

COUNTY JAIL OPERATIONS FUND Z227

Initiative: Provides funding to county jails for medication assisted treatment and medical care which was recently mandated in Public Law 2021, chapter 732, Part C.

	2023-24	2024-25
All Other		4,000,000
Total	0	4,000,000

Summary - GENERAL FUND
All Other

	2023-24	2024-25
All Other		4,000,000
Total	0	4,000,000

Total Agency/Department

All Funds		8,800,000
GENERAL FUND		4,000,000
OTHER SPECIAL REVENUE FUNDS		4,800,000

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

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

PART A

Sec. A-1. Appropriations and allocations. In order to provide for the necessary expenditures of State Government and other purposes for the fiscal years ending June 30, 2024 and June 30, 2025, the following sums as designated in the following tabulations are appropriated or allocated out of money not otherwise appropriated or allocated.

PART B

Sec. B-1. Appropriations and allocations. The following appropriations and allocations are made to provide funding for approved reclassifications and range changes.

PART C

Sec. C-1. Mill expectation. The mill expectation pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A for fiscal year 2024-25 is 6.62.

Sec. C-2. Total cost of funding public education from kindergarten to grade 12. The total cost of funding public education from kindergarten to grade 12 for fiscal year 2024-25 is as follows:

	2024-25
	TOTAL
Total Operating Allocation	
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683	\$1,595,190,789
Total operating allocation for public charter schools pursuant to the Maine Revised Statutes, Title 20-A, section 15683-B	32,873,939
Total adjustments to state subsidy pursuant to Title 20-A, section 15689 included in subsidizable costs and total other subsidizable costs pursuant to Title 20-A, section 15681-A	\$657,222,713
Total Operating Allocation and Subsidizable Costs	
Total operating allocation pursuant to Title 20-A, section 15683 and total other subsidizable costs pursuant to Title 20-A, section 15681-A	\$2,285,287,441
Total Debt Service Allocation	
Total debt service allocation pursuant to Title 20-A, section 15683-A	\$112,200,409

Total Adjustments and Targeted Education Funds

Adjustments pursuant to Title 20-A, section 15689

Audit adjustments pursuant to Title 20-A, section 15689,
subsection 4 \$225,000

Educating students in long-term drug treatment center adjustments
pursuant to Title 20-A, section 15689, subsection 5 \$249,607

Minimum teacher salary adjustment pursuant to Title 20-A, section
15689, subsection 7-A \$0

Regionalization, consolidation, and efficiency assistance
adjustments pursuant to Title 20-A, section 15689, subsection 9 \$6,012,077

Maine Care seed payments adjustments pursuant to Title 20-A,
section 15689, subsection 14 \$1,334,776

Special Education Hardship adjustment pursuant to Title 20-A,
section 15689, subsection 15 \$500,000

English Learner budgetary hardship adjustment pursuant to Title
20-A, section 15689, subsection 16 \$500,000

Total adjustments to the state share of total allocation pursuant to Title
20-A, section 15689 \$8,821,460

Targeted Education Funds pursuant to Title 20-A, section 15689-A

Special education costs for state agency clients and state wards pursuant to Title 20-A, section 15689-A, subsection 1	\$28,398,550
Essential programs and services components contract pursuant to Title 20-A, section 15689-A, subsection 3	\$250,000
Data management and support services for essential programs and services pursuant to Title 20-A, section 15689-A, subsection 10	\$11,000,000
Postsecondary course payments pursuant to Title 20-A, section 15689-A, subsection 11	\$5,500,000
National board certification salary supplement pursuant to Title 20-A, section 15689-A, subsection 12	\$0
Learning through technology program pursuant to Title 20-A, section 15689-A, subsection 12-A	\$9,000,000
Jobs for Maine's Graduates including college pursuant to Title 20-A, section 15689-A, subsection 13	\$3,881,379
Maine School of Science and Mathematics pursuant to Title 20-A, section 15689-A, subsection 14	\$3,615,347
Maine Educational Center for the Deaf and Hard of Hearing pursuant to Title 20-A, section 15689-A, subsection 15	\$9,758,979
Transportation administration pursuant to Title 20-A, section 15689-A, subsection 16	\$521,035

Special education for juvenile offenders pursuant to Title 20-A, section 15689-A, subsection 17	\$407,999
Comprehensive early college programs funding (bridge year program) pursuant to Title 20-A, section 15689-A, subsection 23	\$1,000,000
Community schools pursuant to Title 20-A, section 15689-A, subsection 25	\$250,000
Instruments and Professional Development in rural schools pursuant to Title 20-A, section 15689-A, subsection 28	\$50,000
Total targeted education funds pursuant to Title 20-A, section 15689-A	\$73,633,289
Enhancing student performance and opportunity pursuant to Title 20-A, section 15688-A and section 15672, subsection 1-D	
Career and technical education costs pursuant to Title 20-A, section 15688-A, subsection 1	\$72,215,867
College transitions programs through adult education college readiness programs pursuant to Title 20-A, section 15688-A, subsection 2	\$450,000
National industry standards for career and technical education pursuant to Title 20-A, section 15688-A, subsection 6	\$2,000,000
Career and technical education middle school grant program pursuant to Title 20-A, section 15688-A, subsection 8	\$500,000

Career and technical education early childhood education program expansion support pursuant to Title 20-A, section 15688-A, subsection 10	\$100,000
Total enhancing student performance and opportunity pursuant to Title 20-A, section 15688-A and section 15672, subsection 1-D	\$75,265,867
Total Cost of Funding Public Education from Kindergarten to Grade 12	
Total cost of funding public education from kindergarten to grade 12 for fiscal year pursuant to Title 20-A, chapter 606-B, not including normal retirement costs	\$2,555,208,466
Total normal cost of teacher retirement	\$66,734,161
Total cost of funding public education from kindergarten to grade 12 for fiscal year pursuant to Title 20-A, chapter 606-B, including normal retirement costs	\$2,621,942,627
Total cost of state contribution to unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teacher health insurance and retired teacher life insurance for fiscal year 2024-25 pursuant to Title 5, chapters 421 and 423, excluding the normal cost of teacher retirement	\$274,089,573
Total cost of funding public education from kindergarten to grade 12, plus state contributions to the unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teacher health insurance and retired teacher life insurance for fiscal year 2024-25 pursuant to Title 5, chapters 421 and 423	\$2,896,032,200

Sec. C-3. Local and state contributions to total cost of funding public education from kindergarten to grade 12. The local contribution and the state contribution appropriation provided for general purpose aid for local schools for the fiscal year beginning July 1, 2024, and ending June 30, 2025, is calculated as follows:

	2024-25	2024-25
	LOCAL	STATE
Local and State Contributions to the Total Cost of Funding Public Education from Kindergarten to Grade 12		
Local and state contributions to the total cost of funding public education from kindergarten to grade 12 pursuant to the Maine Revised Statutes, Title 20-A, section 15683, subject to statewide distributions required by law	\$1,179,874,182	\$1,442,068,445
State contribution to the total cost of unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, teacher retirement health insurance and teacher retirement life insurance for fiscal year 2022-23 pursuant to Title 5, chapters 421 and 423 excluding the normal cost of teacher retirement		\$274,089,573
State contribution to the total cost of funding public education from kindergarten to grade 12 plus state contribution to the total cost of unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, teacher retirement health insurance and teacher retirement life insurance pursuant to Title 5, chapters 421 and 423		\$1,716,158,018

Sec. C-4. Authorization of payments. If the State's continued obligation for any individual component contained in those sections of this Act that set the total cost of funding public education from kindergarten to grade 12 and the local and state contributions for that purpose exceeds the level of funding provided for that component, any unexpended balances occurring in other programs may be applied to avoid proration of payments for any individual component. Any unexpended balances from this Act may not lapse but must be carried forward for the same purpose.

Sec. C-5. Limit of State's obligation. Those sections of this Act that set the total cost of funding public education from kindergarten to grade 12 and the local and state contributions for that purpose may not be construed to require the State to provide payments that exceed the appropriation of funds for general purpose aid for local schools for the fiscal year beginning July 1, 2024, and ending June 30, 2025.

PART C SUMMARY

This Part establishes the Total Cost of Education from Kindergarten to Grade 12, the state contribution, the annual target state share percentage, and the mill expectation for the local contribution for fiscal year 2024-2025.

PART D

Sec. D-1. Adjustments to allocations. Notwithstanding the Maine Revised Statutes, Title 37-B, section 746 or any other provision of law to the contrary, Federal Expenditures Fund - ARP State Fiscal Recovery funds allocated to departments, agencies and programs may be adjusted in fiscal years 2023-24, 2024-25 or 2025-26 either within the same department or agency or between departments or agencies on recommendation of the State Budget Officer and approval of the Governor. The Commissioner of Administrative and Financial Services shall report any adjustments to allocations made pursuant to this section to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs at least quarterly.

