

State of Maine 132nd Legislature, First Regular/Special Session

Report of the Working Group to Recommend any Changes to Eligibility Standards for Expenditures from the Maine Mass Violence Care Fund

December 2025

Maine Mass Violence Care Fund Working Group



STATE OF MAINE 132nd LEGISLATURE FIRST REGULAR/SPECIAL SESSION

Members:

Sen. Margaret Rotundo, Chair Rep. Julia McCabe, Chair Treasurer Joseph Perry Dr. Amy Madden Cara Cookson Kristen McAuley

Staff:

Annina V. Breen, House Speaker's Office Patrick Rankin, Senate President's Office

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Executive Summary

The Working Group to Recommend any Changes to Eligibility Standards for Expenditures from the Maine Mass Violence Care Fund ("MMVCF"), referred to in this report as the "working group," was established by Public Law 2023, chapter 643, Part N, section 4.

Pursuant to statute, the working group shall consider and make recommendations regarding:

- A. Gaps in payments for physical and behavioral health care services for victims of mass violence crimes;
- 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 any changes regarding parameters for:
 - i. Who is considered a victim of a mass violence crime;
 - ii. Which health care costs are considered eligible expenses; and
 - iii. What constitutes a mass violence crime; and
- D. Anything else the working group determines necessary to carry out the purposes of the fund.

Over the course of two meetings and a public listening session, the Working Group developed the following recommendations:

- 1. Maximize existing funding streams to address current needs as much as possible, potentially delaying implementation of the MMVCF until January 2028.
- 2. For the first year, institute a cap of \$15,000 per claimant to ensure long-term viability.
- 3. Reestablish the working group on an ongoing basis, starting in the 133rd Legislature, authorized to meet 1-2 times per year to monitor the utilization of the MMVCF and make updated eligibility and expenditure recommendations.
- 4. Add two seats to the working group membership:
 - a. A member representing victims and survivors of mass violence, who is not a survivor or surviving family member of the mass violence event on October 25, 2023, in Lewiston, appointed by the Speaker of the House.
 - b. A member representing the Deaf and hard-of-hearing community, appointed by the President of the Senate.

The Working Group voted unanimously of those members present and voting to approve the final recommendations (Sen. Margaret Rotundo, Rep. Julia McCabe, Treasurer Joseph Perry, Dr. Amy Madden, Cara Cookson).

BACKGROUND

The Working Group to Recommend any Changes to Eligibility Standards for Expenditures from the Maine Mass Violence Care Fund ("MMVCF"), referred to in this report as the "working group," was established by Public Law 2023, chapter 643, Part N, section 4 (Appendix A). Its purpose is to make recommendations to the Victims' Compensation Board to establish benefit caps for the MMVCF that will support ongoing victims' uninsured medical and mental health counseling costs while ensuring the Fund remains healthy for the future.

The MMVCF operates as an extension of the Maine Victims' Compensation Program, whose purpose is to reimburse eligible funeral costs and physical and mental healthcare expenses of victims and their families resulting from violent crime that are not covered by insurance. By statute, these reimbursement benefits have a lifetime cap of \$15,000.

The MMVCF is only for victims of mass violence crimes. It can be accessed three years after the date of the incident, after a claimant exceeds the \$15,000 Maine Victims' Compensation Program cap. The Legislature initially invested \$5 million to establish the MMVCF, and the law allows the Maine Victims' Compensation Program to only use the income generated from that initial investment to pay claims. Claimants will be able to access the MMVCF starting on October 26, 2026. The projected available balance on this date is \$360,171.91.

Pursuant to statute, the commission has six members: two legislative members and four nonlegislative members representing interests related to the MMVCF. The two legislative members consist of one Senator, appointed by the President of the Senate, and one Representative, appointed by the Speaker of the House of Representatives. These members serve as co-chairs: Senator Peggy Rotundo was named Senate chair and Representative Kristen Cloutier was named House chair. (Representative Cloutier resigned from the House in October; her replacement as co-chair is Rep. Julie McCabe.) The four remaining members are designees of the Attorney General, the Commissioner of Health and Human Services, the Treasurer of State and the chair of the Victims' Compensation Board. The complete membership list of the commission is included in Appendix B.

