

Language for Governor’s Change Package to LD 258 – GF Biennial Budget 2024-2025

**HHS Items ONLY**

**Amend LD 258 by adding the following Part:**

**PART XXX**

**Sec. XXX-1. 30-A MRSA §5681, sub-§5**, as amended by P.L. 2021, c. 398, Pt. G, §1, is further amended to read:

**5. Transfers to funds.** No later than the 10th day of each month, the State Controller shall transfer to the Local Government Fund 5% of the receipts during the previous month from the taxes imposed under Title 36, Parts 3 and 8, and Title 36, section 2552, subsection 1, paragraphs A to F and L, and credited to the General Fund without any reduction, except that for fiscal years 2015-16, 2016-17, 2017-18 and 2018-19 the amount transferred is 2%, for fiscal year 2019-20 the amount transferred is 3%, for fiscal year 2020-21 the amount transferred is 3.75% and for fiscal year 2021-22 the amount transferred is 4.5% of the receipts during the previous month from the taxes imposed under Title 36, Parts 3 and 8, and Title 36, section 2552, subsection 1, paragraphs A to F and L, and credited to the General Fund without any reduction, and except that the postage, state cost allocation program and programming costs of administering state-municipal revenue sharing may be paid by the Local Government Fund.

Beginning January 1, 2025, no later than the 10th day of each month, the State Controller shall transfer to the Local Government Fund 5% of the receipts during the previous month from the taxes imposed under Title 36, section 2552, subsection 1-A, and credited to the General Fund without any reduction except that the postage, state cost allocation program and programming costs of administering state-municipal revenue sharing may be paid by the Local Government Fund.

A percentage share of the amounts transferred to the Local Government Fund each month must be transferred to the Disproportionate Tax Burden Fund and distributed pursuant to subsection 4-B as follows:

- C. For months beginning on or after July 1, 2009 but before July 1, 2010, 15%;
- D. For months beginning on or after July 1, 2010 but before July 1, 2011, 16%;
- E. For months beginning on or after July 1, 2011 but before July 1, 2012, 17%;
- F. For months beginning on or after July 1, 2012 but before July 1, 2013, 18%;
- G. For months beginning on or after July 1, 2013 but before July 1, 2014, 19%; and
- H. For months beginning on or after July 1, 2014, 20%.

**Sec. XXX-2. 36 MRSA §191, sub-§2, ¶R**, as amended by P.L. 2017, c. 211, Pt. A, §8 is further amended to read:

R. The disclosure to the Department of Health and Human Services and to the Department of Administrative and Financial Services, Division of Financial and Personnel Services of information relating to the administration and collection of the taxes imposed by chapter ~~358~~, ~~chapter~~ 373, chapter 375 and chapter 377 for the purposes of administration of those taxes and the financial accounting and revenue forecasting of those taxes;

**Sec. XXX-3. 36 MRSA §2551, sub-§1-A**, as amended by P.L. 2007, c. 539, Pt. DDD, § 1, is repealed.

**Sec. XXX-4. 36 MRSA §2551, sub-§1-B**, as amended by P.L. 2011, c. 542, Pt. A, §§136-37, is repealed.

**Sec. XXX-5. 36 MRSA §2551, sub-§1-G**, as amended by P.L. 2011, c. 542, Pt. A, §§136-37, is repealed.

**Sec. XXX-6. 36 MRSA §2551, sub-§1-H**, as enacted by P.L. 2013, c. 368, Pt. OOOO, §1, is repealed.

**Sec. XXX-7. 36 MRSA §2551, sub-§2-A**, as enacted by P.L. 2017, c. 257, §2 is amended to read:

**2-A. Customer.** “Customer” means a person who purchases one or more services subject to tax under section 2552, ~~subsection 1~~.

