

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
131<sup>ST</sup> 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**

October 2023

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**STATE OF MAINE**  
131<sup>ST</sup> LEGISLATURE  
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**LEGISLATIVE DIGEST OF BILLS AND  
SUMMARIES OF ENACTED LAWS**

This *Legislative Digest of Bills and Summaries of Enacted Laws* provides the disposition of all LDs and summaries of all laws enacted or finally passed during the First Regular and First Special Sessions of the 131st Maine Legislature. Please note that all LDs and proposed amendments may be found through the Legislature’s webpage, and each includes a summary of what the bill or amendment proposed.

The *Legislative Digest of Bills and Summaries of Enacted Laws* is arranged alphabetically by committee. Within each committee section is a subject index of all LDs considered by that committee as well as a digest of the LDs, arranged by LD number. Also included are enacted law summaries of the LDs enacted or finally passed. Brief analyst notes on certain LDs are also included: a committee digest will indicate if additional notes are provided for an LD. These notes add information staff found useful and may provide useful information to users of this *Digest*; please note that most LDs do not have a note and lack of a note should not be interpreted as having any significance. A separate section of the *Digest* provides a digest of the relatively few LDs that were not referred to a committee or reported from a committee as a committee bill; enacted law summaries of the LDs enacted or finally passed are provided. Finally, an appendix provides a summary of relevant session statistics.

The final disposition of each LD is noted in the relevant summary digest and index. The following describes the various final actions.

*CARRIED OVER*..... carried over to a subsequent session of the Legislature  
*CON RES XXX*..... chapter # of constitutional resolution passed by both houses  
*CONF CMTE UNABLE TO AGREE*..... Committee of Conference unable to agree; legislation died  
*DIED BETWEEN HOUSES*..... House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE*..... defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT*..... action incomplete when session ended; legislation died  
*EMERGENCY*..... enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE*..... emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT*..... legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*..... sponsor’s request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY*..... ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*..... ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX*..... chapter # of enacted public law  
*RESOLVE XXX*..... chapter # of finally passed resolve  
*VETO SUSTAINED*..... Legislature failed to override Governor’s veto

The effective date for non-emergency legislation enacted in the First Regular and First Special Sessions of the 131st Legislature is Thursday, June 29, 2023 and Wednesday, October 25, 2023, respectively. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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Part T requires the Department of Health and Human Services to distribute funds to long-term care providers pursuant to Part A of this legislation based on a methodology that takes facility needs into account. The funds provided are meant to serve as interim support to assist long-term care providers adversely affected by the COVID-19 pandemic and higher than expected inflation until the department implements rate-setting system reform for services provided by long-term care providers.

Part U extends by one year the deadline for expenditure of the one-time supplemental payments distributed to nursing and residential care facilities.

Public Law 2023, chapter 3 was enacted as an emergency measure effective February 21, 2023.

### **LD 258 An Act Making Unified Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2023, June 30, 2024 and June 30, 2025**

#### ENACTED LAW SUMMARY

Public Law 2023, chapter 412 does the following.

Part A makes changes to appropriations and allocations of funds for the 2024-2025 biennium.

Part B makes appropriations and allocations of funds for approved reclassifications and range changes.

Part C transfers \$4,000,000 from the unappropriated surplus of the General Fund to the Judicial Department, Courts – Supreme, Superior and District program, Other Special Revenue Funds account on or before June 30, 2024 for distribution by the Civil Legal Services Fund Commission to providers of civil legal services.

Part D updates the title of the Director of Human Resources to State Human Resources Officer within the Department of Administrative and Financial Services. It also directs the Revisor of Statutes to update this title when updating, publishing or republishing the statutes and the Department of Administrative and Financial Services to update this title when adopting or amending rules and developing or publishing forms, policies and publications.

Part E authorizes the Maine Governmental Facilities Authority to issue additional securities up to an amount of \$39,500,000 to pay for the costs associated with the planning, design, renovation, abatement, construction, financing, furnishing and equipping of new and existing facilities to serve as a headquarters for the Department of Inland Fisheries and Wildlife.

Part F authorizes the Maine Governmental Facilities Authority to issue additional securities up to an amount of \$71,050,000 to pay for the costs of capital repairs and improvements to and construction of state-owned facilities and hazardous waste cleanup on state-owned properties.

#### ENACTED LAW SUMMARIES

## JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

Part G requires the Department of Corrections to study the sewage system at the Mountain View Correctional Facility and to submit a report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Criminal Justice and Public Safety by February 15, 2024.

Part H adjusts the annual rates of pay used to determine the State's contribution toward an employee's health insurance premium beginning on November 1, 2023. This Part also authorizes the transfer of funds from the Department of Administrative and Financial Services, Salary Plan program in the Personal Services line category and between programs and departments within the General Fund and Highway Fund to implement the adjustments to the annual rates of pay.

Part I resets the base for the appropriation limitation calculation at 98% of the baseline General Fund revenue projected by the Revenue Forecasting Committee as of December 1, 2022. Additionally, changes are made to clarify how transfers to the Maine Budget Stabilization Fund are to be handled when baseline General Fund revenue exceeds the appropriation limitation. This Part also repeals a defined term that is no longer used.