Sec. D-2. PL 2023, c. 3, Pt. C, §5 is amended to read:

Sec. C-5. Continuation of limited-period positions. Notwithstanding any provision of law to the contrary, limited-period positions funded with the Federal Expenditures Fund - ARP State Fiscal Recovery funds authorized in Public Law 2021, chapter 483, "An Act To Provide Allocations for the Distribution of State Fiscal Recovery Funds," may be extended beyond 2 years by financial order but not later than ~~June 30, 2025~~ December 31, 2026.

Sec. D-3. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Revenue Services, Bureau of 0002

Sec. D-5. Calculation and transfer. The State Budget Officer shall the calculate the cost of extending positions necessary to complete authorized projects initially funded with funds received through the American Rescue Plan. The State Budget Officer shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in 2023-24, 2024-25 or 2025-26.

PART D SUMMARY

This Part authorizes the transfer of allocation within or between departments in order to maximize the use of the State Local Fiscal Recovery Funds. This will allow the redistribution of funds as projects move through their life cycle.

Additionally, this allows limited period positions to be extended through December 31, 2026, based on updated guidance from the US Treasury. According to the US Treasury guidance, all funds must be obligated prior to December 31, 2024 and expended by December 31, 2026. US Treasury guidance identifies which types of position activities are allowable between December 31, 2024, the required obligation date, and December 31, 2026, the required expenditure date. Many projects will continue to require staffing during this two year period.

This Part also adjusts funding by decreasing General Fund appropriations and increasing Federal Expenditures Fund ARP State Fiscal Recovery Funds in the Department of Administrative and Financial Services, Bureau of Revenue Services program to allow for the expenditure of federal funds in a manner consistent with US Treasury Guidance. Federal funding is available from the allocation provided to the Department of Administrative and Financial Services in PL 2023, chapter 483, Part Y. The expenditure of funds in the Bureau of Revenues Services is considered a provision of government services and thus an allowable expenditure of State Fiscal Recovery Funds. The General Fund deappropriation allows for the transfer of General Fund unappropriated surplus to the Statewide account which will be used to support certain positions, initially funded with American Rescue Plan funds, beyond the December 31, 2024 obligation period.

PART E

Sec. E-1. Transfer from General Fund unappropriated surplus; Property Tax Stabilization. Notwithstanding any provision of law to the contrary, on or before June 30, 2024, the State Controller shall transfer \$15,000,000 from the unappropriated surplus of the General Fund to the Department of Administrative and Financial Services, Property Tax Stabilization, Other Special Revenue Funds account for the purposes of funding the reimbursements to municipalities for the amount of property tax assessed in excess of the amount stabilized on a homestead of a permanent resident who is at least 65 years of age pursuant to Public Law 2021, chapter 751, An Act To Stabilize Property Taxes for Individuals 65 Years of Age or Older Who Own a Homestead for at Least 10 Years.

Sec. E-2. Transfer from General Fund unappropriated surplus; Property Tax Stabilization - Mandate. Notwithstanding any provision of law to the contrary, on or before June 30, 2024, the State Controller shall transfer \$50,000 from the unappropriated surplus of the General Fund to the Department of Administrative and Financial Services, Property Tax Stabilization - Mandate, Other Special Revenue Funds account for the purposes of funding the reimbursements to municipalities for the state mandated costs related to implementation and administration of the Property Tax Stabilization program enacted in Public Law 2021, chapter 751, An Act To Stabilize Property Taxes for Individuals 65 Years of Age or Older Who Own a Homestead for at Least 10 Years.

PART E SUMMARY

This Part requires the transfer of \$15,050,000 on or before June 30, 2024 from the unappropriated surplus of the General Fund to the Department of Administrative and Financial Services, Property Tax Stabilization, Other Special Revenue Funds account and the Property Tax Stabilization - Mandate, Other Special Revenue Funds account for the purposes of fully funding required reimbursements pursuant to Public Law 2021, chapter 751, An Act To Stabilize Property Taxes for Individuals 65 Years of Age or Older Who Own a Homestead for at Least 10 Years.

PART F

Sec. F-1. 5 MRSA §1531, sub-§4, as repealed and replaced by PL 2023, c. 412, Part I, §2 is further amended to read:

4. Biennial base year appropriation. "Biennial base year appropriation" means:

A. For the 2024-2025 biennium, 98% of the baseline General Fund revenue for fiscal year 2023-24 as of December 1, 2023 ~~2022~~; and

B. For fiscal years subsequent to fiscal year 2024-25, the amount of the General Fund appropriation limitation calculated for the current year pursuant to section 1534, subsection 1.

Sec. F-2. 5 MRSA §1532, sub-§5 as amended by PL 2023, c.412, Part I, §4 is further amended to read:

5. Investment proceeds; exception. At the close of every month during which the stabilization fund is at the 18% limitation described in subsection 1, the State Controller shall transfer from the General Fund to the Irrevocable Trust Funds for Other Post-employment Benefits for the State Employee Plan, as defined in section 286-B, subsection 1.D., and established in section 286-B, subsection 2, paragraph 3 an amount equal to the investment earnings that otherwise would have been credited to the stabilization fund.

Sec. F-3. 5 MRSA §1535, sub-§3 as enacted by PL 2023, c.412, Part I, §7 is further amended to read:

This Part streamlines the accounting for the Land for Maine's Future Trust Fund.

PART N

Sec. N-1. 5 MRSA chapter 316-D is enacted to read:

§3360-V. Maine Mass Violence Care Fund

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Board" means the Victims' Compensation Board established in section 3360-A.

B. "Eligible expenses" means expenses and losses resulting from a personal injury sustained by a victim as a direct result of a mass violence event and may include medical and medically related expenses, psychological or mental health counseling expenses, lost wages, funeral, burial and other homicide-related expenses and travel expenses and loss of income of an individual who is killed in a mass violence event or a victim for providing or obtaining care for the personal injury of a minor or incapacitated victim. "Eligible expenses and losses" may include costs of eyeglasses, hearing aids, dentures or other prosthetic devices taken, lost, destroyed or damaged as a result of the mass violence event. "Eligible expenses" means expenses or losses actually and reasonably incurred.

C. "Family or household member" means:

(1) The parent, stepparent, sibling, grandparent, spouse, child or stepchild of a victim or a person who bears an equally significant relationship to the victim; or

(2) A person who at the time or discovery of the mass violence event was living in the household of the victim or who previously had lived in the household of the victim for a period of not less than 2 years.

D. "Fund" means the Maine Mass Violence Care Fund established in this section.

E. "Mass violence event" means an intentional violent crime that results in physical, emotional or psychological injury to a large number of individuals and that significantly increases the burdens on victim support and compensation systems in the jurisdiction in which the violent crime occurred.

F. "Victim" means:

(1) A family or household member of an individual who is killed in a mass violence event;

(2) An individual who is physically injured in a mass violence event; and

(3) An individual who is physically present at a mass violence event and who witnesses that mass violence event.

"Victim" does not include an individual who was engaged in criminal activity at the time of the mass violence event or a family or household member of that individual.

2. Fund established; purpose; source of funds. The Maine Mass Violence Care Fund is established within the Office of the Attorney General as an Other Special Revenue Funds account. The purpose of the fund is to provide a sustainable source of funds to provide coverage for physical and behavioral health care expenses related to a mass violence event that are not paid for by insurance or any other source. The fund is funded through appropriations or allocations and may receive private donations and federal and state funds designated by law for the payment of claims and administrative costs of the fund. Eligible investment earnings credited to the assets of the fund become part of the assets of the fund.

3. Administration and investment of fund. The fund is administered by the Treasurer of State in accordance with this subsection.

A. After consultation with the board, the Treasurer of State may hold, invest, reinvest and manage funds in the fund in a manner that fulfills the purpose of the fund as long as the investment and reinvestment of funds is in compliance with section 138 and the Maine Uniform Trust Code, including the Maine Uniform Prudent Investor Act.

B. All costs of administering the fund, including the necessary and proper expenses incurred by the board in administering the fund, must be paid from the fund.

C. The Treasurer of State, the Attorney General and the board may not encumber, invest, divest or disburse funds for any purpose not specifically included in this section.

4. Distributions from fund. The board shall make distributions from the fund in accordance with this subsection and rules establishing eligibility criteria adopted by the board.

A. Only gains, interest, dividends and other revenue earned on funds in the fund and any amounts gifted to the fund may be expended.

B. Payments from the fund may be made only for an eligible victim's eligible expenses.

C. Payments from the fund to a victim for eligible expenses may not be made sooner than 3 years after the applicable mass violence event.

D. Payments may not be made to satisfy a financial commitment for services or expenses that would otherwise have been paid from another public or private source, including, but not limited to, MaineCare, Medicaid or private insurance.

5. Rulemaking; restriction on distributions. The board shall adopt routine technical rules pursuant to chapter 375, subchapter 2-A establishing eligibility criteria for victims, mass violence events and those healthcare and other expenses that are eligible expenses. The board may not make any distributions from the fund until the board adopts these rules.