**Sec. XXX-8. 36 MRSA §2551, sub-§7-B**, as amended by P.L. 2011, c. 542, Pt. A, §138, is repealed.

**Sec. XXX-9. 36 MRSA §2551, sub-§10**, as amended by P.L. 2015, c. 300, Pt. A, §30, is repealed.

**Sec. XXX-10. 36 MRSA §2551, sub-§11**, as corrected by R.R. 2015, c. 2, §24, is repealed.

**Sec. XXX-11. 36 MRSA §2552, sub-§1**, as amended by P.L. 2015, c. 267, Pt. TTTT, §§3 and 9, and P.L. 2015, c. 300, Pt. A, §32, is further amended to read:

**1. Rate.** Effective January 1, 2016, and before January 1, 2025, a tax at the rate of 6% is imposed on the value of the following services sold in this State:

- A. Cable and satellite television or radio services;
- B. Fabrication services;
- C. Rental of video media and video equipment;
- D. Rental of furniture, audio media and audio equipment pursuant to a rental-purchase agreement as defined in Title 9-A, section 11-105;

- E. Telecommunications services;
- F. The installation, maintenance or repair of telecommunications equipment;
- G. Private nonmedical institution services;
- H. Community support services for persons with mental health diagnoses;
- I. Community support services for persons with intellectual disabilities or autism;
- J. Home support services;
- L. Ancillary services; and
- M. Group residential services for persons with brain injuries.

**Sec. XXX-12. 36 MRSA §2552, sub-§1-A** is enacted to read:

**1-A. Rate.** Effective January 1, 2025, a tax at the rate of 6% is imposed on the value of the following services sold in this State:

- A. Cable and satellite television or radio services;
- B. Fabrication services;
- C. Rental of video media and video equipment;
- D. Rental of furniture, audio media and audio equipment pursuant to a rental-purchase agreement as defined in Title 9-A, section 11-105;
- E. Telecommunications services;
- F. The installation, maintenance or repair of telecommunications equipment; and
- G. Ancillary services.

**Sec. XXX-13. 36 MRSA §2559**, as amended by P.L. 2021, c. 635, Pt. EE, §1, is further amended to read:

**§2559. Application of revenues**

Revenues derived by the tax imposed by this chapter must be credited to a General Fund suspense account. On or before the last day of each month, the State Controller shall transfer a percentage of the revenues received by the State Tax Assessor during the preceding month pursuant to the tax imposed by section 2552, subsection 1, paragraphs A to F and L to the Local Government Fund as provided by Title 30-A, section 5681, subsection 5. The balance remaining in the General Fund suspense account must be transferred to service provider tax General Fund revenue. On or before the 15th day of each month, the State Controller shall

transfer all revenues received by the assessor during the preceding month pursuant to the tax imposed by section 2552, subsection 1, paragraphs G to J and M to the Medical Care Services Other Special Revenue Funds account, the Other Special Revenue Funds Mental Health Services - Community Medicaid program, the Medicaid Services - Adult Developmental Services program and the Office of Behavioral Health - Medicaid Seed program within the Department of Health and Human Services.

Beginning January 1, 2025, on or before the last day of each month, the State Controller shall transfer a percentage of the revenues received by the State Tax Assessor during the preceding month pursuant to the tax imposed by section 2552, subsection 1-A, to the Local Government Fund as provided by Title 30-A, section 5681, subsection 5. The balance remaining in the General Fund suspense account must be transferred to service provider tax General Fund revenue.

**Sec. XXX-14. Application Date.** This Part applies to sales on or after January 1, 2025.

### **PART XXX SUMMARY**

This Part repeals the healthcare-related provisions of the Service Provider Tax in Title 36, Chapter 358 beginning January 1, 2025. In doing so, the bill also makes technical changes to the revenue sharing statute in Title 30-A as well as the revenue sharing provisions and tax records confidentiality statute in Title 36.

**Amend LD 258 by adding the following Part:**

### **PART AAAA**

**Sec. AAAA-1. 22 MRSA §20-A** is enacted to read:

#### **§20-A. Housing First Program**

**1. Program established.** The Housing First Program, referred to in this section as "the program," is established in the department to facilitate the delivery of support and stabilization services to residents of properties established or developed to provide permanent housing to address chronic homelessness in the State. Except as otherwise provided in this section, services facilitated under the program must be available on site, 24 hours a day and be designed to build independent living skills and connect individuals with community-based services. The department shall ensure that reimbursement under the MaineCare program is available to providers under the program to the maximum extent possible. For the purposes of this section, "chronic homelessness" means a situation in which a person is living in a place not meant for human habitation including emergency shelters for at least 12 months and for whom homelessness is correlated with a condition that makes accessing services and maintaining

housing a significant challenge such as substance use disorder or a behavioral health condition. Chronic homelessness includes a situation in which a person has been living intermittently in an institutional care facility, including but not limited to jail or a health treatment facility but is otherwise living in a place not met for human habitation.

