021-22	2022-23
All Other	\$0	\$17,691
HIGHWAY FUND TOTAL	\$0	\$17,691

Administration - Motor Vehicles 0077

Initiative: Continues and makes permanent 6 Customer Representative Associate II - Motor Vehicle positions. These positions were previously continued in Public Law 2021, chapter 224.

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$0	\$7,866
HIGHWAY FUND TOTAL	\$0	\$7,866

Administration - Motor Vehicles 0077

Initiative: Provides funding for increased branch lease costs for new locations and renewals at 6 existing locations.

HIGHWAY FUND	2021-22	2022-23
All Other	\$31,389	\$206,059
HIGHWAY FUND TOTAL	\$31,389	\$206,059

Administration - Motor Vehicles 0077

Initiative: Provides funding for the addition of security cameras at each branch location.

HIGHWAY FUND	2021-22	2022-23
All Other	\$40,736	\$32,446
HIGHWAY FUND TOTAL	\$40,736	\$32,446

Administration - Motor Vehicles 0077

Initiative: Provides funding for the ongoing maintenance costs of security cameras in the new Bangor branch location.

HIGHWAY FUND	2021-22	2022-23
All Other	\$10,223	\$20,448
HIGHWAY FUND TOTAL	\$10,223	\$20,448

Administration - Motor Vehicles 0077

Initiative: Provides funding for the ongoing software maintenance and customer messaging services from the online appointment booking solution purchased from the current lobby management service provider.

HIGHWAY FUND	2021-22	2022-23
All Other	\$17,660	\$21,988
HIGHWAY FUND TOTAL	\$17,660	\$21,988

Administration - Motor Vehicles 0077

Initiative: Provides funding for the approved reorganization of one Auditor I position to an Auditor II position and provides funding for related All Other costs.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$1,342	\$8,212
All Other	\$63	\$385
HIGHWAY FUND TOTAL	\$1,405	\$8,597

Administration - Motor Vehicles 0077

Initiative: Provides funding for the approved reorganization of 2 Information System Support Specialist positions to 2 Information System Support Specialist II positions. This initiative also provides funding for related All Other costs.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$3,052	\$15,252
All Other	\$143	\$715
HIGHWAY FUND TOTAL	\$3,195	\$15,967

SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS

	2021-22	2022-23
HIGHWAY FUND	\$446,955	\$1,369,635
DEPARTMENT TOTAL - ALL FUNDS	\$446,955	\$1,369,635

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

TRANSPORTATION, DEPARTMENT OF

Administration 0339

Initiative: Transfers and reallocates positions and All Other costs within funds and programs to more appropriately account for work being done.

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$241,332	\$245,248
HIGHWAY FUND TOTAL	\$241,332	\$245,248

Administration 0339

Initiative: Provides funding to increase biweekly hours of various positions in order to make these positions full-time. Position detail is on file at the Bureau of the Budget.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$102,334	\$107,033
HIGHWAY FUND TOTAL	\$102,334	\$107,033

Fleet Services 0347

Initiative: Transfers and reallocates positions and All Other costs within funds and programs to more appropriately account for work being done.

FLEET SERVICES FUND - DOT	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$93,450)	(\$94,208)
FLEET SERVICES FUND - DOT TOTAL	(\$93,450)	(\$94,208)

Highway and Bridge Capital 0406

Initiative: Transfers and reallocates positions and All Other costs within funds and programs to more appropriately account for work being done.

HIGHWAY FUND	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$189,141	\$194,591
HIGHWAY FUND TOTAL	\$189,141	\$194,591

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$210,162	\$216,219
FEDERAL EXPENDITURES FUND TOTAL	\$210,162	\$216,219

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$21,010	\$21,612
OTHER SPECIAL REVENUE FUNDS TOTAL	\$21,010	\$21,612

Highway and Bridge Capital 0406

Initiative: Provides funding to increase biweekly hours of various positions in order to make these positions full-time. Position detail is on file at the Bureau of the Budget.

HIGHWAY FUND	2021-22	2022-23
POSITIONS - FTE COUNT	0.545	0.545
Personal Services	\$71,929	\$74,865
HIGHWAY FUND TOTAL	\$71,929	\$74,865

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$79,919	\$83,173
FEDERAL EXPENDITURES FUND TOTAL	\$79,919	\$83,173

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$7,984	\$8,314
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,984	\$8,314

Highway and Bridge Capital 0406

Initiative: Provides funding to upgrade positions necessary to meet capital work needs.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$173,635	\$179,587
HIGHWAY FUND TOTAL	\$173,635	\$179,587

FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	\$192,918	\$199,549
FEDERAL EXPENDITURES FUND TOTAL	\$192,918	\$199,549

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Personal Services	\$19,291	\$19,953
OTHER SPECIAL REVENUE FUNDS TOTAL	\$19,291	\$19,953

Highway and Bridge Capital 0406

Initiative: Provides allocation for the Highway and Bridge Capital program to reflect a one-time transfer from General Fund unappropriated surplus to support highway and bridge projects.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$0	\$85,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$85,000,000

Highway Light Capital Z095

Initiative: Adjusts and increases allocation for light capital paving.