WORKING GROUP PROCESS

The working group held its first meeting virtually on October 27, 2025, at 1PM. The meeting began with opening remarks by the chairs and introductions by working group members and staff. The working group then voted unanimously to allow remote participation in its meetings and reviewed the working group's authorizing legislation, presented by Sen. Rotundo, the MMVCF's current expenditure rules, presented by Cara Cookson, and the current and projected financial balance of the MMVCF (Appendix C), presented by Treasurer Perry.

The listening session was held on November 17, 2025, at 5:30PM at the Lewiston Public Library. Two ASL interpreters were present. Following opening remarks and introductions, two victims of the Lewiston mass shooting event spoke on their experiences in receiving care. A chief concern was paying for care up front and long wait times for reimbursement. (One victim was told they would not have to worry about out-of-pocket medical expenses, but this turned out to be untrue.)

Other comments from victims included: concern over whether spouses will be allowed to access funds for their own trauma related to taking care of victims; the difficulty in finding therapists who accept insurance; concern over replacing lost wages after all paid time off was used in order to attend medical appointments; concern over mileage reimbursements given the distance to travel to appointments; and requests to improve communication from the Victims' Compensation Board. There was speculation that identifying the mass shooting as an act of terrorism might change the taxable status of the money received by victims.

Treasurer Perry responded to questions about the MMVCF's rate of interest and explained that the way the state's cash pool is invested is different from the way many people invest in the stock market. The rate of interest tends to be lower because the state must invest the money with very low risk. Treasurer Perry estimated that the fund earns roughly \$18,000 per month.

Cara Cookson pointed out that, so far, ten claims have come close to reaching the \$15,000 Maine Victims' Compensation Program cap. Three of those claims are related to physical injuries, two of which are not requiring ongoing care that is resulting unreimbursed medical expenses. One claim may have unreimbursed expenses in the \$100,000 range, although insurance coverage is still in process. The remaining claims approaching the cap are for mental-health-related expenses only. She also indicated that the federal Antiterrorism and Emergency Assistance Program (AEAP) grant could cover victims' expenses until the MMVCF is accessible.

The working group held its second meeting virtually on November 21, 2025, at 12PM. The meeting began with a discussion of the feedback received at the public listening session, including out-of-pocket costs, reimbursements, mileage, and wage replacement, led by Rep. McCabe. Cara Cookson said that the Attorney General's Office had received no additional written feedback from survivors or the families of victims.

Ms. Cookson then provided a report on the status of the eligibility pool and how survivors and victims' families impacted by the Lewiston shooting have utilized the Victims Compensation Fund for both physical and mental health expenses. The AGO has received 117 applications resulting from victimization during the Lewiston shooting; 75 applicants have made claims for expense reimbursement, and 10 claims have utilized between \$10,000 and \$15,000 to date. The AGO conducted direct outreach to claimants with high-dollar physical and mental health claims and highlighted the specific circumstances of certain survivors or families leading to larger claims, including extensive physical injuries requiring major surgeries, utilization of uninsured providers, and multiple family members filing for reimbursement under a single claim for a deceased victim.

Ms. Cookson then provided an overview of the utilization of the Virginia Tech Shooting Fund (Appendix D), which has a similar number of victims and a similar benefit cap to the MMVCF. The data from the Virginia Tech Fund show both varied usage over time and a long-term downward trend. Ms. Cookson noted that reimbursements for victims' compensation across states have generally declined as the number of insured people has increased, in part due to Medicare & Medicaid expansion.

The working group then proceeded with an explanation and discussion of potential recommendations. Ms. Cookson explained that there are currently no caps or limits on claims drawn from the MMVCF. She proposed two options for recommendations: first, to set a cap of an additional \$15,000 per claimant; or second, to set separate caps for physical & mental health costs. Members were generally supportive of separate caps, but questioned whether it would be too difficult for the Victims Compensation Board to administer. Both Dr. Amy Madden and Cara Cookson answered that it would not be.

