

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

improve access to postsecondary certificate and degree programs through the ASPIRE-TANF program under the Maine Revised Statutes, Title 22, chapter 1054-A; the Parents as Scholars Program under chapter 1054-B; the Higher Opportunity for Pathways to Employment Program under chapter 1054-C; the Competitive Skills Scholarship Program under Title 26, chapter 25, subchapter 5; and other programs providing similar opportunities, the Department of Health and Human Services, the Department of Education, the Department of Labor, the University of Maine System and the Maine Community College System shall work together to explore the feasibility of creating a single application for persons expressing a desire to enroll in postsecondary education and training programs to be available from the departments and at relevant educational institutions and programs, including, but not limited to, the University of Maine System, the Maine Community College System, adult education programs established pursuant to Title 20-A, chapter 315 and the career centers established by the Department of Labor. The Department of Health and Human Services, the Department of Education, the Department of Labor, the University of Maine System and the Maine Community College System shall identify opportunities for an individual to initiate an application, with the departments coordinating and facilitating the application for the correct program based on the applicant's interests and program eligibility requirements.

By February 1, 2024, the Department of Health and Human Services, the Department of Education, the Department of Labor, the University of Maine System, the Maine Community College System and adult education programs established pursuant to Title 20-A, chapter 315 shall provide a written status update for the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding the feasibility of facilitating applications for postsecondary education programs. This written status update must include any needs, financial, technological or otherwise, identified to achieve this type of enhanced coordination and strategies to meet those needs. The joint standing committee may introduce any legislation that it considers necessary in response to this status update to the Second Regular Session of the 131st Legislature.

Sec. 15. Rulemaking. No later than October 1, 2023, the Department of Health and Human Services shall adopt rules to implement this Act. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. For the purposes of Title 22, section 3762, subsection 1, paragraph A-1, section 3762, subsection 1, paragraph G and section 3762, subsection 21, in advance of rulemaking, the department shall consult with current and former participants in the Temporary Assistance for Needy Families program under Title 22, chapter 1053-B and consider their recommendations.

Sec. 16. Appropriations and allocations. The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Additional Support for People in Retraining and Employment 0146

Initiative: Provides allocation for required program changes to child care hours and allowable tuition.

FEDERAL BLOCK GRANT FUND	2021-22	2022-23
All Other	\$0	\$2,023,570
FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$2,023,570

Office for Family Independence Z020

Initiative: Provides appropriations and allocations to establish one Management Analyst II position to handle new on-going reporting requirements.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
POSITIONS - LEGISLATIVE COUNCIL	0.000	1.000
Personal Services	\$0	\$92,085
All Other	\$0	\$9,966
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$102,051

HEALTH AND HUMAN SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS	2021-22	2022-23
OTHER SPECIAL REVENUE FUNDS	\$0	\$102,051
FEDERAL BLOCK GRANT FUND	\$0	\$2,023,570
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$2,125,621

See title page for effective date.

CHAPTER 649

S.P. 684 - L.D. 1943

An Act To Expand the Address Confidentiality Program to Victims of Certain Human Trafficking Crimes

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

Whereas, this legislation is necessary to protect victims of human trafficking and minor victims of kidnapping 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. 5 MRSA §90-B, sub-§1, ¶B, as enacted by PL 2001, c. 539, §1, is amended to read:

B. "Application assistant" means an employee of a state or local agency, or of a nonprofit program that provides counseling, referral, shelter or other specialized service to victims of domestic ~~abuse, rape violence, sexual assault or, stalking and~~ human trafficking or to minor victims of kidnapping who has been designated by the respective agency, and trained, accepted and registered by the secretary to assist individuals in the completion of program participation applications.

Sec. 2. 5 MRSA §90-B, sub-§2, as corrected by RR 2001, c. 2, Pt. A, §4, is amended to read:

2. Program established. The Address Confidentiality Program is established to protect victims of domestic violence, ~~stalking or sexual assault, stalking or~~ human trafficking and minor victims of kidnapping by authorizing the use of designated addresses for such victims. The program is administered by the secretary under the following application and certification procedures.

A. Upon recommendation of an application assistant, an adult person, a parent or guardian acting on behalf of a minor or a guardian acting on behalf of an incapacitated person may apply to the secretary to have a designated address assigned by the secretary to serve as the person's address or the address of the minor or incapacitated person.

B. The secretary may approve an application only if it is filed with the office of the secretary in the manner established by rule and on a form prescribed by the secretary. A completed application must contain:

- (1) The application preparation date, the applicant's signature and the signature and registration number of the application assistant who assisted the applicant in applying to be a program participant;
- (2) A designation of the secretary as agent for purposes of service of process and for receipt of first-class mail;
- (3) The mailing address where the applicant may be contacted by the secretary or a des-

ignee and the telephone number or numbers where the applicant may be called by the secretary or the secretary's designee; and

(4) One or more addresses that the applicant requests not be disclosed for the reason that disclosure will jeopardize the applicant's safety or increase the risk of violence to the applicant or members of the applicant's household.

C. Upon receipt of a properly completed application, the secretary may certify the applicant as a program participant. A program participant is certified for 4 years following the date of initial certification unless the certification is withdrawn or invalidated before that date. The secretary shall send notification of lapsing certification and a reapplication form to a program participant at least 4 weeks prior to the expiration of the program participant's certification.

D. The secretary shall forward first-class mail to the appropriate program participants.

E. A person who violates this paragraph commits a Class E crime.

(1) An applicant may not file an application knowing that it:

- (a) Contains false or incorrect information; or
- (b) Falsely claims that disclosure of the applicant's address or mailing address threatens the safety of the applicant or the applicant's children or the minor or incapacitated person on whose behalf the application is made.

(2) An application assistant may not assist or participate in the filing of an application that the application assistant knows:

- (a) Contains false or incorrect information; or
- (b) Falsely claims that disclosure of the applicant's address or mailing address threatens the safety of the applicant or the applicant's children or the minor or incapacitated person on whose behalf the application is made.

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

Effective April 21, 2022.