Sec. ?-2. Working group on Maine Mass Violence Care Fund. The Working Group to Determine Eligibility Standards for Expenditures from the Maine Mass Violence Care Fund, referred to in this section as "the working group," is established.

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Board" means the Victims' Compensation Board established in section 3360-A.

B. "Eligible expenses" means expenses and losses resulting from a personal injury sustained by a victim as a direct result of a mass violence event and may include medical and medically related expenses, psychological or mental health counseling expenses, lost wages, funeral, burial and other homicide-related expenses and travel expenses and loss of income of an individual who is killed in a mass violence event or a victim for providing or obtaining care for the personal injury of a minor or incapacitated victim. "Eligible expenses and losses" may include costs of eyeglasses, hearing aids, dentures or other prosthetic devices taken, lost, destroyed or damaged as a result of the mass violence event. "Eligible expenses" means expenses or losses actually and reasonably incurred.

C. "Family or household member" means:

(1) The parent, stepparent, sibling, grandparent, spouse, child or stepchild of a victim or a person who bears an equally significant relationship to the victim; or

(2) A person who at the time or discovery of the mass violence event was living in the household of the victim or who previously had lived in the household of the victim for a period of not less than 2 years.

D. "Fund" means the Maine Mass Violence Care Fund established in the Maine Revised Statutes, Title 5, section 3360-V.

E. "Mass violence event" means an intentional violent crime that results in physical, emotional or psychological injury to a large number of individuals and that significantly increases the burdens on victim support and compensation systems in the jurisdiction in which the violent crime occurred.

F. "Victim" means:

(1) A family or household member of an individual who is killed in a mass violence event;

(2) An individual who is physically injured in a mass violence event; and

(3) An individual who is physically present at a mass violence event and who witnesses that mass violence event.

"Victim" does not include an individual who was engaged in criminal activity at the time of the mass violence event or a family or household member of that individual.

2. Purpose of working group. The purpose of the working group is to identify specific options and eligibility criteria to help ensure that those individuals adversely affected by a mass violence event are provided some financial relief from physical and behavioral health care costs not paid for by insurance or some other source. Specifically, the working group shall consider and determine:

- A. Gaps in payments for physical and behavioral health care services for victims of mass violence events;
- B. Methods of investing the funds in the fund to ensure sustainable annual financial returns;
- C. Options for determining eligibility for distributions from the fund, including parameters for:
 - (1) Who is considered a victim of a mass violence event;
 - (2) Which health care costs are considered eligible expenses; and
 - (3) What constitutes a mass violence event; and
- D. Any other items the working group determines are necessary to carry out the goals of the fund.

3. Membership; chair; appointments. The working group consists of the following members:

- A. A member of the Senate, appointed by the President of the Senate;
- B. A member of the House of Representatives, appointed by the Speaker of the House;
- C. The Attorney General or the Attorney General's designee;
- D. The Commissioner of Health and Human Services or the commissioner's designee;
- E. The Treasurer of State or the Treasurer of State's designee; and
- F. The chair of the board or the chair's designee.

The member of the Senate and the member of the House of Representatives shall serve as co-chairs.

All appointments must be made within 30 days following the effective date of this Part.

4. Reports. The working group shall provide its recommendations for eligibility requirements and rules to the board no later than December 3, 2024.

The working group shall report to the Joint Standing Committee on Judiciary with its findings and recommendations and any suggested legislation no later than December 2, 2024. The joint standing committee of the Legislature having jurisdiction over judiciary matters may report out a bill related to the report to the 132nd Legislature in 2025.

Sec. N-3. Appropriation and allocation. The following appropriations and allocations are made.

ATTORNEY GENERAL, DEPARTMENT OF

Maine Mass Violence Care Fund

Initiative: Provides funding to establish the Maine Mass Violence Care Fund to provide financial support to victims and their families and household members of a mass violence event.

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
All Other	<u>\$0</u>	<u>\$500</u>
OTHER SPECIAL REVENUE FUNDS	\$0	\$500

Sec. N-4. Transfer from General Fund unappropriated surplus; Maine Mass Violence Care Fund. Notwithstanding any provision of law to the contrary, on or before June 30, 2025, the State Controller shall transfer \$5,000,000 from the unappropriated surplus of the General Fund to the Department of the Attorney General, Maine Mass Violence Care Fund, Other Special Revenue Funds account to provide financial support to victims and their families and household members of a mass violence event.

**PART N
SUMMARY**

This Part creates the Maine Mass Violence Care Fund to provide financial support to victims of mass violence events and their families and household members. The financial support is for out-of-pocket costs for physical and behavioral health care not otherwise paid for by insurance or some other source. The Treasurer of State is directed to administer the fund in a manner consistent with investment standards established in the Maine Uniform Trust Code.

The fund is funded by an initial transfer of \$5,000,000 from the General Fund unappropriated surplus. Disbursements from the fund are made by the Victims' Compensation Board in the Department of the Attorney General but may only be from the earnings on the fund or from donations to the fund.

This Part creates a working group to develop eligibility standards with regard to distributions from the fund to be implemented by the Victim's Compensation Board.

PART O

Sec. O-1. Transfer from General Fund unappropriated surplus; Administration - Corrections. Notwithstanding any provision of law to the contrary, on or before June 30, 2025, the State Controller shall transfer \$4,800,000 from the unappropriated surplus of the General Fund to the Department of Corrections, Administration-Corrections, Other Special Revenue Funds account for one-time implementation costs of the Offender Management System.

PART O SUMMARY

This Part requires the transfer of \$4,800,000 in fiscal year 2024-25 from the unappropriated surplus of the General Fund to the Department of Corrections, Administration-Corrections, Other Special Revenue Funds account for the purpose of supporting the one-time implementation costs of the Offender Management System.

PART P

Sec. P-1. Carrying provision; Department of Corrections, Department of Corrections. Notwithstanding any provision of law to the contrary, at the end of fiscal year 2023-24, the State Controller shall carry forward up to \$900,000 appropriated for the subscription costs for the Offender Management System to fiscal year 2024-25 in the Department of Corrections program, General Fund account, All Other line category.

PART P SUMMARY

This part authorizes the Department of Corrections, Department of Corrections program to carry up to \$900,000 for the subscription costs for the Offender Management System.

PART Q

Sec. Q-1. 37-B MRSA §745, sub-§4, as amended by PL 2009, c. 252, §4, is further amended to read:

4. Fund balance. The fund's balance may not exceed ~~\$15,000,000~~ \$3,000,000, except by order of the Governor. In the absence of such an order, any amount, including interest, that accrues in excess of ~~\$15,000,000~~ \$3,000,000 must be transferred by the State Controller to the Maine Budget Stabilization Fund, established in Title 5, section 1532. ~~Beginning July 1, 2010, the fund's maximum allowable balance must be adjusted annually on July 1st by any percentage change in the Consumer Price Index from January 1st to December 31st of the previous year, but only to a maximum increase of 2%.~~

Sec. Q-2. Transfer from the General Fund unappropriated surplus; Disaster Recovery Fund. Notwithstanding any provision of law to the contrary, on or before June 30, 2025 the State controller shall transfer \$15,000,000 from the unappropriated surplus of the General Fund to the Disaster Recovery Fund, Other Special Revenue Funds account within the Department of Defense, Veterans and Emergency Management to fund the State’s share of estimated disaster recovery costs.

PART Q
SUMMARY

This Part amends the maximum amount of funding that may be held in the Disaster Recovery Fund, Other Special Revenue Fund account in the Department of Defense, Veterans and Emergency Management to address the existing obligations of the fund and plan for the increasing frequency of disaster declarations. This Part also removes the CPI factor from the statute. This Part also transfers \$15,000,000 from the unappropriated surplus of the General Fund to the Disaster Recovery Fund, Other Special Revenue Funds account within the Department of Defense, Veterans and Emergency Management to fund the State’s share of estimated disaster recovery costs.

PART R

Sec. R-1. Carrying provision; Department of Defense, Veterans and Emergency Management. Notwithstanding any provision of law to the contrary, the State Controller shall carry forward any unexpended balance of the \$400,000 provided under Public Law 2021, chapter 398, in the Department of Defense, Veterans and Emergency Management, Administration - Defense, Veterans and Emergency Management program, General Fund account, All Other line category at the end of fiscal year 2023-24 to fiscal year 2024-25 to continue the environmental closure activities at the former Maine Military Authority site in Limestone.

PART R
SUMMARY

This Part continues one-time funding for environmental closure activity costs at the former Maine Military Authority site in Limestone. Two sequential contracts are required to first, conduct a full background investigation and sampling plan and second, use the results of the first contract to develop remedial actions plans. Given the environmental and weather conditions of Northern Maine, the investigation and sampling plan will not be complete until late spring. As the second contract “Statement of Work” is reliant on the results of the investigation and sampling, there will not be enough time left in fiscal year 2023-24 to complete and award this portion of closure activity. Therefore, a portion of the \$400,000 provided under PL 2021, chapter 398 will be needed in fiscal year 2024-25.

agency and the Department of Education as the receiving agency may not exceed ~~24 months nor~~ ~~may any educator be assigned under such an interchange program for more than 24 months during~~ ~~any 36 month period~~ 36 months. For the purposes of this section, "educator" means a teacher, principal or other education professional employed by a school administrative unit.