Part J does the following.

1. It creates the Dirigo business incentives program to provide a tax credit to qualified businesses.
2. It provides an exemption from the requirement for confidentiality of tax records for information disclosed as part of certain reports to the Department of Economic and Community Development and legislative committees regarding the program.
3. It extends the end date of the Pine Tree Development Zone program by one year, eliminates the Pine Tree Recreation Zone program and eliminates the Maine capital investment credit as of January 1, 2025.
4. It allows a business participating in the Dirigo business incentives program to qualify for certain benefits currently available to businesses participating in the Pine Tree Development Zone program, including electricity discount rates and exemption from certain requirements for the sale of electricity.
5. It Prohibits issuing a certificate of approval for employment tax increment financing after December 31, 2024 and eliminates the employment tax increment financing benefits as of December 31, 2034.

Part K transfers \$5,000,000 from the unappropriated surplus of the General Fund to the Maine State Housing Authority, Shelter Operating Subsidy program, Other Special Revenue Funds account on or before June 30, 2024 to meet projected obligations.

Part L clarifies the law regarding the training program implemented by the State Tax Assessor to develop the expertise of revenue agents to provide that, upon successful completion of the program and demonstration of prescribed competencies, employees in the revenue agent classification may progress immediately to the senior revenue agent classification and employees in the senior

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revenue agent classification may progress immediately to the principal revenue agent classification.

Part M limits the jurisdiction of the Maine Board of Tax Appeals within the Department of Administrative and Financial Services to matters when the amount in controversy is at least \$1,000 but no more than \$500,000.

Part N carries forward to the next fiscal year any remaining balances in the Department of Administrative and Financial Services, Debt Service – Government Facilities Authority program, General Fund account in each year of the 2024-2025 biennium.

Part O authorizes the Department of Administrative and Financial Services to carry forward any remaining balance in the Central Administrative Applications program for fiscal years 2023-24 and 2024-25.

Part P authorizes the Department of Administrative and Financial Services to enter into financing agreements in fiscal years 2023-24 and 2024-25 for the acquisition of motor vehicles for the Central Fleet Management Division.

Part Q authorizes the Department of Administrative and Financial Services to enter into financing agreements in fiscal years 2023-24 and 2024-25 for improvements to the State's technology infrastructure and data centers; purchase of enterprise software; modernization of databases, storage and other components; and improved security of personally identifiable information and other confidential data.

Part R authorizes the Department of Administrative and Financial Services to enter into financing agreements in fiscal years 2023-24 and 2024-25 for the acquisition of hardware, software and systems to support the operations of the Statewide Radio Network System Reserve Fund.

Part S eliminates the property tax stabilization program. It also increases the maximum benefit for persons who are 65 years of age or older under the property tax fairness credit and the benefit allowed under the senior property tax deferral program and permits otherwise eligible persons with no more than 2 years of delinquent property taxes to receive a deferral of taxes if the amount of delinquent taxes is added to the amount of taxes deferred and subject to certain conditions.

Part T requires any All Other or Capital Expenditures balance remaining in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection program to be carried forward each fiscal year.

Part U clarifies that response activities undertaken by the State of Maine Animal Response Team may include providing adequate care for animals in state custody.

Part V changes the position of Deputy Director in the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands from serving at the pleasure of the Commissioner of Agriculture, Conservation and Forestry to a classified, confidential position.

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Part W clarifies that the Commissioner of Agriculture, Conservation and Forestry, with the Governor's approval, has the authority to accept gifts identified as services or other intangible assets.

Part X authorizes the use of unrestricted contributions from private sources in the Land for Maine's Future Trust Fund for administrative costs and consulting services.

Part Y changes the meal allowance for appointed members of the Land for Maine's Future Board to not exceed the United States General Services Administration rates.

Part Z makes a technical change to be consistent with changes made to the organization of the Maine Geological Survey in Public Law 2021, chapter 398, which removed the requirement that the Director of the Bureau of Resource Information and Land Use Planning within the Department of Agriculture, Conservation and Forestry be the director of the survey.

Part AA authorizes a one-time transfer at the close of fiscal year 2022-23 of all funds in excess of \$500,000 from total unencumbered balance forward in the Personal Services and All Other line categories in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection program, General Fund account to the Capital Expenditures line category in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection program, General Fund account.

Part BB directs the University of Maine System to study and analyze the potential effects on public health and the State's economy of the State's adopting permanent Eastern Standard Time or permanent Eastern Daylight Time and determine if each adoption will serve the convenience of commerce as required by the United States Department of Transportation and submit a report with suggested legislation by February 1, 2024 to the Joint Standing Committee on State and Local Government which may submit legislation to the Second Regular Session of the 131st Legislature.

Part CC makes part-time nursing faculty eligible for the nursing education loan repayment program, with repayment of loans of up to \$10,000 for a master's degree and up to \$20,000 for a doctoral degree.

