

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
130TH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON APPROPRIATIONS
AND FINANCIAL AFFAIRS**

December 2021

MEMBERS:

SEN. CATHERINE E. BREEN, CHAIR
SEN. DONNA BAILEY
SEN. PAUL T. DAVIS, SR.

REP. TERESA S. PIERCE, CHAIR
REP. JOHN L. MARTIN
REP. PATRICIA HYMANSON
REP. JESSICA L. FAY
REP. BARBARA A. CARDONE
REP. KRISTEN SARA CLOUTIER
REP. H. SAWIN MILLETT, JR.
REP. AMY BRADSTREET ARATA
REP. PATRICK W. COREY
REP. JACK DUCHARME*
REP. JUSTIN FECTEAU*

STAFF:

MAUREEN S. DAWSON, PRINCIPAL LEGISLATIVE ANALYST
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1635
<http://legislature.maine.gov/ofpr/>

*Committee member for a portion of the session

**JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

preliminary program, metrics and assessment tool development for economic development, innovation and workforce programs.

Public Law 2021, chapter 78 was enacted as an emergency measure effective May 25, 2021.

LD 1702 An Act To Authorize a General Fund Bond Issue To Improve Transportation

ENACTED LAW SUMMARY

Public Law 2021, chapter 408 provides a bond issue, in the amount of \$100,000,000, for the Department of Transportation to support its ongoing capital programs to preserve, improve and construct roads, bridges, railroads, airports, transit and ports.

**LD 1733 An Act To Provide Allocations for the Distribution of State Fiscal Recovery
Funds**

ENACTED LAW SUMMARY

Public Law 2021, chapter 483 makes one-time allocations from the funds provided to the State from the federal American Rescue Plan Act of 2021, Coronavirus State Fiscal Recovery Fund.

Part A provides funding to the Department of Economic and Community Development for loans or loan guarantees through the Finance Authority of Maine for businesses having difficulty securing investment capital due to the COVID-19 pandemic and provides capital for rural development projects through the Maine Rural Development Authority.

Part B provides funding to the Department of Agriculture, Conservation and Forestry to support Maine's farms and food processors; to the Department of Economic and Community Development for grants to the forest products industry; and to the Department of Marine Resources to grants for seafood processors and dealers for facilities and infrastructure.

Part C requires the Department of Professional and Financial Regulation, Bureau of Insurance to establish the Small Business Health Insurance Premium Support Program to provide small businesses short-term relief from rising health insurance premiums as they recover from the COVID-19 pandemic.

Part D requires the State Controller to transfer \$80,000,000 of the ARP State Fiscal Recovery Fund to the Department of Labor, Unemployment Compensation Fund.

Part E provides funding to the Department of Economic and Community Development to support new businesses and entrepreneurs who recently acquired Maine businesses.

JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

Part F provides funding to the Department of Administrative Services to support business diversity through state procurement policies and outreach and to the Department of Economic and Community Development for technical assistance to support business diversity initiatives and for entrepreneurial training for underrepresented populations.

Part G provides funding to the Department of Economic and Community Development to leverage private investments in research and development and to the Department of Environmental Protection to modernize their licensing and conduct time-sensitive licensing for urgent economic development projects.

Part H provides funding to the Finance Authority of Maine for the Doctors for Maine's Future Scholarship Program and for the Maine Health Care Provider Loan Repayment Program Fund Program; to the Department of Health and Human Services to support curriculum design services, centralize information on short-term certifications and provide incentives for providers to accommodate students who require clinical hours and related oversight; and to the Department of Labor to promote health care career choices, create, track coordinate and evaluate tuition remission program activities and health care worker credentialing and apprenticeships programs.

Part I provides funding to the Governor's Energy Office for clean energy workforce development and training programs and a clean energy development program to, among other things, provide innovation grants through the Maine Technology Institute. It also provides funds to the Department of Labor to define clear pathways and implement apprenticeship programs in the clean energy sector.

Part J establishes a domestic trade pilot program within the Department of Economic and Community Development to support medium-sized businesses in Maine in identifying and accessing new markets by providing market data, marketing support and consulting services.

Part K provides funding to the Department of Economic and Community Development for worker attraction and relocation programs that encourage long-term residency in Maine, and to the Department of Health and Human Services to support nursing home, federally qualified health center and hospital health care recruitment efforts.