PART U SUMMARY

This Part changes the maximum period of assignment of an educator under an interchange program from 24 months to 36 months.

PART V

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PART V SUMMARY

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PART W

Sec. W-1. 20-A MRSA §7001 as amended by PL 2023, c.405 is further amended to read:

§7001. Definitions

As used in this subpart, unless the context otherwise indicates, the following terms have the following meanings:

1. Agency. "Agency" means ~~an~~ a public, quasi-governmental, or private agency, school, organization, facility or institution.

1-A. Child Development Services System. "Child Development Services System" means the state intermediate educational unit under section 7209, subsection 3, ~~and any regional sites it chooses to establish regional sites and maintain~~, to ensure the provision of child find activities, early intervention services and, where designated by the commissioner, free, appropriate public education services to eligible children. As school administrative units begin to assume responsibility for ensuring a free appropriate public education for students under IDEA Part B Section 619, Child Development Services sites shall serve as regional service hubs, providing supports and resources to the local schools as determined by memoranda of understanding between department of education and the SAU.

1-A2. CDS Regional site. CDS is organize into 9 regional sites across the state. By April, 2024, these sites will be aligned with SAUs through the 9 Superintendent Regions.

1-A3. CDS Regional Service Hub. After responsibility for ensuring a free appropriate public education transitions to the School Administrative Units, CDS will support schools in serving children in each region through regional service hubs as determined by an MOU.

1-B. Child with a disability. "Child with a disability" means:

A. For children from birth to under 3 years of age:

(1) A child who needs early intervention services because the child has a significant developmental delay, as measured by both diagnostically appropriate instruments and procedures, in one or more of the following areas: cognitive development; physical development, including vision and hearing; communication development; social or emotional development; and adaptive development; or

(2) A child with a diagnosed physical or mental condition that has a high probability of resulting in a developmental delay, with the condition being such that the child needs early intervention services; or

B. For children at least 3 years of age and under 22 years of age evaluated in accordance with the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1414, subsections (a) to (c) as measured by both standardized, norm-referenced diagnostic instruments and appropriate procedures with delays or impairments such that the children need special education:

(1) A child at least 3 years of age and under 6 years of age with a significant developmental delay, at the discretion of the intermediate educational unit or school administrative unit, as defined in rules adopted by the department, in one or more of the following areas: cognitive development; physical development, including vision and hearing; communication development; social or emotional development; adaptive development; or

(2) A child with at least one of the following:

- (a) Intellectual disability;
- (b) Deafness, including hearing loss;
- (c) Speech or language impairment;
- (d) Visual impairment, including blindness;
- (e) Emotional disability;
- (f) Orthopedic impairment;
- (g) Autism;
- (h) Traumatic brain injury;

- (i) Other health impairment;
- (j) Specific learning disabilities;
- (k) Deaf-blindness; and
- (l) Multiple disabilities.

1-C. Early intervention services. "Early intervention services" means developmental services that are provided under public supervision; are provided at no cost except where federal or state law provides for a system of payments by families, including a schedule of sliding fees; are designed to meet the developmental needs of a child with a disability, as identified by the individualized family service plan team, in one or more areas including physical development, cognitive development, communication development, social or emotional development and adaptive development; meet the standards of the State; are provided by qualified personnel; to the maximum extent appropriate, are provided in natural environments, including the home, and community settings in which children without disabilities participate; and are provided in conformity with an individualized family service plan.

1-D. Child eligible under IDEA Part B Section 619. "Child eligible under IDEA Part B Section 619" means a pre-K student who is 3, 4, or 5 years of age and requires special education and related services in order to access a free, appropriate, public, education in a pre-k classroom.

2. Exceptional student.

2-A. Free, appropriate public education. "Free, appropriate public education" means special education and related services that are provided at public expense, under public supervision and direction and without charge; meet the standards of the department; include an appropriate preschool, elementary school or secondary school education in the State; and are provided in conformity with the individualized family service plan or individualized education program. The Child Development Services System shall provide free, appropriate public education to a preschool child with disabilities who reaches 5 years of age between July 1st and October 15th if that child is already receiving free, appropriate public education through the Child Development Services System and the child's individualized education program team determines, in accordance with rules adopted by the commissioner, that it is in the best interest of the child not to enroll that child in kindergarten until the start of the following school year.

2-B. Intermediate educational unit. "Intermediate educational unit" means an entity that meets the definition of intermediate educational unit in the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1402, (23) as in effect prior to June 4, 1997 and that is a public authority, other than a local educational agency, under the general supervision of the department, that is established for the purpose of providing free public education on a regional basis and that provides special education and related services to children with disabilities within the State. An intermediate educational unit is considered a local educational agency under federal law. In this State, a local educational agency is a school administrative unit. For purposes of this chapter all references to school administrative units include intermediate educational units.

2-C. Individualized education program team. "Individualized education program team" means the group of individuals composed in accordance with Part B of the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1414(d)(1)(B) to determine the individualized education program for a child with a disability.

2-D. Individualized family services plan. "Individualized family services plan" means the plan to provide early intervention services in accordance with Part C to an infant or toddler with a disability or to the infant's or toddler's family in the natural setting (home, childcare, or other community setting).

3-A. Part B, Section 619. "Part B, Section 619" means Part B, section 619 of the federal Individuals with Disabilities Education Act (IDEA), 20 United States Code, Section 1400 et seq., which is a federal grant program intended to help states ensure that pre-k students with disabilities receive free appropriate special education and related services in the least restrictive environment.

3-B. Part C. "Part C" means Part C of the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1400 et seq., which describes early intervention programs and services, provided in the natural setting, for infants and toddlers with disabilities.

3-C. Extended Part C Option. "Extended part C option" allows families to continue early intervention programming through an Individual Family Service Plan after a child's 3rd birthday. Children in Part C early intervention programs are evaluated when they turn 3 years of age and, if they continue to qualify, they either enroll in a pre-K classroom to receive services through an IEP or they may remain in the "natural setting" (at home, at a childcare setting, or at another community based program) and continue to receive early intervention services under the extended Part C option. This option will be available in Maine beginning in March, 2024.

4-B. Related services. "Related services" means special education transportation and such developmental, corrective and other related services, as defined by the commissioner, as are required to assist children with disabilities to benefit from their special education programs.

5. Special education. "Special education" means specially designed instruction, at no cost to parents, to meet the unique needs of children with disabilities, as defined by the commissioner, including:

A. Instruction conducted in the classroom, in the home, in hospitals and institutions and in other settings; and

B. Instruction in physical education.

6. Special education facility. "Special education facility" means a public or private school, or portion of a public or private school, intended for use in meeting the educational and related needs of children with disabilities.

6-A. State intermediate educational unit. "State intermediate educational unit" or "SIEU" means the state intermediate educational unit, Child Development Services, established in section 7104.

7. State licensed agency. "State licensed agency" means an institution or facility licensed by the State to provide education, emotional or mental health services, alcohol or drug rehabilitation, boarding care or other child care services to a person between the ages of 5 and 20 years. It includes:

- A. Facilities under Title 22, chapter 1661; and
- B. Community mental health services under Title 34-B, chapter 3, subchapter 3
- C.
- D.

8. Children's residential care facility. "Children's residential care facility" is a facility defined in Title 22, section 8101, subsection 4.

9. Special education program. A "special education program" is a full-time or part-time educational program designed to provide an equal educational opportunity to children with disabilities through the delivery of special education services by qualified individuals.

10. Special education services. "Special education services" are educational services provided by qualified individuals as defined by the commissioner. Special education services must be provided by qualified individuals employed or contracted by the school administrative unit.

Sec. W-2. 20-A MRSA §7006 as enacted by PL 2005, c. 662 §A20 is amended to read:

§7006. Responsibility

The Department of Education is designated as the state education agency responsible for carrying out the State's obligations under the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1400 et seq., as amended. ~~The department and every school administrative unit, intermediate educational unit, public school or other public agency that receives federal or state funds to provide early intervention or free, appropriate public education services to children with disabilities shall comply with the federal Individuals with Disabilities Education Act, as amended, and all federal regulations adopted under the Act. The commissioner shall designate responsibility for ensuring child find early intervention under IDEA Part C for children from birth until 3 years of age, or until the start of the school year in which the child is 4 years of age, if extended part C option is selected by the family, to the intermediate educational unit, Child Development Services. The commissioner shall designate responsibility for ensuring child find and a free appropriate public education under IDEA Part B Section 619 to Child Development Services or to the school administrative units where children reside. Where the school administrative unit is responsible for ensuring child find and a free appropriate public education, the Child Development Services site in that region shall transition to serve as a regional service hub to make necessary services and supports available in accordance with a memorandum of understanding that shall be developed by the Department of Education and the SAU before the transition of responsibility occurs.~~

Every school administrative unit, intermediate educational unit, public school or other agency that receives federal or state funds to provide early intervention or free, appropriate public education services to children with disabilities shall comply with the federal Individuals with Disabilities Education Act, as amended, and all federal regulations adopted under the Act.