**2. Fund established.** The Housing First Fund, referred to in this section as "the fund," is established as a separate and distinct fund for accounting and budgetary reporting purposes in order to support the program. Funds distributed in accordance with this section must be used to supplement, not supplant, existing or future federal funding designed to provide services associated with Housing First programs including but not limited to MaineCare program and the Housing Outreach and Member Engagement Program administered by the department.

**3. Sources of fund.** The Treasurer of State shall credit to the fund:

A. All money received by the State in accordance with Title 36, section 4641-B, subsection 4-B, paragraph E-1;

B. Money from any other source, whether public or private, designated for deposit into or credited to the fund; and

C. Interest earned or other investment income on balances in the fund.

**4. Distribution of funds.** Beginning July 1, 2025, the department shall make distributions from the fund as described in this subsection.

A. Annually, the department shall deposit \$1 million from the to an account established for the purpose of providing funding for housing stability services described in subsection 5.

B. The department shall establish payment models as appropriate for the purpose of providing 24-hour, on-site supportive services to residents at housing first properties established or developed to provide permanent housing to persons who have been chronically homeless. Supportive services must include coordination with a Maine Care provider.

C. The department shall establish two permanent full-time positions in the department to assist providers with providing 24-hour, on-site supportive services and navigating reimbursement under the MaineCare program for those services.

D. The department shall annually determine the amount necessary to support the established payment models at each housing first property for services provided under the program in the current fiscal year and the anticipated amount needed to pay for 24-hour on-site services expected to be provided at each property in the next fiscal year. Funds in excess of those amounts must be transferred to the Maine State Housing Authority for the purposes of:

(1). Providing technical assistance to housing developers to help with capital and planning issues associated with developing properties consistent with the housing model described by the program and in subsection 5; and

(2). Developing affordable housing projects with a housing model described by the program and in subsection 5.

**5. Housing Stability Services.** The department shall establish a payment model to provide funds to pay for the costs of housing stability services provided to residents at housing first properties where supportive services are not necessarily provided on-site or 24 hours per day. Services funded under this subsection must be available to residents no less than 20 hours per week and must adequately meet the needs of the residents, to build independent living skills, to maintain housing and to access necessary community-based services. Housing stability services funded under this subsection may also include outreach to those who are chronically homeless for the purposes of establishing connections and providing support which may result in securing stable housing at a housing first property.

**6. Rulemaking.** The department and the Authority shall jointly adopt rules to administer the program. The rules must specify which elements of the program are administered by the department, which are administered by the Authority and which are administered jointly, if any. Rules adopted under this section are routine technical rules under Title 5, chapter 375, subchapter 2-A.

**7. Report.** Beginning on February 1st, 2025 the department and the authority shall submit a report annually to the joint standing committee of the Legislature having jurisdiction over housing matters to provide the committee with necessary data and information to evaluate the effectiveness of the housing first model. Initial reports submitted to the committee must provide an assessment of the number of housing units and the scope of services needed to serve those who are chronically homeless to serve as a baseline against which the effectiveness of the program and other services will be measured. Subsequent report must provide updates to that assessment in addition to the following:

A. An accounting of the services facilitated using money from the fund at properties which provide 24-hour on site services and properties which provide housing stability services described under subsection 5;

B. An accounting of services provided at housing first properties funded under Housing Outreach and Member Engagement Program and services reimbursed under MaineCare;

C. The number of residents served by the program and the number of months residents have avoided returning to homelessness or maintained stable housing;

E. The amount of money from the fund transferred to the authority pursuant to subsection 4, paragraph D to housing first properties that benefitted from technical assistance and development support from the fund and potential housing first properties yet to be developed which are seeking assistance from the authority; and

F. Information requested by the committee deemed necessary to evaluate the effectiveness of the program.

**Sec. AAAA-2. 36 MRSA §4641-B, sub-§4-B, ¶E,** as amended by PL 2021, c. 753, §1, is further amended to read:

E. In fiscal year 2015-16 and each fiscal year thereafter prior to fiscal year 2024-25, the Treasurer of State shall credit the revenues derived from the tax imposed pursuant to section 4641-A, subsection 1 in accordance with this paragraph.

(1) At the beginning of the fiscal year, the Maine State Housing Authority shall certify to the Treasurer of State the amount that is necessary and sufficient to meet the authority's obligations relating to bonds issued or planned to be issued by the authority under Title 30-A, section 4864.

