

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

skills of families and foster parents with infants or children who are 8 years of age or younger in the home who are experiencing challenging behaviors that put the infants or children at risk of learning difficulties and removal from early learning and education settings. Any record about a child created as a result of a consultation under this section must be made available to the parents or guardians of that child and may not become part of that child's education record. Fifty percent of the costs related to the program implemented under this section must be paid from funds provided to the department under the federal child and development block grant authorized under the federal Child Care and Development Block Grant Act of 1990. The department shall seek and apply for available federal funds or funds from any other source to fund the program implemented under this section.

No later than January 1, 2023 and annually thereafter, the department shall submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over education matters relating to the status of implementing the program under this section, the ability of the program to provide support and guidance to families, educators and providers working with children and the department's progress in seeking and applying for additional funding to support the program.

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

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Early Childhood Consultation Program Z280

Initiative: Provides ongoing funds for one Social Services Manager I position and one Social Services Program Specialist II position and related All Other funding necessary for the statewide voluntary early childhood consultation program, beginning on January 1, 2023.

GENERAL FUND	2021-22	2022-23
POSITIONS -	0.000	2.000
LEGISLATIVE COUNT		
Personal Services	\$0	\$102,643
All Other	\$0	\$9,537
GENERAL FUND TOTAL	\$0	\$112,180

Early Childhood Consultation Program Z280

Initiative: Provides ongoing funding to continue the statewide voluntary early childhood consultation program, beginning on January 1, 2023.

GENERAL FUND	2021-22	2022-23
All Other	\$0	\$1,345,560
GENERAL FUND TOTAL	\$0	\$1,345,560

**HEALTH AND HUMAN
SERVICES, DEPARTMENT
OF**

DEPARTMENT TOTALS	2021-22	2022-23
GENERAL FUND	\$0	\$1,457,740
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$1,457,740

See title page for effective date.

CHAPTER 680

H.P. 387 - L.D. 542

**An Act To Establish the Maine
Veterans' Homes Stabilization
Fund**

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

Sec. 1. 37-B MRSA §613 is enacted to read:

§613. Maine Veterans' Homes Stabilization Fund

1. Fund established. The Maine Veterans' Homes Stabilization Fund, referred to in this section as "the fund," is established in the Department of Defense, Veterans and Emergency Management, Bureau of Veterans' Services as an Other Special Revenue Funds account for the purposes of this section.

2. Fund purposes. For the purposes of assisting the board in ensuring the continuous operation of the Maine Veterans' Homes pursuant to section 604, subsection 6, the department may enter into agreements or cooperative arrangements with a state or federal agency or with any person, firm or corporation. The department may receive, administer and disburse any funds or contributions from a state or federal agency, person, firm or corporation, either independently or in conjunction with state funds allocated to these purposes.

3. Nonlapsing. Unexpended funds in the fund do not lapse at the end of any fiscal year but are carried forward to be used for the same purposes.

4. Fund use; notification. The department shall notify the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and over veterans affairs each time the department plans to transfer or expend any amount from the fund or otherwise affect the balance in the fund no less than 14 days prior to any transfer or expenditure, unless an emergency proclamation issued under section 742 is in effect. The notification must include the amount of funds required and the purpose for which the funds are required.

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

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Maine Veterans' Homes Stabilization Fund N963

Initiative: Creates the Maine Veterans' Homes Stabilization Fund with a base allocation of \$500 beginning in fiscal year 2022-23.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$500

See title page for effective date.

CHAPTER 681

H.P. 428 - L.D. 585

An Act To Enhance Tribal-State Collaboration, To Revise the Tax Laws Regarding the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe and the Penobscot Nation and To Authorize Casinos, Off-track Betting Facilities, Federally Recognized Indian Tribes and Certain Commercial Tracks To Conduct Sports Wagering

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

PART A

Sec. A-1. 5 MRSA c. 376 is enacted to read:

CHAPTER 376

TRIBAL-STATE COLLABORATION

§11051. Short title

This chapter may be known and cited as "the Tribal-State Collaboration Act."

§11052. Definitions

As used in this Act, unless the context otherwise indicates, the following terms have the following meanings.

1. Agency. "Agency" means the following:

- A. The Department of Agriculture, Conservation and Forestry;
- B. The Department of Corrections;
- C. The Department of Economic and Community Development;

- D. The Department of Education;
- E. The Department of Environmental Protection;
- F. The Department of Health and Human Services;
- G. The Department of Inland Fisheries and Wildlife;
- H. The Department of Labor;
- I. The Department of Public Safety;
- J. The Department of Administrative and Financial Services;
- K. The Department of Professional and Financial Regulation;
- L. The Department of Defense, Veterans and Emergency Management;
- M. The Department of Marine Resources;
- N. The Department of Transportation;
- O. The Office of the Public Advocate; and
- P. The Public Utilities Commission.

2. Indian tribe. "Indian tribe" means a federally recognized Indian tribe within the State of Maine.

§11053. Collaboration between agencies and Indian tribes

1. Required policies. An agency shall develop and implement a policy that:

- A. Promotes effective communication and collaboration between the agency and the Indian tribes;
- B. Promotes positive government-to-government relations between the State and the Indian tribes;
- C. Promotes cultural competency in the agency's interactions with the Indian tribes and tribal members;
- D. Establishes a process for collaboration between the agency and the Indian tribes regarding the agency's programs, rules and services that substantially and uniquely affect the Indian tribes or tribal members. In the context of emergency rulemaking pursuant to section 8054, the policy must require notice and collaboration to the extent practicable. Collaboration under this paragraph must be in addition to any process available to members of the general public and must include:

- (1) Providing the Indian tribes reasonable written notice of the contemplated program, rule or service;
- (2) Allowing the Indian tribes a reasonable opportunity to provide information, advice and opinions on the contemplated program, rule or service;