Sec. W-3. 20-A MRSA §7209, sub-§3 as amended by PL 2011 c.655, Part OO, §4 is further amended to read:

3. State intermediate educational unit establishment; administrative functions. The commissioner shall establish and supervise the state intermediate educational unit. The state intermediate educational unit is established as a body corporate and politic and as a public instrumentality of the State for the purpose of conducting child find activities as provided in 20 United States Code, Section 1412 (a) (3) for children from birth to under 6 years of age, ensuring the provision of early intervention services for eligible children from birth to under 3 years of age and for eligible children until the start of the school year when they are 4 years of age, if extended Part C option is selected by the family. ~~and ensuring~~ The state intermediate educational unit shall also ensure ~~ensuring~~ a free, appropriate public education for eligible children at least 3 years of age and under 6 years of age, where designated the responsible agency by the commissioner. The state intermediate educational unit shall perform the following statewide coordination and administration functions:

Sec. W-4. 20-A MRSA §7209, sub-§3-A as amended by PL 2017 c.284, Part AAAAAA, §§1 is further amended to read:

3-A. State intermediate educational unit; program functions. The state intermediate educational unit established pursuant to subsection 3, through a network of regional sites as ~~appropriate~~ where designated by the commissioner, shall:

A. Engage in child find activities as required by the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1400 et seq.;

B. Engage in child count activities as required by the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1400 et seq.;

C. Engage in appropriate data collection, training, staff development and direct service provision to eligible children with disabilities, from birth to under 3 years of age, or until the start of the school year when a child is 4 years of age, if extended Part C option is selected by the family, in accordance with Part C of the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1400 et seq.;

D. Ensure that eligible children with disabilities, from birth to under 3 years of age, receive early intervention services, in accordance with the payment provisions established by the State;

E. Where designated by the commissioner, ensure ~~Ensure~~ that eligible children with disabilities, from 3 years of age to under 6 years of age, receive free, appropriate public

education services and where a local SAU has assumed responsibility for FAPE, provide services to support schools in carrying out this responsibility in accordance with an MOU;

F. Coordinate with eligible families the development of individualized family service plans for children with disabilities from birth to 2 years of age, or until the start of the school year when the child is 4 years of age, if extended Part C option is selected, or, where designated by the commissioner, coordinate an individualized education program for a child 3 years of age to under 6 years of age;

G. Ensure that children from birth until 6 years of age who are referred to the Child Development Services System also receive appropriate referrals for support outside of the system, including appropriate public and private programmatic resources, regardless of a child's eligibility for early intervention or free, appropriate public education; and

H. Engage in appropriate training and staff development for identification of and to provide intervention services for children with autism.

Sec. W-5. 20-A MRSA §7209, sub-§4-A, ¶A-2 is enacted to read:

A-2. To aid in the transition of responsibility under IDEA Part B Section 619 for ensuring child find and a free appropriate public education from CDS to SAUs and to coordinate services to be provided through memoranda of understanding to support schools in carrying out Part B Section 619 responsibilities.

Sec. W-5. 20-A MRSA §7209, sub-§9 is enacted to read:

9. Transition of responsibility for ensuring a free appropriate public education for children eligible under IDEA Part B Section 619 from CDS to school administrative units. Notwithstanding any provision of this section to the contrary, beginning July 1, 2028, all school administrative units shall be designated as responsible for child find and for ensuring a free, appropriate public education for children eligible under IDEA Part B Section 619.

A. Transition schedule and supports.

1) Beginning July 1, 2024, SAUs may be approved to pilot the assumption of responsibility for FAPE. Community readiness assessments, professional learning in working with young children and their families, and technical support will be provided by the department throughout the planning and implementation of the pilot year. Funding will be provided on a quarterly basis, in accordance with Section 10. A memorandum of understanding will be created between the department and each SAU to determine the services to be provided by the regional CDS service hub and will be reviewed and updated in response to unanticipated needs each month. Funding and programing will be monitored regularly by the department, led by a contracted national expert and recommended augmentations or changes will be considered as part of the pilot year activities. A midyear report and any recommended changes will be provided to the ECA in January.

2) During the 2026 and 2027 school years, additional SAUs will be approved as holding responsibility for Part B Section 619 implementation. Readiness assessments,

training, and technical support will be provided by the department, led by a contracted national expert, throughout the pilot year and throughout the transition period.

3) Those SAUs requiring additional time and support in regions where related services and staffing are not available to support this transition will be provided with necessary resources and an additional year and may qualify for a modified plan for managing Part B Section 619 students.

B. Service provision. A school administrative unit may directly provide services or may contract with public or private providers and a school administrative unit may also access their CDS regional site to provide certain services as delineated in an MOU as defined in section 7001, subsection 1-A to provide services.

Sec. W-7. 20-A MRSA §7209, sub-§10 is enacted to read:

10. Funding.

A. Funding for school administrative units who assume responsibility for FAPE for children with IEPs under IDEA Part B Section 619 shall be calculated on a per pupil basis in the same manner by which operating allocations are generated in Title 20-A Chapter 606B subsections 15674 and 15675. Department of Education shall ensure that operating allocations for all eligible students under Part B Section 619 are paid at 100% state share for an SAU that assumes responsibility under Part B Section 619. These funds will be appropriated to DOE outside of GPA and will not flow through the distribution formula.

B. An allocation for special education and related services shall also be provided outside of the EPS formula and calculated at the per pupil operating allocation as described in this section, multiplied by 1.5, for each eligible resident student. Special Education and Related Services funding shall be paid at 100% state share at the start of each quarter, based on estimated student count on July 1 and adjusted to reflect actual counts on October 1, with additional adjustments in subsequent quarters.

C. A separate allocation must be determined for high-cost in-district, regional program, and out-of-district special education placements for Part B Section 619 students in accordance with this paragraph.

(1) For high cost in-district students, additional funds must be allocated for each student estimated to cost 4 times the average EPS per-pupil rate for Pre-K students. The additional funds must equal the amount by which that student's estimated costs exceed 3 times the statewide pre-k per-pupil rate.

2) For private school placements, additional funds must be allocated for each student estimated to cost 4 times the statewide special education EPS per-pupil rate. The additional funds for each student must equal the amount by which that student's estimated costs exceed 4 times the statewide special education EPS per-pupil rate.

(3) For public school out of district placements, additional funds must be allocated for each student estimated to cost 3 times the statewide special education EPS per-pupil

rate. The additional funds for each student must equal the amount by which that student's estimated costs exceed 3 times the statewide special education EPS pre-K per-pupil rate.

(4) For public regional special education program placements, additional funds must be allocated for each student estimated to cost 2 times the statewide special education EPS per-pupil rate. The additional funds for each student must equal the amount by which that student's estimated costs exceed the statewide average Pre-K per pupil rate.

Sec. W-8. 20-A MRSA §7303. Preschool Special Education is enacted to read:

§7303. Preschool Special Education

1. Fund established. The Preschool Special Education Fund, referred to in this chapter as “the fund,” is established as a nonlapsing fund within the department to provide funding for special education and related services for children aged 3 through 5. The department shall distribute funds through a quarterly allocation.

2. Eligibility requirements. Beginning in fiscal year 2024-25, school administrative units may voluntarily assume responsibility for the free, appropriate public education of children aged 3 through 5 who are eligible for services under the Individuals with Disabilities Education Act Part B-619.

3. Purposes. Allocations from the fund may be made to participating school administrative units for the provision of special education and related services as outlined in each child’s individualized education program for preschool children aged 3 through 5 who are eligible under IDEA Part B Section 619. In school year 2024-2025 only, funds may also be used for general education costs through a per pupil allocation using the pupil count for public preschool students with an active Individualized Education Program under section 15674, subsection 4.

**PART W
SUMMARY**

This bill reorganizes oversight and updates practices for serving infants, toddlers and children with disabilities from birth to 6 years of age. The bill:

1. Requires organizational improvements within the state intermediate education agency, Child Development Services, including data and financial systems improvements, expansion of eligibility for Part C early intervention services, and allows for extended Part C option to continue IFSPs until the start of the school year when the child is 4 years of age, if the family chooses this.

2. Provides that, beginning July 2029, all school administrative units are responsible for child find and ensuring a free, appropriate public education for resident children eligible under IDEA Part B Section 619, whether or not the school administrative units operate public preschool programs, and requires the Department of Education to implement a funding formula

to provide funds for school administrative units when they assume responsibility for the Section 619 children.

3. Reorganizes the resources and staffing in CDS Part B to support the work of schools through regional service hubs.

4. Establishes the Preschool Special Education Fund and authorizes the distribution of funds to school administrative units who have voluntarily assumed the free, appropriate public education for the costs of special education and related services for children aged 3 through 5.