Part L provides funding to the Department of Labor for youth pre-apprenticeship programs and the Department of Economic and Community Development for on-the-job training and internship supports with a portion of these funds required to be distributed to the Jobs for Maine's Graduates program and adult education programs.

Part M provides funding to the Department of Economic and Community Development to support coworking development and to establish a program to attract and integrate remote workers into the State's economy through communication of rules, marketing and outreach.

Part N provides funding to the Maine Community College System and the University of Maine System to support workforce development plans especially in the hospitality, "heritage", health care industries and skilled trades required for economic development and housing as well as to meet workforce development needs in emerging economic sectors, in alignment with the 10-year

JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

economic development strategy. It also provides funding to the Department of Education for competitive grants programs in coordination with the Department of Economic and Community Development targeted to higher education institutions and adult education programs for workforce development.

Part O provides funding to the Department of Economic and Community Development and the Department of Labor to promote diversity, equity and inclusion in Maine's workforce through technical assistance to businesses and the State in creating hiring and retention practices and assistance to underserved populations in addressing basic needs and seeking employment. It also provides funding to the Department of Health and Human Services for improved data collection to support the advancement of opportunities and the reduction of structural economic barriers for underserved populations in employment and business.

Part P provides funding to the Department of Labor for individualized employment services; apprenticeships and job matchings services; the Competitive Skills Scholarship program and other workforce development programs; for expenses related to the worker opportunity tax credit program; and for evaluation of workforce programs funded by the federal American Rescue Plan Act of 2021.

Part Q provides funding to the Department of Environmental Protection for contracted services to build an online portal for licensing and compliance.

Part R provides funding:

1. To the Department of Education to provide technical assistance to school administrative units seeking to expand prekindergarten programs;
2. To the Efficiency Maine Trust to accelerate home weatherization and efficiency upgrades;
3. To the Department of Environmental Protection for upgrades to municipal culverts and mitigation of drinking water contamination caused by perfluoroalkyl and polyfluoroalkyl substances;
4. To the Department of Health and Human Services for child care facilities;
5. To the Maine State Housing Authority to expand housing options and, in conjunction with the Department of Economic and Community Development, for planning and technical assistance for communities, developers and builders;
6. To the Maine Connectivity Authority for the expansion of high-speed broadband access in collaboration with organizations representing historically disadvantaged and marginalized groups; and
7. To the Department of Transportation for municipal, regional and state infrastructure adaptation improvements, capital improvements to port and marine facilities in Portland and South

JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

Portland, workforce transportation pilot programs, and for publicly accessible electric vehicle charging stations and related infrastructure;

Part R also requires that for \$20,000,000 of the \$50,000,000 allocated to the Maine State Housing Authority for the expansion of existing financing programs, the authority must require the execution of a project labor agreement by any entity engaging in the construction of housing units and require an entity awarded a contract to make a good faith effort to promote racial diversity in the entity's workforce used to build the project and authorizes the Maine State Housing Authority to refuse to award an entity a contract if the authority determines that the entity is not making a good faith effort to promote workforce diversity, including with regard to race and gender.

Part S provides funding to the Department of Environmental Protection for municipal wastewater and infrastructure projects and for the Small Community Grant Program to support septic repair and replacement projects. It also provides funding to the Department of Health and Human Services for drinking water projects that address imminent risk to public health and for upgrades to critical public water system infrastructure.

Part T provides funding to the Department of Agriculture, Conservation and Forestry for capital maintenance and improvement at state parks.

Part U provides funding to the Department of Inland Fisheries and Wildlife to replace infrastructure at the New Gloucester fish hatchery, create needed capacity at Grand Lake Stream hatchery and improve the quality of hatchery effluent at all eight fish culture facilities.

Part V provides funding to the Department of Marine Resources for energy efficiency improvements and improved public ocean access at the department's Boothbay Harbor facilities; for research related to economic sustainability in the State's fisheries; for infrastructure projects that support fisheries connectivity and habitat restoration; for purchasing and upgrading shellfish and water quality health monitoring; and for Marine Patrol infrastructure.

Part W provides funding to the Department of Economic and Community Development for grant funding to support electricity grid upgrades with a focus on rural economic development projects.

Part X provides funding to the Department of Economic and Community Development for capital construction and repair to address air quality and energy efficiency in Augusta area state-owned buildings; for improved online governmental services access; for modernizing digital and physical technology assets; for high-risk cybersecurity planning and improvements; and for increasing the effectiveness of the State's remote work capability.

Part Y provides funding to the Department of Administrative and Financial Services for financial oversight of federal American Rescue Plan Act of 2021 funds.

