

MAINE STATE LEGISLATURE

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Janet T. Mills
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND
FINANCIAL SERVICES
BUREAU OF THE BUDGET
58 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0058

KIRSTEN LC FIGUEROA
COMMISSIONER

BETH L ASHCROFT
STATE BUDGET OFFICER

To: The Honorable Troy D. Jackson, President of the Senate
Members of the 130th Senate
The Honorable Ryan Fecteau, Speaker of the House
Members of the 130th House of Representatives

From: Beth Ashcroft, State Budget Officer

Date: December 8, 2021

Subject: Federal Mandates

The State Budget Officer is required by 5 M.R.S.A., Section 1670, to submit a list, to all members of the Legislature, of any new laws, regulations, or other actions that may require the State to comply with any new federal mandate in the current biennium or the next biennium.

Attached please find the report of federal mandates as submitted from the various State departments and agencies.

If you should have any questions regarding this report, please do not hesitate to contact the Budget Office at (207) 624-7810.

Thank you

BLA/rld

cc: Christopher Nolan, Director, OFPR
Kirsten LC Figueroa, Commissioner, DAFS
Jessica Van Buren, Deputy Director ME State Law & Legislative Reference Library
Darek M Grant, Secretary of the Senate
Robert B Hunt, Clerk of the House

FEDERAL MANDATES

DEPARTMENT OR AGENCY	PROGRAM NAME & ACCOUNT #	FED CITE	DESCRIPTION OF THE PURPOSE OF THE MANDATE	IMPLEMENTATION DATE (DD-MM-YY)	FUND (SEE KEY)	AMOUNT	STATE FISCAL YEAR
OADS	Office of Aging and Disability Services Central Office 01310A014001	45 CFR 1321.49 and Section 309(c) of the Older Americans Act, as Amended; and Sections 304(d)(1), 306(a)(9), 307(a)(9), and 705(a)(4) of the Older Americans Act, as Amended	States must certify maintenance of effort for Title 3 & Ombudsman		013	\$615,365	Ongoing
	Office of Aging and Disability Services Central Office 01310A014001	Section 731 OAA	Older Americans Act: SUA Required to appoint a legal assistance developer by ACL		013	\$106,462	Ongoing
OMS/OADS	010,013 Z218 Medicaid Waiver for Brain Injury Residential/Community Serv; 010,013 0147 Medical Care Services; 010,013 Z217 Medicaid Waiver for Other Related Conditions; 010,013 Z211 Devels Svs Waiver-	1915(i) State Plan HCBS, 5-Year Period for Waivers, Provider Payment Reassignment, Setting Requirements for Community First Choice, and 1915(c) HCBS Waivers - CMS-2249-F/CMS-2296-F	Federal Centers for Medicare & Medicaid Services (CMS): The rule requires that people who receive home- and community-based services and supports funded through Medicaid (known as MaineCare in Maine) must receive those services and supports in settings (places) that meet specific standards	3/17/2023 (extended)	010, 013	unknown	Ongoing

FUND KEY: 010, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 024, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 052, 053, 054, 055, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 069, 070, 071, 072, 074, 075, 076, 077, 078, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 098, 099, 100

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FEDERAL MANDATES

DEPARTMENT OR AGENCY	PROGRAM NAME & ACCOUNT #	FED CITE	DESCRIPTION OF THE PURPOSE OF THE MANDATE	IMPLEMENTATION DATE (DD-MM-YY)	FUND (SEE KEY)	AMOUNT	STATE FISCAL YEAR
SOS/BMV Division of DLS	Administration Motor Vehicles 012-29B-0077-04	49 CFR part 380 Subparts F, G and 49 CFR 383.71, 383.73 and 384.230	<u>Entry Level Driver Training--Training Provider Registry</u> - Ensure Maine BMV has sufficient IT/IS solutions to allow interface with federal training provider registry for the purposes of determining if a driver has completed appropriate training. Before taking the CDL test, these drivers will now have to successfully complete a specific program of theory and behind-the-wheel instruction provided by a school or other entity on FMCSA's new Training Provider Registry (TPR).	7-Feb-22	012		FY22
SOS/BMV Division of DLS	Administration Motor Vehicles 012-29B-0077-04	49 CFR Part 391.31	<u>Commercial Driver License Compliance</u> - Software/hardware modifications and changes to practical road test elements are required to bring Maine into compliance with US DOT and Federal Motor Carrier Safety Administration mandates .	30-Jun-22	012		FY22
SOS/BMV Division of DLS	Administration Motor Vehicles 012-29B-0077-04	49 CFR Part 382 Subpart G and 86 FR 55718	<u>Federal Drug and Alcohol Clearinghouse</u> - Intended to provide real-time information about commercial driver's license (CDL) and commercial learner's permit (CLP) holders' drug and alcohol program violations.	18 Nov 24 (as of change on 8 Nov 21)	012		FY25
SOS/BMV Division of DLS	Administration Motor Vehicles 012-29B-0077-04	Unknown	<u>National Medical Registry II</u> - Specifications yet to be determined.	23-Jun-25	012		FY25
SOS/BMV Division of Enforcement, Anti-Theft and Regulations, Driver/Rider Education Licensing & Regulation	Administration Motor Vehicles 012-29B-0077-04	49 CRF Parts 380, 383, and 384	<u>Entry Level Driver Training (ELDT)</u> - Mandate requires that all schools licensed by this agency on and after 2/7/2022, are meeting all federal requirements, ensuring they are approved on the TPR, maintaining all of the required recordkeeping documents, providing all components of classroom, range and behind the wheel instruction identified in the curriculum for each class of license and endorsement.	Feb-22	012		FY22

FUND KEY: 010, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 024, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 052, 053, 054, 055, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 069, 070, 071, 072, 074, 075, 076, 077, 078, 080, 081, 082, 083, 084, 085, 086, 087, 088, 089, 090, 091, 098, 099, 100