Treasurer Perry expressed concern that some claimants would hit the \$15,000 benefit cap before the MMVCF becomes available next fall. The conversation then shifted to the use of AEAP funds available through a federal grant until January 2028. Ms. Cookson indicated that there is \$200,000-\$300,000 remaining from the AEAP grant and that costs covered by the grant include categories beyond what is available for reimbursement under the MMVCF, such as mileage.

Working group members agreed they should recommend that long-term state funding be maximized, potentially delaying implementation of the MMVCF until January 2028, allowing the Fund to accrue additional interest, and that a flat cap of \$15,000 would be easier for the Board to explain and implement. Additionally, members agreed that the working group should be re-established on an ongoing basis, with two additional seats added for members representing victims and survivors, and the Deaf and hard-of-hearing community.

The working group voted unanimously of those present and voting to approve the final recommendations.

RECOMMENDATIONS

- Maximize existing funding streams to address current needs as much as possible, potentially delaying implementation of the MMVCF until January 2028.
- For the first year, institute a cap of \$15,000 per claimant to ensure long-term viability.
- Reestablish the working group on an ongoing basis, starting in the 133rd Legislature, authorized to meet 1-2 times per year to monitor the utilization of the MMVCF and make updated eligibility and expenditure recommendations.
- Add two seats to the working group membership:
 - A member representing victims and survivors of mass violence, who is not a survivor or surviving family member of the mass violence event on October 25, 2023, in Lewiston, appointed by the Speaker of the House.
 - o A member representing the Deaf and hard-of-hearing community, appointed by the President of the Senate.

POLICY QUESTIONS FOR CONSIDERATION

- Should separate caps be set for physical & mental health expenses?
- Should families have a higher cap than individuals if seeking MMVCF reimbursement under a single claim?
- Should the definition of allowable expenses under the Maine Victims Compensation Fund be expanded to include other categories of expenses (i.e., mileage reimbursements, wage replacement, etc.)?
- How can the Working Group, Victims Compensation Board, and Legislature ensure the availability of the MMVCF in perpetuity?

APPENDIX A

Authorizing Legislation: Public Law 2023,

chapter 643, Part N, section 4

5. The Conservation Land Management Fund, established in Title 5, section 6203-F, subsection 1.

PART N

- Sec. N-1. 5 MRSA §3360, sub-§5-A is enacted to read:
- 5-A. Mass violence crime. "Mass violence crime" means an intentional violent crime that results in physical, emotional or psychological injury to a large number of individuals and significantly increases the burdens on victim support and the crime victims' compensation program.
- **Sec. N-2. 5 MRSA §3360-E,** as amended by PL 1999, c. 360, §7 and affected by §9 and amended by c. 731, Pt. QQQ, §§1 and 2, is repealed and the following enacted in its place:

§3360-E. Payment of awards; limits

Payments from the fund and limits on those payments are governed by this section.

- 1. Compensation for victim of sexual assault or other specified crime. The board may award compensation to a claimant of up to \$15,000 for actual and unreimbursed losses and eligible expenses of any person who is sexually assaulted or who suffers personal injury or death as the result of a crime specified in section 3360, subsection 3.
- 2. Payment to victim of mass violence crime; source of payments. Notwithstanding the compensation limits in subsection 1, if the underlying crime is a mass violence crime, the board may award a total amount of compensation of more than \$15,000. Any awarded amount in excess of \$15,000 must be paid from the Maine Mass Violence Care Fund established in section 3360-W.
- 3. Award for family or household member. An award of compensation for the benefit of a family or household member is derivative of the claim of the victim. The total compensation paid from the fund for all claims arising from the crime against the victim may not exceed \$15,000.
- 4. Payment to individuals responsible for medical, funeral and other expenses of victim. Within the limits specified in this section, when a person dies as the direct result of a specified crime under section 3360, subsection 3, any individual who pays or who is legally responsible for medical, medically related, funeral or burial expenses may seek compensation for those unreimbursed expenses incurred by the individual. A provider of medical or funeral services may not seek reimbursement directly.
- 5. Method of payment of award. The board, in its sole discretion, may disburse funds awarded directly to the claimant or to the individuals or entities who provided the services for which compensation was awarded. In the case of more than one family or household member, the board may apportion the total compensation as the board determines.
 - Sec. N-3. 5 MRSA c. 316-D is enacted to read:

CHAPTER 316-D

MAINE MASS VIOLENCE CARE FUND

§3360-W. Maine Mass Violence Care Fund

- 1. Fund established; purpose; source of funds. The Maine Mass Violence Care Fund, referred to in this chapter as "the fund," is established within the Department of the Attorney General as an Other Special Revenue Funds account. The purpose of the fund is to provide a sustainable source of funds for expenses eligible for reimbursement by the Victims' Compensation Board established under section 3360-A arising from a mass violence crime pursuant to chapter 316-A that are not paid for by insurance or any other source. The fund is funded through appropriations and allocations and may receive private donations and federal and state funds designated by law for the payment of claims and reasonable administrative costs of the fund. Eligible investment earnings credited to the assets of the fund become part of the assets of the fund.
- **2.** Administration and investment of fund. The fund is administered by the Treasurer of State in accordance with this subsection.
 - A. In consultation with the Attorney General, the Treasurer of State may hold, invest, reinvest and manage 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 Treasurer of State in administering the fund, must be paid from the fund.
 - C. The Treasurer of State, the Attorney General and the Victims' Compensation Board established in section 3360-A may not encumber, invest, divest or disburse funds for any purpose not specifically included in this section.
- 3. Distributions from fund. The Victims' Compensation Board established under section 3360-A shall make distributions from the fund in accordance with chapter 316-A 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 to a victim for eligible expenses, as set forth in section 3360-E, may not be made sooner than 3 years after the applicable mass violence crime.
- **4.** Rules. The board may adopt rules to implement the provisions of this section including establishing eligibility criteria.
- 5. Annual report. The Attorney General and the Treasurer of State shall report to the joint standing committee of the Legislature having jurisdiction over judiciary matters by February 1st of each year regarding implementation of the fund, including procedures developed by the Victims' Compensation Board, total revenue available for reimbursement of eligible claims and annual expenditures from the fund.
- **Sec. N-4. Working group on Maine Mass Violence Care Fund.** The Working Group to Recommend any Changes to 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 the Maine Revised Statutes, Title 5, section 3360-A.
- B. "Eligible expenses" means expenses that are determined by the board to be eligible for reimbursement from the fund as of May 1, 2024.
- C. "Family or household member" has the same meaning as in the Maine Revised Statutes, Title 5, section 3360, subsection 5.
- D. "Mass violence crime" 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.
- E. "Victim" has the same meaning as in the Maine Revised Statutes, Title 5, section 200-E, subsection 1, paragraph B.
- **2. Purpose of working group.** The purpose of the working group is to identify and recommend to the board and the Legislature any changes regarding specific options and eligibility criteria to help ensure that those individuals adversely affected by a mass violence crime are provided some financial relief from physical and behavioral health care costs not paid for from another public or private source, including, but not limited to, the MaineCare program, Medicaid or private insurance. Specifically, the working group shall consider and make recommendations regarding:
 - A. Gaps in payments for physical and behavioral health care services for victims of mass violence crimes;
 - 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 any changes regarding parameters for:
 - (1) Who is considered a victim of a mass violence crime;
 - (2) Which health care costs are considered eligible expenses; and
 - (3) What constitutes a mass violence crime; and
 - D. Anything else the working group determines necessary to carry out the purposes 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 serve as cochairs.