Part DD changes the rate of the penalty for those state employees who retired between July 1, 2011 and January 1, 2012 and for teachers who retired between July 1, 2011 and July 1, 2012 who had at least 25 years of service on July 1, 2011 but had not attained 62 years of age to 2.25% for each year the person was below 62 years of age upon retirement from service. The changes take effect beginning October 1, 2023.

Part EE adds probation officers and other employees identified by the Commissioner of Corrections to those employees who may be assigned a state vehicle. It also updates the list of those employees who are authorized to use state vehicles for commuting between home and work to add employees designated by the Commissioner of Corrections and law enforcement officials in the Office of Cannabis Policy and to remove law enforcement officials in the Office of the Chief Medical Examiner.

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Part FF requires that the Attorney General approve the compensation set for the Chief Medical Examiner's office administrator.

Part GG doubles the mandatory assessment on a person convicted of a crime. Revenue from the assessment goes to the Victims' Compensation Fund.

Part HH requires the Commissioner of Corrections to review the current organizational structure of the Department of Corrections to improve organizational efficiency and cost-effectiveness and requires the State Budget Officer to transfer positions and available balances by financial order during the 2024-2025 biennium. Position adjustments made after December 1st and before July 1st of each fiscal year may be considered an adjustment to position count or appropriations. Any transfers resulting in a program or mission change or facility closure must have legislative review.

Part II maintains the rate of reimbursement to municipalities under the Homestead Property Tax Exemption Reimbursement program at 76% for property tax years beginning on or after April 1, 2023 instead of increasing the rate by three percentage points each year.

Part JJ authorizes the Department of Corrections to transfer, by financial order, the unobligated balance from Personal Services to the All Other line category in the Long Creek Youth Development program for fiscal year 2023-24 and 2024-25 to fund juvenile community programs and services.

Part KK transfers a total of \$3,100,000 on or before June 30, 2024 from the Department of Administrative and Financial Services, COVID Pandemic Relief Payment Program Fund, Other Special Revenue Funds account and the Winter Energy Relief Payment Program Fund, Other Special Revenue Funds account to the unappropriated surplus of the General Fund.

Part LL lapses \$1,057,313 of unencumbered balance forward from the Department of Corrections, Admin Corrections – Carrying account to the General Fund no later than June 30, 2024.

Part MM authorizes the Department of Corrections to transfer, by financial order, available balances designated for fuel expenditures from all facility accounts within the department into the new consolidated Corrections Fuel program, General Fund account.

Part NN lapses \$134,125 of unencumbered balance forward from the Maine State Cultural Affairs Council, State of Maine Bicentennial Celebration, General Fund account to the General Fund in fiscal year 2023-24.

Part OO designates the Maine Veterans' Memorial Cemetery System Care Fund as an interest-bearing account.

Part PP reduces the transfer from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Maine Healthy Soils Fund program, Other Special Revenue Funds account authorized in Public Law 2023, chapter 17, Part F from \$3,000,000 to \$1,500,000 and reduces the transfer from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Farmers Drought Relief Grant Program



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Fund program, Other Special Revenue Funds account authorized in Public Law 2023, chapter 17, Part G from \$2,000,000 to \$1,000,000.

Part QQ transfers \$2,000,000 at the close of fiscal year 2023-24 from the Other Special Revenue Funds accounts within the Department of Professional and Financial Regulation to the unappropriated surplus of the General Fund.

Part RR transfers \$300,000 from available Bureau of Insurance, Other Special Revenue Funds balances in fiscal years 2023-24 and 2024-25 from the Department of Professional and Financial Regulation to the Department of the Attorney General, Other Special Revenue Funds account for the purpose of contracting with a designated nonprofit and independent health insurance consumer assistance entity to continue to operate the Health Insurance Consumer Assistance Program established under the Maine Revised Statutes, Title 24-A, section 4326.

Part SS does the following.

1. It transfers \$2,000,000 in fiscal year 2023-24 from the unappropriated surplus of the General Fund to the Finance Authority of Maine, Maine Health Care Provider Loan Repayment Program Fund program, Other Special Revenue Funds account.
2. It transfers \$1,000,000 from the unappropriated surplus of the General Fund to the Nursing Education Loan Repayment Program within the Finance Authority of Maine to support the program.
3. It transfers \$1,000,000 from the unappropriated surplus of the General Fund to the Doctors For Maine's Future Scholarship Fund program within the Finance Authority of Maine to support the program.

Part TT does the following.

1. It transfers \$5,000,000 from the unappropriated surplus of the General Fund to the Maine State Housing Authority, Housing Authority - State program, Other Special Revenue Funds account.
2. It requires the State Controller, as the 5th priority transfer at the close of fiscal year 2022-23 only, after all transfers are made pursuant to statute, to transfer from the available balance of the unappropriated surplus of the General Fund up to \$65,000,000 to the Maine State Housing Authority, Housing Authority - State program, Other Special Revenue Funds account.
3. It requires that up to \$35,000,000 of the funds transferred from the available balance of the unappropriated surplus must be used to fund the Rural Affordable Rental Housing Program and the remainder must be used to fund the Low-income Housing Tax Credit Program.