(2) On a monthly basis, the Treasurer of State shall apply 50% of the revenues in accordance with this subparagraph. The Treasurer of State shall first pay revenues available under this subparagraph to the Maine State Housing Authority, which shall deposit the funds in the Maine Energy, Housing and Economic Recovery Fund established in Title 30-A, section 4863, until the amount paid equals the amount certified by the Maine State Housing Authority under subparagraph (1), after which the Treasurer of State shall credit any remaining revenues available under this subparagraph to the General Fund.

(3) On a monthly basis, the Treasurer of State shall credit 50% of the revenues to the Maine State Housing Authority, except that, notwithstanding paragraph F, in fiscal year 2015-16, the Treasurer of State shall first credit \$6,291,740 of the revenues available under this subparagraph to the General Fund and except that, notwithstanding paragraph F, in fiscal year 2016-17, the Treasurer of State shall first credit \$6,090,367 of the revenues available under this subparagraph to the General Fund and except that, notwithstanding paragraph F, in fiscal years 2017-18 and 2018-19, the Treasurer of State shall first credit \$2,500,000 of the revenues available under this subparagraph to the General Fund. The Maine State Housing Authority shall deposit the funds received pursuant to this subparagraph in the Housing Opportunities for Maine Fund created in Title 30-A, section 4853. Beginning July 1, 2023, the Maine State Housing Authority shall use 25% of funds transferred to the Housing Opportunities for Maine Fund under this subparagraph to support the creation of new housing units, through new construction or adaptive reuse, that are affordable to low-income households.

**Sec. AAAA-3. 36 MRSA §4641-B, sub-§4-B, ¶E-1 is enacted to read:**

E-1. In fiscal year 2024-25 and each fiscal year thereafter, the Treasurer of State shall credit the revenues derived from the tax imposed pursuant to section 4641-A, subsection 1 in accordance with this paragraph.

(1) At the beginning of the fiscal year, the Maine State Housing Authority shall certify to the Treasurer of State the amount that is necessary and sufficient to meet the authority's obligations relating to bonds issued or planned to be issued by the authority under Title 30-A, section 4864.

(2) On a monthly basis, the Treasurer of State shall apply 50% of the revenues in accordance with this subparagraph. The Treasurer of State shall first pay revenues available under this subparagraph to the Maine State Housing Authority, which shall deposit the funds in the Maine Energy, Housing and Economic Recovery Fund established in Title 30-A, section 4863, until the amount paid equals the amount certified by the Maine State Housing Authority under subparagraph (1), after which the Treasurer of State shall credit half of any remaining revenues available under this subparagraph to the General Fund and half of any remaining

revenues available under this subparagraph to the Housing First Fund created in Title 22, section 265, subsection 2.

(3) On a monthly basis, the Treasurer of State shall credit 50% of the revenues to the Maine State Housing Authority. The Maine State Housing Authority shall deposit the funds received pursuant to this subparagraph in the Housing Opportunities for Maine Fund created in Title 30-A, section 4853. Beginning July 1, 2024, the Maine State Housing Authority shall use 25% of funds transferred to the Housing Opportunities for Maine Fund under this subparagraph to support the creation of new housing units, through new construction or adaptive reuse, that are affordable to low-income households.

**Sec. AAAA-4. Department of Health and Human Services to apply for state plan amendments to align federal programs with Housing First model.** Within 9 months of the effective date of this bill, the Department of Health and Human Services shall apply to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services for relevant state plan amendments for Section 13, Targeted Case Management and the Housing Outreach and Member Engagement Program within Section 91, Health Homes – Community Care Teams to maximize the alignment of these with the Housing First model. The Department will initiate rulemaking within 120 days of receiving state plan approval of the requested changes.

## **PART AAAA SUMMARY**

This Part establishes the Housing First Program within the Department of Health and Human Services to facilitate the delivery of stabilization and support services to residents of properties established or developed to provide permanent housing to persons who have been chronically homeless and to fund technical assistance, administered by the Maine State Housing Authority, for the development of housing consistent with the program. This Part requires the department to ensure that fund supplements existing and future services provided under programs like MaineCare and the Housing Outreach and Member Engagement Program is funded from the real estate transfer tax by depositing half of the funds that would otherwise be deposited into the General Fund into the Housing First Fund created by this Part. This Part also directs the Department of Health and Human Services and the Maine State Housing Authority to jointly adopt rules to administer the program and requires them to report annually to the Joint Standing or Joint Select Committee of the Legislature having jurisdiction over housing matters for the purpose of evaluating the effectiveness of the program. This Part also directs the Department of Health and Human Services to apply to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to align certain federal programs with the Housing First model.