PART X

Sec. X-1. Rename Facilities, Safety and Transportation program. Notwithstanding any provision of law to the contrary, the Facilities, Safety and Transportation program within the Department of Education is renamed the School Facilities program.

PART X SUMMARY

This Part changes the name of the Facilities, Safety and Transportation program to the School Facilities program.

PART Y

Sec. Y-1. 20-A MRSA §5205, sub-§11 as enacted by PL 2015, c. 363, §3 is repealed.

Sec. Y-2. 20-A MRSA Chapter 312-A as amended by PL 2021, c. 565, §1 is repealed.

Sec. Y-3. 20-A MRSA §15689-A, sub-§26 as amended by PL 2015, c. 1, §15 is repealed.

PART Y SUMMARY

This Part removes the Maine School for Marine Science, Technology, Transportation and Engineering from statute, from payments of targeted education and from the general residency rules for the calculation of state subsidy. The school closed as of December 31, 2022.

PART Z

Sec. Z-1. 20-A MRSA §13025, sub-§7 is enacted to read:

7. Certification hearing officers; immunity. The Commissioner of Education shall appoint a hearing officer for investigations. For the purposes of this section, while carrying out their official

PART BB

Sec. BB-1. 20-A MRSA §10017 is enacted to read:

§10017. Higher Education Administrative Fund

The Higher Education Administrative Fund, referred to in this section as “the fund,” is established within the department as a nonlapsing fund to be used by the commissioner to receive state participation fees from institutions of higher education for applications for membership or membership renewal in the State Authorization Reciprocity Agreement (SARA) and to utilize these funds to support the Department’s facilitation of SARA as the state portal entity for Maine and for other Department costs associated with the administration of higher education in the state. Funds deposited in the fund must be used for the purposes specified in this section.

**PART BB
SUMMARY**

This Part establishes the Higher Education Administrative Fund as a nonlapsing fund to accept State Authorization Reciprocity Agreements state participation fees and expend the funds to support the facilitation of SARA.

PART CC

Sec. CC-1. Transfer from General Fund unappropriated surplus; Child Development Services program. Notwithstanding any provision of law to the contrary, on or before June 30, 2025, the State Controller shall transfer \$11,000,000 from the unappropriated surplus of the General Fund to the Department of Education, Child Development Services Program, Other Special Revenue Funds account to fund the daily rate.

**PART CC
SUMMARY**

This Part transfers \$11,000,000 from the unappropriated surplus of the General Fund to the Department of Education, Child Development Services Program, Other Special Revenue Funds account to fund the payment of a daily rate.

PART DD

Sec. DD-1. 5 MRSA c.310-B is enacted to read:

CHAPTER 310-B

MAINE OFFICE OF COMMUNITY AFFAIRS

§1. Definitions

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

1. Director. "Director" means the Director of the Maine Office of Community Affairs established by section 2.

2. Office. "Office" means the Maine Office of Community Affairs established by section 2.

§2. Office established; purpose

The Maine Office of Community Affairs (MOCA) is established as an agency in the Executive Branch to foster communications and partnerships between the State and communities in Maine. The Office will engage with towns, cities, Tribal governments, and regional entities to provide coordinated and efficient planning, technical assistance, and financial support to better plan for challenges, pursue solutions, and create stronger, more resilient Maine communities.

The Maine Office of Community Affairs is established to support and partner with Maine communities and regional councils; by providing:

1. Assistance; data; planning, and funding. Providing technical assistance and funding related to planning to regional councils, municipalities and Tribal Governments that supports a sustainable future for the State's people, communities, natural resources, physical infrastructure, industries, businesses and institutions;

2. Coordination and Communication. Facilitating general coordination and communications between municipalities, regional councils, and state government;

§3. Director

The Director of the Maine Office of Community Affairs (MOCA) is appointed by the Governor and serves at the pleasure of the Governor. The Director should have demonstrated experience and leadership in municipal or regional government and should bring expertise in planning, technical assistance and/or grants programs for communities.

§4. Powers and duties

The director shall exercise the powers of the office and is responsible for the execution of the duties of the office.

1. Duties of the director. The director shall:

A. Appoint and remove the staff of the office and prescribe the duties of the staff as necessary to implement the duties of the office, including:

(1) Hiring professional personnel competent by education, training and experience in the fields of planning and development, local and regional government, climate science and resilience, housing, building codes, and general policy making; and

- (2) Employing office assistance as necessary to support the work of the office;
- B. Supervise and administer the affairs of the office and advise the Governor and other officials of State Government on matters of communications and partnerships between the State and communities and regional councils in Maine;
- C. At the request of the Governor, act for the State in the initiation of or participation in any multi-governmental agency program related to the purposes of the office;
- D. At the request of the Governor, prepare and submit a budget for the office; and
- E. At the request of the Governor, report on the activities of the office and, after consultation with and approval by the Governor, submit such recommendations for legislative action as are determined necessary to further the purposes of this chapter.

2. Duties of the office. Under the supervision of the director, the office shall:

- A. Provide technical assistance and resources to municipalities, regional councils, and Tribal Governments on issues related to planning, resilience, and development;
- B. Collect and collate data and statistics relating to these matters and provide them to municipalities and Tribal Governments;
- C. Assist municipalities and Tribal Governments, as well as the state, in applying for, using and leveraging federal funding resources on issues of importance to communities and the State;
- D. Make grants from money appropriated to the program by the Legislature and any funds received by the office for the purposes of the program, including federal funding or private funds; and solicit applications for grants and make grant awards to eligible communities and to service provider organizations as determined by the office, including establishing eligibility requirements and other criteria to consider in awarding grants;
- E. Administer contracts with the state's Regional Councils and Economic Development Districts to provide technical assistance and resources to municipalities and Tribal Governments on issues related to planning, resilience, and development, including but not limited to land-use planning, planning for housing and other residential development, climate resilience planning and related infrastructure planning, building codes, and other forms of local development assistance to support state, regional, and local goals; and,
- F. Consult with and provide ongoing coordination with state agencies on programs and issues related to planning technical assistance and funding to communities in Maine, including but not limited to the Department of Transportation, Department of Environmental Protection, Department of Marine Resources, Department of Inland Fisheries and Wildlife, Department of Agriculture, Conservation and Forestry, Department of Economic and Community Development, Department of Health and Human Services, Maine Emergency Management Agency, Department of Public Safety, Maine Housing

Authority, Governor's Energy Office, Efficiency Maine Trust, the Maine Historic Preservation Commission, and the Maine Redevelopment Land Bank Authority.

§5. Acceptance and administration of funds

The office may accept, administer and expend funds, including but not limited to funds from the Federal Government or from private sources, for purposes consistent with this chapter. The director shall provide a report of the amount of any outside funding received from private sources and its designated purpose to the Governor and the joint standing committee of the Legislature with jurisdiction over municipal issues on an annual basis.

§6. Contracts; agreements

The office may employ expert and professional consultants, contract for services as the director determines necessary, within the limits of the funds provided and consistent with the powers and duties of the office, and enter into agreements with the Federal Government and other agencies and organizations as will promote the objectives of this chapter.

Sec. DD-2. 2 MRSA §6 sub-§3 as amended by PL 2019, c. 343 Part D is further amended to read:

3. Range 89. The salaries of the following state officials and employees are within salary range 89:

Director, Bureau of General Services;

Director, Bureau of Alcoholic Beverages and Lottery Operations;

State Budget Officer;

State Controller;

Director, Bureau of Forestry;

Director, Governor's Office of Policy Innovation and the Future;

Director, Energy Resources Office;

Director of Human Resources;

Director, Bureau of Parks and Lands;

Director of the Governor's Office of Communications;

Director, Bureau of Agriculture, Food and Rural Resources; ~~and~~

Director, Bureau of Resource Information and Land Use Planning; and

Director, Maine Office of Community Affairs.

PART DD

SUMMARY

This Part creates the Maine Office of Community Affairs and establishes a Director for the Office. The Maine Office of Community Affairs will foster communication and partnerships between the State and communities in Maine. The Office will engage with towns, cities, Tribal Governments, and regional entities to provide coordinated and efficient planning, technical assistance, and financial support to better plan for challenges, pursue solutions, and create stronger, more resilient Maine communities. A future reorganization of certain existing programs from the Department of Agriculture, Conservation and Forestry, the Department of Marine Resources, the Department of Economic and Community Development, and the Department of Public Safety under one umbrella will assist municipalities and Tribal Governments throughout the state to more easily access technical assistance and resources related to planning and development, as well as increasing community resilience.

PART EE

Sec. EE-1. Transfer from General Fund unappropriated surplus; GOPIF - Community Resilience Partnership. Notwithstanding any provision of law to the contrary, on or before June 30, 2025, the State Controller shall transfer \$5,000,000 from the unappropriated surplus of the General Fund to the Executive Department, GOPIF - Community Resilience Partnership, Other Special Revenue Funds account for the purpose of supporting grants and technical assistance to Maine municipalities and tribes for climate planning and actions, including adaptation and resilience projects, as well as emissions reduction initiatives including clean energy and energy efficiency projects. These funds may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor.