Part UU repeals the requirement that the Department of Health and Human Services establish, operate and maintain a statewide occupational disease reporting system.

Part VV directs the Department of Health and Human Services to electronically provide income records and program enrollment information of recipients of the department's income

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supplementation and assistance programs when requested by entities, under certain conditions for purposes of facilitating administration of the low-income home energy assistance program; the low-income assistance program; a local, state or federal subsidized housing program; and an energy efficiency program administered by an entity approved by the department or any other entity or program that, in the judgment of the department, provides services or resources that promote the health and well-being of recipients of department services.

Part WW provides that the director of the division of licensing and certification within the Department of Health and Human Services is appointed by the Commissioner of Health and Human Services and serves at the pleasure of the commissioner.

Part XX provides that the executive director of the Maine Health Insurance Marketplace is appointed by the Commissioner of Health and Human Services and serves at the pleasure of the commissioner.

Part YY updates the base year for the hospital tax.

Part ZZ increases the attrition rate for the 2024-2025 biennium to 8% in fiscal year 2023-24 and 6% in fiscal year 2024-25 for judicial branch and executive branch departments and agencies. The attrition rate was increased from 1.6% to 5% for judicial branch and executive branch departments and agencies in PL 2023 c. 17 Part D.

Part AAA implements a paid family and medical leave benefits program based on the recommendations of the Commission to Develop a Paid Family and Medical Leave Benefits Program established by the 130th Legislature with the following provisions.

1. The program provides up to 12 weeks of family leave and up to 12 weeks of medical leave to eligible covered individuals.
2. No more than 12 weeks of family leave and medical leave in the aggregate may be taken in a 12-month period.
3. An individual is eligible for leave under the program after earning at least six times the state average weekly wage in the preceding four calendar quarters prior to the application submission or if the individual is self-employed and has elected to be part of the program.
4. The maximum weekly benefit amount is capped at 100% of the state average weekly wage. The weekly benefit amount is 90% for the portion of the covered individual's average weekly wage that is equal to or less than 50% of the state average weekly wage and is 66% for that portion of the covered individual's average weekly wage that is more than 50% of the state average weekly wage up to the maximum weekly benefit.
5. Covered individuals are required to file claims for benefits in accordance with rules adopted by the department administering the program and to provide certification that they qualify for family leave or medical leave.

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6. Except for an employee who has not been employed for at least 120 days, an employee is entitled to the same position or an equivalent position upon return to work from family leave or medical leave.
7. Absent an emergency, illness or other sudden necessity for taking leave, an employee is required to give reasonable notice to the employee's supervisor of the employee's intent to use leave and specifies that use of leave must be scheduled to prevent undue hardship on the employer.

This Part also does the following.

1. It establishes the Paid Family and Medical Leave Insurance Fund to support the program.
2. It funds the administrative costs and payment of benefits through payroll contributions of no more than 1% of wages shared by employers and employees, except that employers with fewer than 15 employees are not required to make employer contributions to the program.
3. It authorizes employers to provide these benefits through a private plan if the benefits for family and medical leave provided to their employees are the same as provided in the program.
4. It establishes the Paid Family and Medical Leave Benefits Authority to advise the administrator on the implementation and administration of the program.
5. It requires payroll contributions to begin January 1, 2025 and benefit claims to be processed beginning January 1, 2026.
6. It requires the program to be reviewed under the State Government Evaluation Act in 2029.
7. It requires the State Budget Officer to calculate the amount of the premium contributions for paid family and medical leave benefits in Part A that applies against each General Fund account for all departments and agencies and transfer those amounts by financial order upon the approval of the Governor and submit a report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a report of the transferred amounts.
8. It authorizes a tribal government to elect to participate in the program.

Part BBB authorizes the Department of Health and Human Services to transfer by financial order available All Other and Personal Services balances in the Developmental Services - Community program account to the Personal Services line category in the Crisis Outreach Program account.

Part CCC authorizes the Department of Health and Human Services to transfer unencumbered All Other balances of appropriations from any account within the Department of Health and Human Services, excluding balances in the IV-E Foster Care/Adoption Assistance and State-funded Foster Care/Adoption Assistance programs, for the information system modernization project in the office of aging and disability services.

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Part DDD authorizes the Department of Health and Human Services to transfer available balances between the State-funded Foster Care/Adoption Assistance program and the IV-E Foster Care/Adoption Assistance program in the All Other line category.

Part EEE authorizes the Department of Health and Human Services to transfer by financial order available Personal Services balances in the Disproportionate Share - Dorothea Dix Psychiatric Center program, the Disproportionate Share – Riverview Psychiatric Center program, the Riverview Psychiatric Center program and the Dorothea Dix Psychiatric Center program to the All Other line category of those programs.

Part FFF lapses unencumbered balance forward from several specified General Fund accounts of the Department of Health and Human Services to the General Fund unappropriated surplus no later than June 30, 2024.