HIGHWAY FUND	2021-22	2022-23
Personal Services	\$3,000,000	\$2,459,000
Capital Expenditures	(\$3,000,000)	\$0
HIGHWAY FUND TOTAL	\$0	\$2,459,000

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
Capital Expenditures	\$3,000,000	\$3,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,000,000	\$3,000,000

Local Road Assistance Program 0337

Initiative: Adjusts funding for the Local Road Assistance Program at the correctly proportioned rate in accordance with the Maine Revised Statutes, Title 23, section 1803-B.

HIGHWAY FUND	2021-22	2022-23
All Other	\$19,332	\$241,334
HIGHWAY FUND TOTAL	\$19,332	\$241,334

Maintenance and Operations 0330

Initiative: Transfers and reallocates positions and All Other costs within funds and programs to more appropriately account for work being done.

HIGHWAY FUND	2021-22	2022-23
POSITIONS -	(7,000)	(7,000)
LEGISLATIVE COUNT		
Personal Services	(\$664,884)	(\$684,720)
HIGHWAY FUND TOTAL	(\$664,884)	(\$684,720)
FEDERAL EXPENDITURES FUND	2021-22	2022-23
Personal Services	(\$27,699)	(\$28,522)
FEDERAL EXPENDITURES FUND TOTAL	(\$27,699)	(\$28,522)

Multimodal - Island Ferry Service 2016

Initiative: Transfers and reallocates positions and All Other costs within funds and programs to more appropriately account for work being done.

HIGHWAY FUND	2021-22	2022-23
All Other	\$101,317	\$105,888
HIGHWAY FUND TOTAL	\$101,317	\$105,888
ISLAND FERRY SERVICES FUND	2021-22	2022-23
POSITIONS -	2,000	2,000
LEGISLATIVE COUNT		
Personal Services	\$202,634	\$211,776
ISLAND FERRY SERVICES FUND TOTAL	\$202,634	\$211,776

Multimodal - Island Ferry Service 2016

Initiative: Provides funding for the approved reorganization of one Public Service Manager II position to a Public Service Manager III position and transfers All Other to Personal Services to fund the reorganization.

ISLAND FERRY SERVICES FUND	2021-22	2022-23
Personal Services	\$4,085	\$16,331
All Other	(\$4,085)	(\$16,331)
ISLAND FERRY SERVICES FUND TOTAL	\$0	\$0

Multimodal - Ports and Marine 0323

Initiative: Provides increased federal allocation to properly expense federal discretionary grants.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$1,000,000	\$1,500,000
FEDERAL EXPENDITURES FUND TOTAL	\$1,000,000	\$1,500,000

Multimodal - Transit 0443

Initiative: Transfers and reallocates positions and All Other costs within funds and programs to more appropriately account for work being done.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
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Personal Services	(\$138,168)	(\$141,740)
FEDERAL EXPENDITURES FUND TOTAL	(\$138,168)	(\$141,740)

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS -	(1,000)	(1,000)
LEGISLATIVE COUNT		
Personal Services	(\$69,087)	(\$69,369)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$69,087)	(\$69,369)

Multimodal Transportation Fund Z017

Initiative: Transfers and reallocates positions and All Other costs within funds and programs to more appropriately account for work being done.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS -	1,000	1,000
LEGISLATIVE COUNT		
Personal Services	\$159,310	\$160,410
OTHER SPECIAL REVENUE FUNDS TOTAL	\$159,310	\$160,410

Multimodal Transportation Fund Z017

Initiative: Provides allocation for the Multimodal Transportation Fund program to reflect a one-time transfer from General Fund unappropriated surplus to support multimodal transportation projects.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$15,000,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$15,000,000

TRANSPORTATION, DEPARTMENT OF DEPARTMENT TOTALS	2021-22	2022-23
HIGHWAY FUND	\$234,136	\$2,922,826
FEDERAL EXPENDITURES FUND	\$1,317,132	\$1,828,679
OTHER SPECIAL REVENUE FUNDS	\$3,138,508	\$103,140,920
FLEET SERVICES FUND - DOT	(\$93,450)	(\$94,208)
ISLAND FERRY SERVICES FUND	\$202,634	\$211,776
DEPARTMENT TOTAL - ALL FUNDS	\$4,798,960	\$108,009,993

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

Effective April 14, 2022.