**Amend LD 258 by adding the following Part:**

**PART GGGG**

**Sec. GGGG-1. Transfer of federal American Rescue Plan Act of 2021 savings.**

Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any provision of law to the contrary, until June 30, 2025, balances of appropriations in various General Fund accounts in the MaineCare programs within the Department of Health and Human Services that are available as part of the increased 10% Federal Medical Assistance Percentage for MaineCare home and community-based services per the federal American Rescue Plan Act of 2021, Public Law 117-2, Section 9817 may be transferred by financial order, upon recommendation of the State Budget Officer and approval of the Governor, to the Medical Care - Payments to Providers program, Home and Community Based Services – ARP Savings Other Special Revenue Funds account and the Office of MaineCare Services program, Home and Community Based Services Admin - ARP Savings Other Special Revenue Funds account within the Department of Health and Human Services to be used for federally authorized purposes.

**PART GGGG  
SUMMARY**

This Part authorizes the Department of Health and Human Services to transfer savings incurred from the increase in FMAP per the American Rescue Plan Act of 2021, section 9817, from various General Fund MaineCare Program accounts to the Home and Community Based Services – ARP Savings Program, in the Medical Care - Payments to Providers program and the Office of MaineCare Services program, Other Special Revenue Funds.

**Amend LD 258 by adding the following Part:**

**PART HHHH**

**Sec. HHHH-1. 5 MRSA §203-B is amended to read:**

**§203-B. Funds received pursuant to court orders or other settlements of opioid crisis litigation**

Notwithstanding section 203-A and unless specifically ordered by the court to do otherwise, the Attorney General may work with the Treasurer of State to deposit identified revenue or money received as a result of any court order or other agreement resulting from litigation against, or any court settlement with, an opioid manufacturer, an opioid research association or any other person in the opioid industry relating to claims made by or prosecuted by the State into the Maine Recovery Fund described by the ~~Maine State Subdivision Memorandum of Understanding and Agreement Regarding Use of Settlement Funds, dated and signed on January 26, 2022, including Schedule A, Core Strategies and Schedule B, Approved Uses, Memoranda of Understanding as defined in section 203-C,~~ for spending on approved uses as directed by the Maine Recovery Council as established in section 12004-I, subsection 94.

Sec. HHHH-1. 5 MRSA §203-C is amended to read:

**§203-C. Maine Recovery Council**

**1. Definitions.** As used in this section, and in section 203-B, unless the context indicates otherwise, the following terms have the following meanings.

A. "Approved uses" means the substance use disorder abatement purposes defined as "Approved Uses" in the ~~memorandum~~ Memoranda of Understanding.

B. "Maine Recovery Fund" means the fund described by the ~~memorandum~~ Memoranda of Understanding.

C. "Memoranda of Understanding" means the two agreements titled i) "Maine State Subdivision Memorandum of Understanding and Agreement Regarding Use of Settlement Funds", originally dated and signed on January 26, 2022, and ii) "Maine State Subdivision Memorandum of Understanding and Agreement Regarding Use of Settlement Funds 2023", originally dated and signed on May 2, 2023, as each may be amended from time to time, and each ~~-, dated and signed on January 26, 2022,~~ including Schedule A, Core Strategies and Schedule B, Approved Uses.

**2. Maine Recovery Council established.** The Maine Recovery Council, as established in section 12004-I, subsection 94 and referred to in this section as "the council," shall direct the disbursement of funds within the Maine Recovery Fund for approved uses.

**3. Membership.** The council is composed of the 11 members identified by the Memoranda of Understanding and of 4 additional voting members as follows:

A. One member who is a medical professional with direct experience providing medication-assisted treatment, appointed by the President of the Senate;

B. One member representing reentry services for incarcerated and formerly incarcerated individuals and their families, appointed by the President of the Senate;

C. One member representing a nonprofit community-based provider of mental health treatment, appointed by the Speaker of the House; and

D. One member representing the harm reduction community, appointed by the Speaker of the House.

In making these appointments, the President of the Senate and the Speaker of the House shall endeavor to select individuals that reflect the racial, ethnic, gender and indigenous diversity of the State.