Part GGG requires the Department of Health and Human Services to submit a state plan amendment to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to request approval to reimburse parents of minor children who are eligible for home health aide services under the MaineCare program for providing those services under the Medicaid home health benefit. Upon approval, the department must amend its rule Chapter 101: MaineCare Benefits Manual, Section 40, Home Health Services, to implement the requirement no later than 12 months after receiving federal approval. The department must consult with home health agencies when developing the rule. This Part also requires the Department of Health and Human Services to submit a progress report to the Joint Standing Committee on Health and Human Services no later than February 1, 2024.

Part HHH transfers \$5,500,000 from the unappropriated surplus of the General Fund to the Department of Health and Human Services, General Assistance program, Other Special Revenue Funds account, no later than June 30, 2024.

Part III transfers funds from the Department of Inland Fisheries and Wildlife, Inland Fisheries and Wildlife Carrying Balances – General Fund account to the Enforcement Operations – Inland Fisheries and Wildlife program, General Fund account to purchase one replacement aircraft engine in fiscal year 2023-24 and one replacement aircraft engine in fiscal year 2024-25.

Part JJJ provides for a raise of 4.5% for judges and justices of the state courts beginning on July 1, 2023.

Part KKK increases the maximum per fiscal year fee revenue that may be credited to the judicial branch Other Special Revenue Funds account for capital expenses.

Part LLL directs the Maine State Housing authority to make funds available for the acquisition of land or real property to support the creation of recovery residences that provide services to parents or guardians recovering from substance use disorder and their minor children; specifies certain parameters for the location of the acquired land or real property; specifies services provided in the residences; and specifies that staff employed at a rural recovery residence must be paid a livable wage.

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Part MMM requires the Governor, in consultation with the presiding officers of the Senate and House of Representatives, to convene a working group to evaluate the State's unemployment laws and how those laws relate to the unemployment compensation system, the Temporary Assistance for Needy Families program, the MaineCare program, general assistance programs, the Supplemental Nutrition Assistance Program and acquiring welfare benefits. The working group is required to provide a report to the Joint Standing Committee on Health and Human Services, the Joint Standing Committee on Labor and Housing and the Joint Standing Committee on Appropriations and Financial Affairs no later than January 15, 2024.

Part NNN lapses \$106,970 of unencumbered balance forward from the Legislature, General Fund carrying account, Personal Services line category to the unappropriated surplus of the General Fund no later than June 30, 2024 and lapses \$111,033 of unencumbered balance forward from the Legislature, General Fund carrying account, Personal Services line category to the unappropriated surplus of the General Fund no later than June 30, 2025.

Part OOO authorizes the Department of Administrative and Financial Services and the Department of Public Safety to enter into financing agreements in fiscal year 2023-24 and 2024-25 for the acquisition of motor vehicles for the State Police.

Part PPP directs the Department of Administrative and Financial Services, Bureau of the Budget to rename The Bureau of Administrative Services and Corporations program to the Bureau of Corporations, Elections and Commissions program and rename The Elections and Commissions program to the Federal Elections Grant program.

Part QQQ transfers \$7,500,000 in fiscal year 2023-24 and fiscal year 2024-25 from the unappropriated surplus of the General Fund to the Maine Community College System Free Community College - 2 Enrollment Years program, Other Special Revenue Funds account within the Maine Community College System to provide two years of free community college for all eligible students who meet certain conditions. This Part also repeals the eligibility requirements for two free years of community college as established in Public Law 2021, chapter 635, Part OO and replaces them with requirements that specifies that funds provided must be used to provide two free years of community college for all eligible students.

Part RRR requires the Department of Education's office of adult education to notify the Governor's office and the Legislature if the state allocation for expenditures on adult education programs falls below 95% of the allocation established for the prior year and include information on the amount necessary to fulfill the state obligation to reimburse adult education costs and the total amount that is available. It also directs the department to establish a working group, or as an alternative hire and fund an outside agency, to analyze the State's adult education system and reimbursement formula.

Part SSS authorizes the Commission on Governmental Ethics and Election Practices to deposit penalties paid for registration or reporting violations into its lobbyist registration fee account to be spent exclusively on information technology costs.

Part TTT requires the State Controller to carry forward a balance in the Office of Treasurer of State, Debt Service - Treasury program.

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Part UUU requires that the Department of Administrative and Financial Services do the following.

1. It requires a review every five years of the state compensation plan for each class or position in the classified service.
2. It requires a study every four years comparing the salaries of state employees with salaries of employees performing comparable work and a submittal of a report by the Department of Administrative and Financial Services, Bureau of Human Resources to the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and state and local government matters and the bargaining agents that represent a bargaining unit of state employees.
3. It requires a comprehensive review of the classification plan every 10 years to make modifications and improvements as determined necessary.
4. It requires the submission of a report by the Commissioner of Administrative and Financial Services to the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and state and local government matters and the bargaining agents that represent a bargaining unit of state employees on the comprehensive review of the classification and compensation system for employees of the executive branch of the State performed pursuant to a memorandum of agreement executed with the Maine Service Employees Association, SEIU Local 1989 on June 25, 2019, including a recalculation of the market salary report using current salary data.
5. It requires that good faith negotiations with the bargaining agents that represent a bargaining unit of state employees take place no later than January 31, 2024 to implement closing pay gaps between employees of this State and public and private employees performing comparable work in this State, other New England states and other states as appropriate.