Part Z allows the adjustment of allocations made by this Act but only within the same department or agency that received the original allocation or, if for the same purpose as the original allocation, between departments or agencies during fiscal year 2021-22 and only on the recommendation of the State Budget Officer and approval of the Governor. The Commissioner of Administrative and

JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

Financial Services is required to report these adjustments at least quarterly to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs.

Part AA reinstates the State's property tax deferral program, which was in effect for applications filed before April 1, 1991, with the following modifications.

1. Households with at least one individual who is 65 years of age or older or who is unable to continue employment due to disability and surviving spouses who are unable to continue employment due to disability are included.
2. The maximum income level is changed from \$32,000 to \$40,000.
3. The rate of accrual of interest on payments advanced to a municipality on tax-deferred property is changed from 6% to the standard rate of interest assessed by the State for nonpayment of taxes, reduced by one percentage point.
4. A maximum liquid asset standard for eligibility of property owners is added as well as the exclusion of property from eligibility if that property is subject to deferral under both the state deferral program and a municipal deferral program.
5. The administration of the deferral of property taxes for seniors and certain persons with disabilities, including expanding the types of guardians to include an agent under a power of attorney or pursuant to a protective arrangement or any other lawful order, is facilitated.
6. If there are not enough funds to pay for the property tax deferral program, transfers from Housing Opportunities for Maine Fund are required; repayment of those funds is also required as soon as there are enough funds available to make that reimbursement.

Part BB requires the Department of Health and Human Services to waive fees incurred in connection with the testing of private residential water supplies upon a showing of indigency. The Part directs the department to establish a program, through the Health and Environmental Testing Laboratory, to provide free testing for arsenic of the private residential water supplies of low-income residents of the State. The Part requires that, beginning on January 1, 2022 and every 5 years thereafter, landlords of residential buildings test for arsenic each private drinking water well used to provide water to a tenant of the landlord. The Part also requires the department to review recent research regarding arsenic toxicity and levels suitable for consumption and to amend its rules to revise the maximum contaminant level for arsenic. It also requires the Maine Public Drinking Water Commission within the department to include information about the status of this review and rules adoption in its annual report under the Maine Revised Statutes, Title 22, section 2660-C, subsection 4, paragraph H until such rules are finally adopted.

Part CC directs the Department of Health and Human Services to establish the Family Caregiver Grant Pilot Program to expand the number of families that can be served under the Respite Care Fund. The pilot program may provide grants to eligible family caregivers of up to \$2,000 a year and lasts for two years, from October 2022 to September 2024. The department is required to convene a stakeholder group to design and implement the pilot program and plan for its evaluation.

JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

The pilot program is limited to total expenditures of \$5,100,000 over the period of the pilot program. The department is required to submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than January 15, 2025.

Part DD establishes a pilot program to allow the parent of a child who is eligible for in-home personal care services under the MaineCare program to register as a personal care agency and receive reimbursement for providing those services to the child. The parent must have made reasonable efforts to obtain regular in-home personal care services and passed a background check. An individual who is not a parent of the child must be designated as the employer and must be approved as the employer by both the parent and the Department of Health and Human Services. The pilot program is established for fiscal years 2021-22 and 2022-23 and the amount of expenditures is capped at \$465,000.

Part EE provides funds to:

1. The Department of Economic and Community Development to complete the renovation of a wharf and bulkhead at the Gulf of Maine Research Institute;
2. The Department of Health and Human Services for grants for the establishment and administration of the Help Maine Grow System and the First 4 ME Early Child Care and Education Program; for establishing three limited-period Social Services Program Specialist II positions; and for providing monthly supplemental payments for 2022 for certain MaineCare service providers if federal matching funds are not available;
3. The Maine State Housing Authority for grants to existing emergency homeless shelters for operations, maintenance or capital improvements;
4. The Maine Commission on Indigent Legal Services for counsel fees to ease the backlog of cases caused by the COVID-19 pandemic;
5. The Department of Labor to establish 16 limited-period CareerCenter Consultant positions;
6. The Maine Maritime Academy for the renovation and restoration of state-owned waterfront and shoreside infrastructure in Castine;
7. The Maine Public Broadcasting Corporation to replace equipment used to carry the emergency alert system; and
8. The Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations to support development of a strategy and investment in public health infrastructure to reduce disparities in outcomes for residents of the State in minority groups.

Part FF amends the nursing education loan repayment program as follows.

**JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

1. It extends eligibility to apply to individuals who are enrolled in master's or doctoral degree programs in nursing.
2. It specifies that applicants must indicate an intention to work as full-time nursing faculty in a nursing education program in the State, and increases that required commitment from three years to five years after acceptance into the nursing education loan repayment program.
3. It increases the maximum amount of loans eligible for repayment under the program from \$4,500 to \$20,000 for a master's degree and from \$6,000 to \$40,000 for a doctoral degree.

Part GG provides a continuation of funding for legal aid projects funded by grants expiring in 2021. The funding temporarily supplements existing support for legal services providers through the Maine Civil Legal Services Fund, independent of the Civil Legal Services Fund Commission's ongoing, biennial competitive process for distributing other funds deposited in the Maine Civil Legal Services Fund.

Part HH establishes the Housing Navigation Pilot Program, a two-year pilot program within the Maine State Housing Authority, to hire housing navigators to provide tenants with assistance locating housing, assistance applying for rentals and supportive services to promote successful landlord-tenant relationships. The Part also requires the authority to submit a report no later than March 31, 2023 on the number of households that received assistance under the pilot program to the joint standing committee of the Legislature having jurisdiction over housing matters.

Part II directs the Commissioner of Economic and Community Development, in consultation with the Director of the Maine Bureau of Veterans' Services within the Department of Defense, Veterans and Emergency Management, to establish a pilot project to conduct outreach and to provide support services for active duty military members who are transitioning to civilian life in the State and their families.

Part JJ directs the Department of Labor, in coordination with the Department of Economic and Community Development and the Department of Health and Human Services, to develop and implement a multimedia public service campaign that promotes direct care worker jobs as a career choice.

Part KK does the following:

1. Requires the Commissioner of Agriculture, Conservation and Forestry to work with the Department of Economic and Community Development and other relevant state agencies, industry stakeholders and community organizations to carry out the following duties:
 - A. Strengthen the State's agricultural, food and forest products economy with a priority of making resulting efforts more inclusive of and increasing investments in historically marginalized, underrepresented and underserved communities; and
 - B. Improve investment in agricultural, food and forest products industries to increase access to new markets and opportunities for producers, processors, small businesses and

JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

consumers in the production, processing, packaging, distribution, marketing, sale and consumption of products in ways that balance the desire for short-term returns on investment with the State's commitment to redress racial and other inequities;

2. Establishes the Maine Agriculture, Food and Forest Products Investment Fund to facilitate strategic investments in the State's agricultural, food and forest products processing and manufacturing industries, including value-added products; and
3. Establishes the Maine Agriculture, Food System and Forest Products Infrastructure Investment Advisory Board, representing a diversity of skills and experience relevant to investment in agricultural, food and forest products industries and the racial diversity of the food system in the State with specific representation by Indian tribes, communities of color and other underserved communities and populations, to determine disbursements from and oversee the Maine Agriculture, Food and Forest Products Investment Fund, to devise a process for requests for proposals and enter into 3rd-party contracts to carry out the purposes of the fund and related technical assistance programs and to provide regular reporting and evaluation related to performance and sustainability.

Part LL establishes a career advancement and navigation pilot program to provide educational and career guidance, support and services to help underemployed and unemployed individuals acquire additional education, skills, licensure or other preparation needed to participate to their fullest potential in the workforce. The Part requires the Department of Education to administer and fund the pilot program through career advancement and navigation specialists employed by school administrative units. The Part also requires the Commissioner of Education to submit a report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs no later than November 4, 2022 regarding the pilot program.

Part MM requires the Department of Administrative and Financial Services to submit to the Joint Standing Committee on Appropriations and Financial Affairs by October 31, 2021 a report on the progress of initiatives created or funded in this legislation. The report must include the identification of any initiatives or funding determined to be an ineligible use of funds from the Coronavirus State Fiscal Recovery Fund established in the federal American Rescue Plan Act of 2021, Public Law 117-2. The department is required to submit subsequent reports upon the request of the chairs of the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs.

Part NN requires the State to pay 55% of a retired teacher's share of the premium for group accident and sickness or health insurance after June 30, 2021. It also removes some outdated language.

Part OO amends the transfer of \$50,000,000 to the Department of Transportation, Highway and Bridge Capital program, Other Special Revenue Funds account, as required by Public Law 2021, chapter 398, to remove the limitation that those funds may be transferred only to replace a transfer not funded by the Federal Government.