PART EE SUMMARY

This Part requires the transfer of \$5,000,000 in fiscal year 2024-25 from the unappropriated surplus of the General Fund to Executive Department, GOPIF - Community Resilience Partnership, Other Special Revenue Funds account for the purpose of supporting grants and technical assistance to Maine municipalities and tribes for climate planning and actions, including adaptation and resilience projects, as well as emissions reduction initiatives including clean energy and energy efficiency projects.

PART FF

Sec. FF-1. 5 MRS §3110 is enacted to read:

§3110. Office of New Americans

1. Establishment; purpose; administration. The Office of New Americans is established within the Office of Policy Innovation and the Future for the purpose of improving the economic and civic integration of immigrants into the State's workforce and communities to strengthen the economy over the long term. The Office of Policy Innovation and the Future shall administer the Office of New Americans.

2. Director; duties. The director of the Office of New Americans shall manage the following activities within the Office of New Americans::

A. Hiring professional personnel competent by education, training and experience to carry out the work of the Office of New Americans;

B. Supervising and administering the affairs of the Office of New Americans;

C. Determining the necessary budget for the Office of New Americans; and

D. Reporting on the activities of the Office of New Americans.

3. Duties of the Office of New Americans. Under the supervision of the director of the Office of Policy Innovation and the Future and the director of the Office of New Americans, and with guidance from the Office of New Americans Advisory Council established in section 3111, the Office of New Americans shall identify and address needs, barriers and opportunities in order to support the long-term economic and civic integration of immigrants in the State by:

A. Collecting and analyzing relevant data;

B. Coordinating with all relevant local, state and federal government agencies;

C. Serving as the State's primary liaison with all relevant external stakeholders; and

D. Undertaking and promoting activities that improve the economic and civic integration of immigrants into the State's workforce and communities.

4. Activities. The Office of New Americans shall undertake and promote activities that improve the economic and civic integration of immigrants into the State's workforce and communities. Activities may include, but are not limited to:

A. Strengthening workforce opportunities by providing guidance and promoting improved pathways for professional accreditation and licensure, supporting enhanced career pathways and engaging with businesses to increase employment, retention and advancement of immigrant employees;

B. Expanding, improving and increasing access to English language learning programs;

C. Strengthening financial literacy programs, financial education and entrepreneurship supports to assist individuals, immigrant entrepreneurs and small business owners;

D. Supporting the expansion of access to legal services and protections;

E. Partnering with and supporting municipalities, school administrative units, educational institutions, community-based organizations and businesses providing assistance or opportunities to immigrants;

F. Participating in the nationwide Office of New Americans State Network, or its successor network, to access information and best practices from other states;

G. Collaborating with and providing guidance to agencies of State Government and the entity designated by the Federal Government to administer the State's refugee resettlement services in developing and executing policies that support the purpose of the Office of New Americans;

H. Coordinating with and advising federal agencies and the State's congressional delegation on federal policies that support the purpose of the Office of New Americans;

I. Advising the Governor and Legislature regarding any statutory, regulatory or other policies or practices that may be addressed to better support the purpose of the Office of New Americans; and

J. Promoting greater understanding of the history of immigration in the State, the contributions and influence of immigrants in the State and how communities may support immigrants' integration into local civic and economic life.

5. Rulemaking. The Office of New Americans may adopt rules as necessary for the proper administration of this section and section 3111 pursuant to the Maine Administrative Procedure Act. Unless otherwise specified, rules adopted pursuant to this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.

6. Report. Beginning February 1, 2026, the Office of New Americans shall report biennially to the Governor and to the joint standing committee of the Legislature having jurisdiction over relevant matters with information and recommendations relating to the work and needs of the Office of New Americans.

Sec. FF-2. 5 MRS §3111 is enacted to read:

§3111. Office of New Americans Advisory Council

The Office of New Americans Advisory Council, as established in section 12004-I, subsection 6-K, is created as an advisory council to the Office of New Americans established in section 3110 on matters affecting the long-term economic and civic integration of immigrants in the State.

1. Duties of advisory council. The advisory council shall advise the Office of New Americans on matters affecting the long-term economic and civic integration of immigrants in the State.

2. Membership. The advisory council consists of 19 members as follows:

A. At least 10 members who are immigrants, 8 appointed by the Governor, one appointed by the President of the Senate and one appointed by the Speaker of the House;

B. Two members of the Senate from the 2 parties holding the largest number of seats in the Legislature, appointed by the President of the Senate;

C. Two members of the House of Representatives from the 2 parties holding the largest number of seats in the Legislature, appointed by the Speaker of the House

D. Three members appointed by the President of the Senate representing the following:

(1) A school administrative unit;

(2) An adult education program; and

(3) A small business;

E. Three members appointed by the Speaker of the House representing the following:

(1) An organization providing refugee resettlement services;

(2) A provider of legal assistance to immigrants; and

(3) A municipality; and

F. Four members appointed by the Governor representing the following:

(1) A large business;

(2) A business or organization with demonstrated expertise in of-housing assistance or housing production;

(3) An organization with demonstrated expertise in workforce development; and

(4) An employer with demonstrated experience providing immigrant apprenticeship opportunities, support and training programs.

In making appointments of members to the advisory council, the appointing authorities shall make a good faith effort to ensure that the members of the advisory council reflect geographic, gender, ethnic and racial diversity.

3. Terms of office; removal. Members of the advisory council serve 3-year terms and may be reappointed. A vacancy for an unexpired term must be filled in accordance with subsection 2. A member may serve until a replacement is appointed. The Governor may terminate the membership of any appointee for good cause. The reason for the termination must be communicated in writing to a member whose membership is terminated. The membership of any member of the advisory council must be terminated if the member is absent from 3 consecutive meetings without communicating good cause to a chair of the advisory council.

4. Cochairs. The Governor shall appoint 2 cochairs from among the members appointed and serving pursuant to subsection 2.

5. Meetings; staffing. The advisory council shall meet at the discretion of the cochairs. Meetings may be cancelled or postponed at the discretion of the cochairs. All meetings of the advisory council are public proceedings within the meaning of Title 1, chapter 13, subchapter 1. The Office of New Americans shall provide staffing services as necessary to the advisory council.

6. Compensation; expenses. Members of the advisory council not otherwise compensated by their employer for their time serving on the council may be compensated for their time and reimbursed for expenses, to the extent resources are available. The Office shall determine the amount and manner of compensation and reimbursement for expense provided to these members.

Sec. FF-3. 5 MRSA §12004-I, sub-§6-K is enacted to read:

6-K.

<u>Economic</u>	<u>Office of New Americans Advisory Council Expenses Only</u>	<u>5 MRSA</u>
<u>Development</u>		<u>§3111</u>

**PART FF
SUMMARY**

This Part establishes the Office of New Americans within the Office of Policy Innovation and the Future and also establishes an advisory council to the Office of New Americans.

PART GG

Sec. GG-1. Transfer from General Fund unappropriated surplus; Housing Authority-State. Notwithstanding any provision of law to the contrary, on or before June 30, 2025, the State Controller shall transfer \$10,000,000 from the unappropriated surplus of the General Fund to the Maine State Housing Authority, Housing Authority - State, Other Special Revenue Funds account for new housing units through the Affordable Homeownership Program, to expand affordable, energy-efficient housing options that are affordable to workers and support state workforce needs.

**PART GG
SUMMARY**

This Part requires the transfer of \$10,000,000 from the unappropriated surplus of the General Fund to the Maine State Housing Authority, Housing Authority - State, Other Special Revenue account to provide funds for new housing units through the Affordable Homeownership Program, to expand affordable, energy-efficient housing options that are affordable to workers and support state workforce needs.

PART HH

Sec. HH-1. Transfer from General Fund unappropriated surplus; Emergency Housing Relief Fund. Notwithstanding any provision of law to the contrary, on or before June 30, 2025, the State Controller shall transfer \$16,000,000 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 supplement or establish programs addressing the needs of people experiencing homelessness or facing other immediate housing needs, and support other uses that address housing emergencies in the State, such as through privately-operated low barrier shelter, winter warming shelters, legal services, and other wraparound settlement supports intended to help individuals integrate into Maine's workforce and communities. Before June 30, 2025, unobligated amounts remaining from this transfer must be transferred to the unappropriated surplus of the General Fund.

PART HH SUMMARY

This Part requires the transfer of \$16,000,000 from the unappropriated surplus of the General Fund to the Maine State Housing Authority, Emergency Housing Relief Fund program, Other Special Revenue account to supplement or establish programs addressing the needs of people experiencing homelessness or facing other immediate housing needs, and support other uses that address housing emergencies in the State, such as through privately-operated low barrier shelter, winter warming shelters, legal services, and other wraparound settlement supports intended to help individuals integrate into Maine's workforce and communities.