**4. Vacancy.** In the event of a vacancy in the council membership, the vacancy must be filled in the manner of the original appointment for the remainder of the term. For the purposes of reappointment, any partial term filled after a vacancy must be considered a full term

**5. Report.** The Attorney General shall, by February 1st of each year, submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters describing the activities of the council and the status of the Maine Recovery

Fund and listing information on disbursements from the fund and information related to the outcomes of funded activities.

**PART HHHH  
SUMMARY**

This Part updates the date in the reference to the Memorandum of Understanding and Agreement Regarding the Use of Settlement Funds in the Maine Recovery Council statute.

**Amend LD 258 by adding the following Part:**

**PART MMMM**

**Sec. MMMM-1. 5 MRSA §1591, sub-§2, ¶K,** is enacted to read:

K. Any balance remaining in the Drinking Water Enforcement program, General Fund account at the end of any fiscal year to be carried forward for use by this program in the next fiscal year for the same purpose.

**Sec. MMMM-2. 5 MRSA §1591, sub-§8** is enacted to read:

**8. Department of Environmental Protection.** Any All Other balance remaining in the Water Quality program, General Fund account at the end of any fiscal year to be carried forward for use by this program in the next fiscal year for the same purpose.

**Sec. MMMM-3. Transfer from General Fund unappropriated surplus; Water Quality.** Notwithstanding any provision of law to the contrary, on or before June 30, 2023, the State Controller shall transfer \$12,800,000 from the unappropriated surplus of the General Fund to the Department of Environmental Protection, Water Quality, Other Special Revenue Funds account to maximize federal matching funds purposes under federal water programs to be used for revolving loan funds for drinking water systems and wastewater treatment and any remainder to be used consistent with the Maine Clean Water Fund established pursuant to Title 38, section 411-C.

**Sec. MMMM-4. Transfer from General Fund unappropriated surplus; Drinking Water Enforcements.** Notwithstanding any provision of law to the contrary, on or before June 30, 2023, the State Controller shall transfer \$9,200,000 from the unappropriated surplus of the General Fund to the Department of Health and Human Services, Drinking Water Enforcement, Other Special Revenue Funds account to maximize federal matching funds purposes under federal water programs to be used for revolving loan funds for drinking water systems and wastewater treatment and any remainder to be used consistent with the Maine Drinking Water Fund established pursuant to Title 22, section 2610.

**PART MMMM  
SUMMARY**

This Part requires transfers to the Department of Environmental Protection and the Department of Health and Human Services for federal matching funds purposes under federal water programs to be used for revolving loan funds for drinking water systems and wastewater treatment with any remaining funds to be used consistent with the Maine Clean Water Fund and the Maine Drinking Water Fund. This Part also authorizes the carry forward of unspent balances of any General Fund appropriations made to the Water Quality program in the Department of Environmental Protection or the Drinking Water Enforcement program in the Department of Health and Human Services.

**Amend LD 258 by adding the following Part:**

**PART TTTT**

**Sec. TTTT-1. 34-B MRSA §1218-A**, is enacted to read:

**§1218-A. Baxter Counseling Services Program**

The Baxter Counseling Services Program referred to in this section as “the program” is established within the department to facilitate the delivery of counseling services for eligible former students of the Maine School for the Deaf or the Governor Baxter School for the Deaf without cost to individuals. Services facilitated under this program will be limited to therapeutic counseling services for former eligible students. The department shall ensure that counseling services provided under this program are reimbursed under the MaineCare program to the maximum extent possible.

**1. Eligibility Established.** Eligibility for counseling services under the program will be limited to individuals who: (1) were former students of the Maine School for the Deaf or the Governor Baxter School for the Deaf whose alleged abused occurred prior to January 1, 2001, and who applied for Baxter Compensation Authority compensation by March 31, 2006 pursuant to 5 M.R.S. Ch. 601 (P.L. 2001, ch. 439, § T-5), repealed July 1, 2007; or (2) were former students of the Maine School for the Deaf or the Governor Baxter School for the Deaf who did not apply for Baxter Compensation Authority compensation but who have received or continue to receive services from the department.

**2. Facilitation of Counseling Services.** The department shall facilitate services through contracts with mental health providers who specialize in services for deaf, hard of hearing, and late deafened, and who are enrolled as a MaineCare provider. The department may provide general fund contracts for services for uninsured individuals as the payer of last resort. The department shall assist providers navigating reimbursement under the MaineCare program. The department shall monitor contracts to

ensure compliance related to program eligibility, MaineCare policy and department licensure requirements.