This part also authorizes reimbursement of up to \$1,200,000 to the department to conduct the market pay study and to finalize the comprehensive review of the classification and compensation system by September 30, 2024.

Part VVV establishes the Maine Child Care Affordability Program within the Department of Health and Human Services to encompass the former child care subsidy program and establishes new eligibility for child care providers. It requires the department to submit reports to the Legislature regarding the distribution of child care subsidies and the development and implementation of an early childhood integrated data system. The department is also directed to amend its procedures regarding eligibility, promote the Maine Child Care Affordability Program, streamline and simplify the online invoicing and billing systems for child care providers and, by 2030, implement a program to achieve affordable child care.

Part WWW requires the Department of Health and Human Services to establish a treatment center for substance use disorder treatment in either Kennebec County or Washington County.

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Part XXX repeals the health care-related provisions of the service provider tax beginning January 1, 2025 and makes technical changes necessitated by this repeal to the revenue-sharing provisions in the Maine Revised Statutes, Title 30-A as well as the revenue-sharing provisions and tax records confidentiality provisions in Title 36.

Part YYY does the following.

1. It requires the Child Development Services System to collaborate with special purpose private preschools to establish appropriate daily tuition rates for the educational services provided by each special purpose private preschool through a funding formula before the beginning of the 2024-2025 school year.
2. It requires the Department of Education and the Child Development Services System provide payments for specially designed instruction provided by each special purpose private preschool at a rate of \$125 per day, per child, for scheduled school days in accordance with a child's individualized education program no later than the start of the 2023-2024 school year and prior to the provision of the daily tuition rate.
3. It transfers \$15,000,000 in fiscal year 2023-24 from the unappropriated surplus of the General Fund to the Child Development Services System for the estimated cost of the payments.
4. It directs the Department of Education to report to the Joint Standing Committee on Education and Cultural Affairs, no later than December 15, 2023, on the development of the funding formula for the daily tuition rates, including recommendations and suggested legislation and authorizes the Joint Standing Committee on Education and Cultural Affairs to report out a bill related to the report to the Second Regular Session of the 131st Legislature.

Part ZZZ does the following.

1. It updates references to the United States Internal Revenue United States Internal Revenue Code of 1986 contained in the Maine Revised Statutes, Title 36.
2. It changes the Maine standard deduction, for tax years beginning on or after January 1, 2026 to maintain the Maine standard deduction at current levels.
3. It makes changes to current law governing the Maine dependent exemption tax credit to maintain the Maine dependent exemption tax credit at current levels for tax years 2026 and later.
4. It changes the pension deduction amount for tax years beginning on or after January 1, 2024 to the maximum annual benefit that may be received by a taxpayer at the eligible retirement age as of January 1st of the tax year under the federal Social Security Act.

Part AAAA establishes the Housing First Program within the Department of Health and Human Services to facilitate the delivery of stabilization and support services to residents of properties established or developed to provide permanent housing to persons who have been experiencing

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chronic homelessness and to fund technical assistance, administered by the Maine State Housing Authority, for the development of housing consistent with the program.

Part BBBB transfers \$3,500,000 from the unappropriated surplus of the General Fund to the Department of Administrative and Financial Services, Risk Management – Claims program, Other Special Revenue Funds account to pay attorney's fees or other costs awarded by a court against the State and its departments, agencies, officers or employees and settlements of attorney's fees or other costs without court award in these cases, which are not otherwise insured against under a deductible or self-insured retention program.

Part CCCC continues the voluntary employee incentive program through the 2024-2025 biennium.

Part DDDD authorizes the State Controller to carry forward, to be used for the same purposes, any unexpended balance of the \$550,000 appropriated in Public Law 2021, chapter 635 for the development and implementation of a new database for the Bureau of Agriculture's feed, seed and fertilizer program.

Part EEEE transfers \$2,000,000 from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Statewide Hunger Relief Program, Other Special Revenue Funds account to provide funds for a grant for capital support to a Portland-based food security hub with partnerships or capacity for statewide distribution to enable increased production of hot meals each day for homeless, sheltered or food insecure persons.

Part FFFF transfers \$1,500,000 from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Milk Commission program, Other Special Revenue Funds account to provide one-time pandemic volatility payments to Maine milk producers who produced milk and reported production information to the Maine Milk Commission in calendar year 2022 and are currently participating in the dairy stabilization program.

Part GGGG authorizes the Department of Health and Human Services to transfer savings from the increased 10% Federal Medical Assistance Percentage for MaineCare home and community-based services per the federal American Rescue Plan Act of 2021, Public Law 117-2, Section 9817 from various General Fund MaineCare Program accounts to the Home and Community Based Services – ARP Savings Other Special Revenue Funds account in the Medical Care – Payments to Providers program and the Office of MaineCare Services program, Home and Community Based Services Admin – ARP Savings.

