

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

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

Augusta, Maine
2023

must include, but is not limited to, data and reports relating to the following components of the school funding formula in the Maine Revised Statutes, Title 20-A:

1. Transportation cost allocations under section 15681-A, subsection 3, including the predicted per-pupil transportation costs and transportation for secondary school students and transportation to and from co-curricular and extracurricular activities;

2. The determination of a municipality's ability to contribute to school funding through the calculation of the property fiscal capacity as defined in section 15672, subsection 23 through the certified state valuation and the potential inclusion of median income in the allocation methodology and its impact on equity;

3. The essential programs and services allocation model for career and technical education centers and regions under chapter 313, including but not limited to:

A. The effect of the allocation model implemented in the 129th Legislature and the calculation of the per-pupil rate; and

B. Career and technical education center and region costs for transportation for students to and from work sites, annual updates and replacements necessary for equipment specific to centers and regions, the infrastructure costs necessary to accommodate those upgrades and the staffing necessary to lower the ratio between students and staff;

4. The calculations and metrics, including options for alternative metrics, for the economically disadvantaged student factor under section 15675, subsection 2, the economically disadvantaged student adjustment under section 15689, subsection 11 and any other targeted funds to support economically disadvantaged students; and

5. Any other components or issues identified before or during the department's analysis that impact equity in the essential programs and services funding formula and allocation methodology and that require further data collection or analysis, including but not limited to recent changes in school operations, the labor market and teacher salaries and shortages.

In analyzing each component, the department shall consider: the accuracy of the data available; the interconnectedness of the essential programs and services funding formula components; the positive and negative implications of any changes, either alone or in combination with other changes; the impacts on local funding, including the potential for cost shifts at the school administrative unit level; the impact on funding at the state level; and the potential for unintended consequences.

Sec. 2. Updates; report; legislation. Resolved: That the department shall provide monthly updates to the Joint Standing Committee on Education and Cultural Affairs on the identification of data and reports and the analysis conducted under section 1. No later

than January 15, 2024, the department shall submit a final report to the Joint Standing Committee on Education and Cultural Affairs with its findings, recommendations and suggested legislation. The report must include a thorough analysis of the data and reports that were considered, identification of data or other areas that require further study and recommendations on any changes to the essential programs and services funding formula model and allocation methodology that could be implemented immediately and those that could be implemented in the future. The Joint Standing Committee on Education and Cultural Affairs may report out legislation to the Second Regular Session of the 131st Legislature related to the subject matter of the report.

See title page for effective date.

CHAPTER 119

S.P. 523 - L.D. 1286

Resolve, to Establish the Blue Economy Task Force to Support Maine's Emergence as a Center for Blue Economy Innovation and Opportunity in the 21st Century

Sec. 1. Task force established. Resolved: That the Department of Economic and Community Development shall convene the Blue Economy Task Force, referred to in this resolve as "the task force," to support Maine's emergence as a center for blue economy innovation and opportunity in the 21st century. As used in this resolve, "blue economy" means business sectors that rely on the sustainable use of ocean resources for economic health, improved livelihoods, jobs or ecosystem health.

Sec. 2. Task force membership. Resolved: That the task force shall consist of no less than 13 members including representatives of public and private research institutions, businesses that are innovating in various blue economy sectors, fisheries businesses, aquaculture businesses and equity investors in blue economy businesses and the President of the Maine Technology Institute or the president's designee. A majority of the task force membership must represent either blue economy businesses or entities directly involved in the commercialization of blue economy-related research and innovation.

Sec. 3. Consultation. Resolved: That the task force, in conducting its duties under section 4, shall consult with individuals and entities involved in the blue economy, including, but not limited to:

1. Relevant state agencies, including the Department of Marine Resources, the Office of Policy Innovation and the Future and the State Economist;

2. Publicly funded institutions, including the Maine Maritime Academy, the University of Maine's MARINE initiative, the University of Maine's Aquaculture Research Institute, the Maine Aquaculture Innovation Center and the University of Maine's Maine Sea Grant;

3. Trade associations that represent businesses within sectors of the blue economy;

4. Businesses that build boats or manage boatyards, representatives of businesses that develop marine technologies, products and services, including innovative and emerging technology, and representatives of businesses that engage in marine construction or marine engineering;

5. Blue economy investors representing different stages and scale of business investment;

6. Representatives of the Seafood Economic Accelerator for Maine, or SEA Maine, and individuals involved in developing the Maine Aquaculture Roadmap and the Offshore Wind Roadmap;

7. Representatives of federally recognized Indian tribes in the State; and

8. Representatives of organizations engaged in conservation and sustainable coastal and island development.

Sec. 4. Duties. Resolved: That the task force shall develop a report that outlines the sectors of the State's blue economy and existing economic development plans or strategies for blue economy sectors and identifies opportunities where the State can enhance or facilitate the growth and scaling of blue economy businesses. The report developed under this section must include the following:

1. A description of the blue economy that includes references to the sectors or areas that rely on the sustainable use of ocean resources for economic health, improved livelihoods, jobs or ecosystem health;