PART II

Sec. II-1. 22 MRSA §4308, sub-§2, as amended by PL 2019, c. 515, §2, is further amended to read:

2. Emergencies. A person, including a person experiencing or facing homelessness, who does not have sufficient resources to provide one or more basic necessities in an emergency is eligible for emergency general assistance, even when that applicant has been found ineligible for nonemergency general assistance, except as provided in this subsection.

A. A person who is currently disqualified from general assistance for a violation of section 4315, 4316-A or 4317 is ineligible for emergency assistance under this subsection.

B. Municipalities may by standards adopted in municipal ordinances restrict the disbursement of emergency assistance to alleviate emergency situations to the extent that those situations could not have been averted by the applicant's use of income and resources

for basic necessities. The person requesting assistance shall provide evidence of income and resources for the applicable time period.

A municipality may provide emergency assistance to initial applicants when the municipality determines that an emergency is imminent and that failure to provide assistance may result in undue hardship and unnecessary costs.

A municipality shall not exceed maximum levels of assistance pursuant to section 4305 of this chapter for any applicant household for more than 30 days in a 12-month period.

Sec. II-2. 22 MRSA §4310, sub-§4 as enacted by PL 1983, c. 577, §1, is amended to read:

4. Limitations. In no case:

A. May the authorization of benefits under this section exceed 30 days;~~and~~

B. May there be further authorization of benefits to the applicant until there has been full verification confirming the applicant's eligibility; and

C. May the authorization of benefits under this section exceed levels of assistance pursuant to section 4308 of this chapter.

PART II SUMMARY

This Part limits municipalities from exceeding maximum levels of assistance past 30 days in a 12-month period for any household.

PART JJ

Sec. JJ-1. 36 MRSA §2891, sub-§1, as amended by PL 2007, c. 545, §4 is further amended to read:

1. Hospital. "Hospital" means an acute care health care facility with permanent inpatient beds planned, organized, operated and maintained to offer for a continuing period of time facilities and services for the diagnosis and treatment of illness, injury and deformity; with a governing board and an organized medical staff offering continuous 24-hour professional nursing care; with a plan to provide emergency treatment 24 hours a day and including other services as defined in rules of the Department of Health and Human Services relating to licensure of general and specialty hospitals; and that is licensed under Title 22, chapter 405 as a general hospital, specialty hospital or critical access hospital. For purposes of this chapter, "hospital" does not include a nursing home or a publicly owned specialty hospital or, for state fiscal years beginning on or after July 1, 2008, municipally funded hospitals, or, effective January 1, 2025, critical access hospitals.

Sec. JJ-2. 36 MRSA §2892, 2nd ¶, as amended by PL 2007, c. 545, §6, is further amended to read:

upper payment limit(s). If MaineCare payments to hospital providers exceed the upper payment limit(s) described in federal rules and requirements, the Department shall limit payments to hospital providers to the level that will ensure compliance with upper payment limits.

PART MM SUMMARY

This Part authorizes the Department to ensure payments to hospitals licensed under 22 MRSA, chapter 405 comply with the upper payment limit(s) described in federal rules and requirements.

PART NN

Sec. NN-1. 22 MRSA §3174-LLL sub-§2, as enacted by PL 2023, c. 412, Pt. EEEEE, §4 is amended to read:

2. Income eligibility for the qualified individual program (QI). No later than March 1, 2024~~July 1, 2024~~, the department shall establish an income disregards to determine eligibility so that a person with income ~~that is no more than 185% of the federal poverty level is qualified as a qualified Medicare beneficiary and a person with income that is more than 170% and no more than 202% of the federal poverty level, or the maximum allowed under Federal policy, is qualified as a qualified individual QI.~~ The department shall reduce the QI disregard if expenditures are projected to exceed the federally approved QI allotment in any calendar year.

PART NN SUMMARY

This part repeals the requirement for the department to establish an increased disregard for the qualified Medicare beneficiary (QMB) program, thereby maintaining upper eligibility limits of 150% of the federal poverty level for QMB and 170% of the federal poverty level for the specialized low-income Medicare beneficiary (SLMB) program. It maintains the elimination of the asset test for all Medicare savings programs. It changes the expansion of the qualified individual (QI) program to no more than 202% of the federal poverty level, or the maximum allowed under Federal policy, effective July 1, 2024. It also authorizes the department to reduce the income limit in the QI program if expenditures are projected to exceed the federally approved annual QI allotment.

PART OO

Sec. OO-1. Transfer from General Fund unappropriated surplus; General Assistance – Reimbursement to Cities & Towns. Notwithstanding any provision of law to the contrary, on or before June 30, 2025, the State Controller shall transfer \$5,000,000 from the unappropriated surplus of the General Fund to the Department of Health and Human Services, General Assistance – Reimbursement to Cities & Towns program, Other Special Revenue Funds account.

**PART OO
SUMMARY**

This Part requires the transfer of \$5,000,000 on or before June 30, 2025 from the unappropriated surplus of the General Fund to the Department of Health and Human Services, General Assistance – Reimbursement to Cities and Towns program, Other Special Revenue Funds account for funding General Assistance payments to cities and towns.

PART PP

Sec. PP-1. Transfer from General Fund unappropriated surplus; Purchased Social Services. Notwithstanding any provision of law to the contrary, on or before June 30, 2025, the State Controller shall transfer \$6,000,000 from the unappropriated surplus of the General Fund to the Department of Health and Human Services, Purchased Social Services, Other Special Revenue Funds account to provide one-time funding to support victims of crimes.

**PART PP
SUMMARY**

This Part requires the transfer of \$6,000,000 in fiscal year 2024-25 from the unappropriated surplus of the General Fund to the Department of Health and Human Services, Purchased Social Services, Other Special Revenue Funds account to provide one-time funding to support victims of crimes.

PART QQ

Sec. QQ-1. 22 MRSA §3104-A, sub-§1, ¶D, as enacted by PL 2013, c. 368, Pt. OO, §2, is repealed.

**PART QQ
SUMMARY**

This part repeals the hardship exception that allows access to state-funded SNAP benefits for individuals who have obtained proper work documentation but are unemployed.

General Fund account, All Other line category to the next fiscal year to be used for replacement of the feed, seed, and fertilizer database.

Sec. JJJ-2. Carrying provision; Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources. Notwithstanding any other provision of law to the contrary, at the end of fiscal year 2023-24, the State Controller shall carry forward any unexpended balance remaining of the \$1,500,000 appropriated in Public Law 2023, chapter 412, in the Department of Agriculture, Conservation and Forestry, Bureau of Agriculture program, General Fund account, Capital Expenditures line category to the next fiscal year to be used for replacement of the licensing and inspection database.

PART JJJ SUMMARY

This Part authorizes the State Controller to carry forward up to \$500,000 of unexpended balance in the All Other line category in the Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources at the end of fiscal year 2023-24 to the All Other line category for the next fiscal year in the Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources to be used to replace the feed, seed, and fertilizer database. It also authorizes the State Controller to carry forward up to \$1,500,000 of unexpended balance in the Capital Expenditures line category in the Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources at the end of fiscal year 2023-24 to the Capital Expenditures line category for the next fiscal year in the Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources to be used to replace the licensing and inspection database.

PART KKK

Sec. KKK-1. 34-B MRS c. 3, sub-c. 3 §3613 is enacted to read:

§3613. Crisis Receiving Center

1. Definitions.

“Crisis Receiving Center” means a center that provides immediate and short-term walk-in access to an array of both clinical and non-clinical mental health and substance use disorder crisis stabilization services to all individuals seeking care regardless of acuity or insurance coverage and within bounds of licensing.

2. Authority

The department shall develop a plan for a network of community-based Crisis Receiving Centers across the state to support both clinical and non-clinical mental health and substance use disorder crisis stabilization services. It shall also coordinate meetings, technical assistance,

trainings, and provide other assistance to help create, maintain, and, as necessary, expand the network.

3. Guidelines

The department shall :

a. Consult with law enforcement agencies, municipalities, public health experts, behavioral health providers, other states, and others as appropriate.

b. Assess geographical locations for maximization of community impact.

c. Provide technical assistance to places and providers interested in joining the network.

d. Coordinate regular meetings with crisis receiving centers and provide technical assistance.

e. Engage in continual process improvement and planning updates.

PART KKK SUMMARY

This Part provides the department the authority to plan for and assist a statewide network for Crisis Receiving Centers in regions of Maine that will support both rural and urban communities to provide short-term mental health and substance use disorder crisis stabilization services.

PART LLL

Sec. LLL-1. 22-A MRS §203, sub-§2 as enacted by PL 2003, c.689, Part A, §1 is amended to read:

2. Additional programs and services for children and families. The department shall provide children and families with additional programs and services to assist them in meeting their needs, including, but not limited to:

A. Child welfare services;

B. Head Start and child care services;

C. Maternal and child health services, including home visiting programs;

D. Paternity establishment and child support enforcement services; ~~and~~

E. Residential and long-term care services for children with disabilities; and

F. Injury and violence prevention programs, including data collection, synthesis and evaluation.