**3. Statutory Authority.** Notwithstanding any other provisions of law, this statute shall take precedence and control eligibility and services available to certain eligible former students of the Maine School for the Deaf or the Governor Baxter School for the Deaf. 2001 P&S Law ch.12 is repealed.

#### **PART TTTT SUMMARY**

This Part codifies the Baxter Counseling Services Program to facilitate the delivery of counseling services for eligible former students of the Maine School for the Deaf or the Governor Baxter School for the Deaf and shall ensure that counseling services provided under this program are reimbursed under the MaineCare program to the maximum extent possible.

**Amend LD 258 by adding the following Part:**

#### **PART UUUU**

**Sec. UUUU-1. PL 2021, c. 483, CC-3** is amended to read:

**Sec. CC-3. Grant amounts.** Under the pilot program, an eligible family caregiver who is not otherwise receiving payment for caring for the person in the caregiver's care may receive up to ~~\$2,000~~ \$5,171 a year. Eligible family caregivers may choose annually to receive either the services specified in the Maine Revised Statutes, Title 22, section 7308 or services under the pilot program.

**Sec. UUUU-2. PL 2021, c. 483, CC-8 §1, under the caption “HEALTH AND HUMAN SERVICES, DEPARTMENT OF”** is amended to read:

#### **HEALTH AND HUMAN SERVICES, DEPARTMENT OF Office of Aging and Disability Services Central Office 0140**

Initiative: Provides one-time funding to the Respite Care Fund within the department to provide family caregiver grants for the pilot program including up to \$500,000 for outreach costs associated with the pilot program.

#### **PART UUUU SUMMARY**

This Part increases the payment limit for the Family Caregiver Grant Pilot Program from \$2,000 annually to \$5,171 annually. This Part also identifies that \$500,000 may be used to expand marketing efforts and eligibility staff capacity, and therefore expand the program's participation.

**Amend LD 258 by adding the following Part:**

**PART VVVV**

**Sec. VVVV-1. Transfer of Personal Services balances to All Other; Department of Health and Human Services, Office for Family Independence.** Notwithstanding any provision of law to the contrary, in fiscal years 2023-24 and 2024-25 only, the Department of Health and Human Services is authorized to transfer available balances of appropriations in the Personal Services line category in the Office for Family Independence program and the Office for Family Independence - District program after all financial commitments for salary, benefit, other obligations and budgetary adjustments have been made to the All Other line category in either the Office for Family Independence program or the Office for Family Independence - District program in order to provide for information technology and related services. These amounts may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

**PART VVVV  
SUMMARY**

This Part authorizes the Department of Health and Human Services to transfer available balances of Personal Services appropriations to All Other in the Office for Family Independence program and the Office for Family Independence – District program for technology and related services for the 2024-2025 biennium.

**Amend LD 258 by adding the following Part:**

**PART WWWW**

**Sec. WWWW-1. Transfer to MaineCare Stabilization.** Notwithstanding any provision of law to the contrary, on or before June 30, 2023, the State Controller shall transfer \$6,500,000 from the unappropriated surplus of the General Fund to the MaineCare Stabilization Fund established in the Maine Revised Statutes, Title 22, section 3174-KK.

**Sec. WWWW-2. Transfer to MaineCare Stabilization.** Notwithstanding any provision of law to the contrary, at the close of fiscal year 2022-23, the State Controller shall transfer the first \$20,000,000 of the unencumbered balances in the MaineCare General Fund carrying accounts to the MaineCare Stabilization Fund established in the Maine Revised Statutes, Title 22, section 3174-KK.

**Sec. WWWW-3. Transfer to MaineCare Stabilization.** Notwithstanding any provision of law to the contrary, at the close of fiscal year 2023-24, the State Controller shall transfer the first \$28,500,000 of the unencumbered balances in the MaineCare General Fund carrying

accounts to the MaineCare Stabilization Fund established in the Maine Revised Statutes, Title 22, section 3174-KK.

**PART WWWW  
SUMMARY**

This Part requires the State Controller to transfer funds from the unappropriated surplus of the General Fund to the MaineCare Stabilization Fund. This Part also transfers the first \$20 million in unencumbered balances from MaineCare account to the MaineCare Stabilization Fund at the close of fiscal year 2023 and the first \$28.5 million at the close of fiscal year 2024.