2. A review of how other coastal states are approaching planning for or expanding the blue economy in those states;

3. A review of how at least 2 other countries with established blue economies are approaching planning and investments;

4. A clear identification of the sectors within the State's blue economy and which of those sectors have a specific economic development plan, strategy or roadmap and whether that plan, strategy or roadmap is either part of or separate from a statewide economic development plan;

5. For sectors within the State's blue economy that do not have a specific economic development plan, strategy or roadmap:

A. Identification of current and potential future opportunities for those sectors;

B. A description of the competitive advantage the State may have for the opportunities identified under paragraph A; and

C. Existing assets, physical or otherwise, within the State that can help the State take advantage of opportunities identified under paragraph A;

6. For sectors within the State's blue economy with an existing economic development plan, strategy or roadmap, an overview of that economic development plan, strategy or roadmap and an identification of any recommendations that could enhance or facilitate growth of those sectors. Recommendations made by the task force in its report under section 6 may not be inconsistent with, and must build upon, any recommendations identified under this subsection;

7. An identification of strategies within the Maine Economic Development Strategy and Maine Won't Wait climate action plan that are important to businesses in the blue economy; and

8. Recommendations about whether a state-level strategy, action plan or other mechanism would better position the State to take advantage of opportunities identified in the report.

In conducting its duties under this section, to the extent practicable, the task force shall focus on business opportunities, economic growth and research and technology transfers, including growth opportunities for businesses in the State as well as opportunities to attract businesses from elsewhere to expand operations in the State.

Sec. 5. Staff assistance. Resolved: That the Department of Economic and Community Development shall provide staffing assistance to the task force.

Sec. 6. Report. Resolved: That the task force shall submit a written report to the Governor and the joint standing committee of the Legislature having jurisdiction over innovation, development, economic advancement and business matters including its findings and recommendations developed under section 4 no later than February 1, 2025. The joint standing committee may report out legislation based on the findings and recommendations in the report to the 132nd Legislature in 2025.

Sec. 7. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**ECONOMIC AND COMMUNITY
DEVELOPMENT, DEPARTMENT OF**

**Administration - Economic and Community
Development 0069**

Initiative: Provides one-time funds for the cost of a consultant to facilitate and manage the work of the Blue Economy Task Force.

GENERAL FUND	2023-24	2024-25
All Other	\$0	\$100,000
GENERAL FUND TOTAL	\$0	\$100,000

See title page for effective date.

CHAPTER 120
H.P. 878 - L.D. 1364

Resolve, to Study Methods of Preventing Opioid Overdose Deaths by Authorizing Harm Reduction Health Centers

Sec. 1. Governor's Office of Policy Innovation and the Future working group. Resolved: That the Governor's Office of Policy Innovation and the Future shall convene a working group to study methods of preventing opioid overdose deaths by authorizing harm reduction health centers. The office shall at a minimum invite as members of the working group the Department of Health and Human Services, the Department of Public Safety, a representative of the recovery treatment community, a municipal representative, a medical professional, a person who has experienced substance use disorder and a representative of an organization that advocates for persons with substance use disorder. The working group shall evaluate options for, identify barriers to and develop findings and recommendations regarding the prevention of opioid overdose deaths by authorizing harm reduction health centers in the State.

As used in this section, "harm reduction health center" means a facility that provides health screening, disease prevention and recovery assistance services and that allows persons to consume previously obtained controlled substances on the premises.

Sec. 2. Report. Resolved: That, on or before February 15, 2025, the Governor's Office of Policy Innovation and the Future shall submit a report, including the findings and recommendations, as well as any proposed legislation, of the working group under section 1, to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters. After reviewing the report, the committee may report out legislation related to the report to the 132nd Legislature in 2025.

Sec. 3. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

EXECUTIVE DEPARTMENT

Office of Policy Innovation and the Future Z135

Initiative: Provides one-time funding for a consultant for research, facilitation and report writing services.

GENERAL FUND	2023-24	2024-25
All Other	\$0	\$15,000
GENERAL FUND TOTAL	\$0	\$15,000

See title page for effective date.

CHAPTER 121
S.P. 593 - L.D. 1474

Resolve, Directing the Department of Health and Human Services to Expedite Reimbursement of Long-term Care Facilities

Sec. 1. Department of Health and Human Services to reimburse nursing facilities after receipt of cost reports. Resolved: That the Department of Health and Human Services shall amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for Nursing Facilities, to require the department to reimburse at least 75% of the as-filed settlement pursuant to the facility's cost reports within 90 days of receipt.

Sec. 2. Department of Health and Human Services to reimburse private non-medical institutions after receipt of cost reports. Resolved: That the Department of Health and Human Services shall amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Private Non-Medical Institution Services, Appendix C to require the department to reimburse at least 75% of a private non-medical institution's as-filed settlement within 90 days of receipt.

Sec. 3. Existing resources. Resolved: That the Department of Health and Human Services shall implement the requirements of this resolve within existing resources.

See title page for effective date.

CHAPTER 122
H.P. 981 - L.D. 1526

Resolve, to Provide Grants to Support Reading Proficiency Programming in Schools

Sec. 1. Department of Education to provide grants to support reading proficiency programming in schools. Resolved: That the Department of Education, referred to in this resolve as "the department," shall award grants to school administrative units to support reading proficiency programming in schools.