Part HHHH changes the definition of "memorandum of understanding" in the Maine Recovery Council laws to incorporate the agreement regarding the use of settlement funds from 2023.

Part IIII establishes a new special retirement plan for certain civilian employees in the Department of Public Safety, Maine State Police Crime Laboratory and computer crimes unit that allows those employees to retire after 25 years of service regardless of age. Provisions of Part IIII are also contained in LD 197 as engrossed.

Part JJJJ provides that the Commissioner of Education may apply unexpended balances from another program's appropriated amounts toward the adjustment for English learner budgetary



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hardships and removes the requirement that a school administrative unit petition the commissioner and demonstrate the budgetary hardship. It also allows the commissioner to determine that a school administrative unit is eligible for a hardship adjustment if the school administrative unit's unexpected enrollment increase results in an increase of 3% or more, instead of 5% or more as in current law, in English learner weighted allocation.

Part KKKK directs the Department of Education to develop a two-year pilot program to provide McKinney-Vento liaisons with access to emergency financial assistance funds for students at risk of homelessness. Provisions of Part KKKK are also contained in LD 1609 as engrossed.

Part LLLL This Part makes a technical change to the definition of “Active Duty” in MRSA 20-A, chapter 901: Interstate Compact on Educational Opportunity for Military Children.

Part MMMM transfers \$9,600,000 from the unappropriated surplus of the General Fund to the Department of Environmental Protection and \$6,900,000 from the unappropriated surplus of the General Fund the Department of Health and Human Services for federal matching funds under federal water programs to be used for revolving loan funds for drinking water systems and wastewater treatment with any remaining funds to be used consistent with the respective programs. This part also authorizes unspent General Fund appropriations in the Department of Environmental Protection, Water Quality program and the Department of Health and Human Services Drinking Water Enforcement program to be carried forward.

Part NNNN allows the Efficiency Maine Trust to administer, rather than requiring the trust to oversee and administer, energy activities within the State that may be overseen by entities other than the trust. This Part also repeals an outdated effective date and makes a technical change.

Part OOOO creates the Community Resilience Partnership Program within the Office of Policy Innovation and the Future to provide technical and financial assistance for local and regional planning and implementation projects consistent with the State's emissions reduction targets and the state climate action plan.

Part PPPP authorizes the transfer by the Maine Health Data Organization of the uncommitted Personal Services line category balance to the All Other line category in fiscal years 2023-24 and 2024-25.

Part QQQQ requires that \$2,800,000 in unobligated balances from funds transferred to the Maine State Housing Authority, Housing Authority - State, Other Special Revenue Funds account to supplement the federal Low-Income Home Energy Assistance Program funding in Public Law 2023, chapter 1, Part A be transferred to the unappropriated surplus of the General Fund no later than October 31, 2023.

Part RRRR transfers \$12,000,000 from the unappropriated surplus of the General Fund to the Maine State Housing Authority, Emergency Housing Relief Fund Program, Other Special Revenue Funds account to provide funds for short-term emergency housing, legal services and other wraparound settlement supports.

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Part SSSS transfers \$15,000,000 from the unappropriated surplus of the General Fund to the Maine State Housing Authority, Low-income Home Energy Assistance – MSHA, Other Special Revenue Funds account for the Low-Income Assistance Program to help low-income homeowners and renters pay for electricity costs by providing a credit on their electric bills. This funding will temporarily expand ratepayer eligibility for the Low-Income Assistance Program beyond the current 75% of the federal poverty limit, pursuant to the Public Utilities Commission formal solicitation of public input.

Part TTTT codifies the Baxter Counseling Services Program to facilitate the delivery of therapeutic counseling services for eligible former students of the Maine School for the Deaf or the Governor Baxter School for the Deaf.

Part UUUU increases the payment limit for the Family Caregiver Grant Pilot Program from \$2,000 annually to \$5,171 annually. Provisions of Part UUUU are also contained in LD 346 as engrossed.

Part VVVV authorizes the Department of Health and Human Services to transfer available balances of Personal Services appropriations to All Other in the Office for Family Independence program and the Office for Family Independence – District program for technology and related services.

Part WWWW does the following.

1. It transfers \$6,500,000 from the unappropriated surplus of the General Fund to the MaineCare Stabilization Fund prior to the closing of fiscal year 2022-23.
2. It lapses \$20,000,000 of unencumbered balance forward from the Department of Health and Human Services, MaineCare General Fund carrying accounts, All Other line category to the unappropriated surplus of the General Fund prior to the closing of fiscal year 2022-23.
3. It transfers the first \$28,500,000 from the MaineCare General Fund carrying accounts to the MaineCare Stabilization Fund at the close of fiscal year 2023-24.

Part XXXX eliminates budgeted transfers from the General Fund that were included in Public Law 2023, chapter 17 as a funding source for the Maine Commission on Indigent Legal Services program, Other Special Revenue Funds account. The funding for 6 positions, associated All Other and reimbursements to attorneys is transitioned to a General Fund appropriation in Part A of this Act beginning in fiscal year 2024-25 to reflect the ongoing nature of the General Fund support for these costs in the commission's baseline budget.

Part YYYY transfers funds from the Inland Fisheries and Wildlife Carrying Balances – General Fund account to the Resource Management Services – Inland Fisheries and Wildlife program, General Fund account within the Department of Inland Fisheries and Wildlife to provide matching funds for the construction of the Fryeburg shooting range.

Part ZZZZ increases the number of District Court judges by three headcount and Superior Court justices by one headcount and increases the number of District Court judges by an additional two headcount beginning July 1, 2024.

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Part AAAAA returns the position of Director, Bureau of Unemployment Compensation to the classified service when the position next becomes vacant.

Part BBBBB adds the position of Associate Commissioner to those positions that are appointed by the Commissioner of Labor.

Part CCCCC transfers \$2,750,000 from the unappropriated surplus of the General Fund to the Department of Labor, Employment Services Activity, Other Special Revenue Funds account for career exploration services targeted to high school students and recruitment and job-related supports targeted to groups that are underrepresented in the State's workforce.

Part DDDDD does the following.

1. It establishes the existing statewide Imagination Library of Maine Program in the Maine Revised Statutes.
2. It revises the role of the State Librarian in administering the Imagination Library of Maine Fund to more accurately reflect the role of the Maine State Library in administering and coordinating the Imagination Library of Maine Fund with Dolly Parton's Imagination Library program.
3. It requires the Maine State Library to provide an annual report to the Legislature regarding the Imagination Library of Maine Program and the number of books mailed to enrolled children.
4. It better aligns the Maine Revised Statutes with language included in the Memorandum of Agreement with The Dollywood Foundation, Inc.

Part EEEEE removes the asset test for eligibility for the elderly low-cost drug program and the Medicare savings program and establishes income eligibility for qualified Medicare beneficiaries at no more than 185% of the federal poverty level and for qualified individuals at more than 185% and no more than 250% of the federal poverty level.

Part FFFFF lapses \$40,000,000 of the unencumbered balance forward in the Department of Education, General Purpose Aid for Local Schools program, General Fund account to the unappropriated surplus of the General Fund and transfers \$20,000,000 from the unappropriated surplus of the General Fund to the School Revolving Renovation Fund under the Maine Municipal Bond Bank.

Part GGGGG establishes the Emergency Medical Services Stabilization and Sustainability Program within the Department of Public Safety, to be administered by Maine Emergency Medical Services in consultation with the Emergency Medical Services' Board and the Department of Health and Human Services, and transfers \$31,000,000 from the unappropriated surplus of the General Fund to the Emergency Medical Services Stabilization and Sustainability Program, Other Special Revenue Funds account. Public Law 2023, chapter 438 broadened eligibility for grants under the program to all entities providing ambulance service or non-transporting emergency medical service or licensed emergency medical services training centers.

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Part HHHHH transfers \$19,800,000 from the unappropriated surplus of the General Fund to the Retirement Allowance Fund within the Maine Public Employees Retirement System to fund an additional one-time 3.0% retirement benefit payment.

Part IIIII authorizes the Department of Administrative and Financial Services on behalf of the Department of the Secretary of State to enter into financing agreements in fiscal years 2023-24 and 2024-25 for improvements to the Department of the Secretary of State's customer service system, technology infrastructure and data centers; updating of Department of the Secretary of State software and hardware; ongoing modernization of databases, storage and other components; and improved security of personally identifiable information and other confidential data.

Part JJJJJ transfers \$7,500,000 from the unappropriated surplus of the General Fund to the Department of Transportation, Infrastructure Adaptation Fund, Other Special Revenue Funds account for culverts, resilience and adaptation investments through municipal grants and matching funds.

Part KKKKK transfers \$12,000,000 from the unappropriated surplus of the General Fund to the Multimodal Ports and Marine program, Other Special Revenue Funds account in the Department of Transportation to support the infrastructure necessary to deploy and connect floating offshore wind turbines in the Gulf of Maine.

Part LLLLL requires the Department of Health and Human Services to adopt rules to implement a MaineCare home and community-based lifespan program with initial enrollment targeted toward individuals with intellectual and developmental disabilities or autism and a second phase allowing enrollment of individuals with other related conditions.

Part MMMMM authorizes the State Controller to keep open the official system of general accounts of State Government for fiscal year 2022-23 to make post-closing entries and adjustments to carry out the provisions of this legislation.

Part NNNNN authorizes the Department of Health and Human Services to provide financial assistance under an extraordinary circumstance allowance to a nursing facility that meets certain requirements until the effective date of provider reimbursement rates for nursing facilities established in accordance with the department's rate-setting system and requires a summary report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services no later than January 30, 2024.

Part OOOOO increases the State's contribution toward the retired teachers' share of health insurance premiums from 55% to 60% effective July 1, 2023.