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

- **4. Report.** The working group under subsection 2 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 Victims' Compensation Board and the joint standing committee having jurisdiction over judiciary matters with its findings and recommendations and any suggested legislation or rule changes 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-5. Transfer from General Fund unappropriated surplus; Department of the Attorney General, 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 crime.

PART O

Sec. O-1. Transfer from General Fund unappropriated surplus; Department of Corrections, 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 P

Sec. P-1. Carrying provision; Department of Corrections, Administration - 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 in Part A to the Department of Corrections, Administration - Corrections program for one-time funding for the subscription costs for the offender management system to be used for the same purpose.

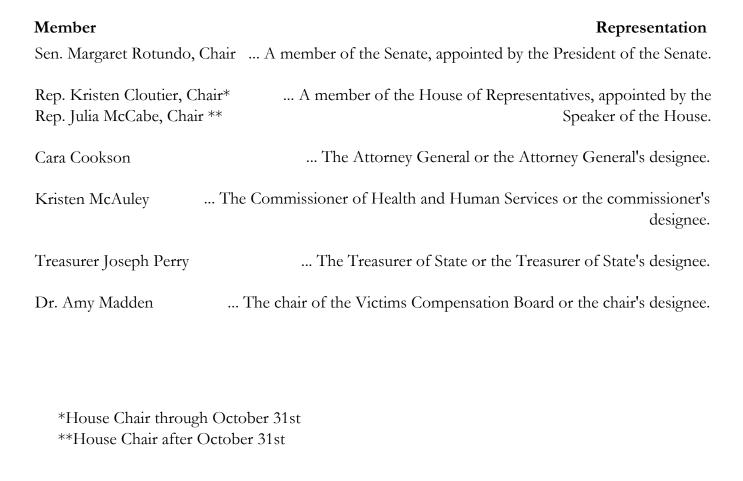
PART Q

- **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 \$3,000,000 \$15,000,000, except by order of the Governor. In the absence of such an order, any amount, including interest, that accrues in excess of \$3,000,000 \$15,000,000 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 General Fund unappropriated surplus; Disaster Recovery Fund program. 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

APPENDIX B

Membership list, Working Group to Recommend any Changes to Eligibility Standards for Expenditures from the Maine Mass Violence Care Fund

Working Group to Recommend any Changes to Eligibility Standards for Expenditures from the Maine Mass Violence Care Fund



Staff:

Annina V. Breen, House Speaker's Office Patrick Rankin, Senate President's Office

APPENDIX C

Treasurer's Spreadsheet

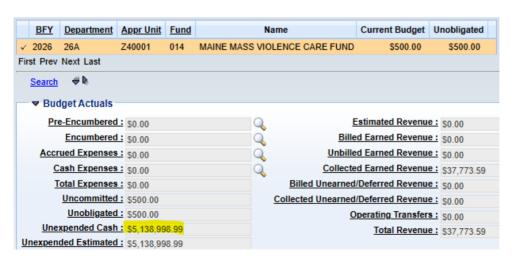
Maine Mass Violence Care Fund

014-26A-Z400-01

BFY All
Fund 014
Bucket All
Bal Sheet Code 0001
Fisc Period (Multiple Items)
Doc Cd (Multiple Items)

Accept Dt	Dept	Approp	Doc Dscr	Jrnl Posting Am	Running Balance
01/21/2025	26A	Z40001	SEE EXTENDED DESCRIPTION	5,000,000.00	5,000,000.00 Initial Transfer
02/19/2025	26A	Z40001	JANUARY 2025 EARNINGS DISTRIBUTION	9,328.19	5,009,328.19
03/19/2025	26A	Z40001	FEBRUARY 2025 EARNINGS DISTRIBUTION	18,025.76	5,027,353.95
04/22/2025	26A	Z40001	MARCH 2025 EARNINGS DISTRIBUTION	18,544.57	5,045,898.52
05/20/2025	26A	Z40001	APRIL 2025 EARNINGS DISTRIBUTION	18,212.11	5,064,110.63
06/20/2025	26A	Z40001	MAY 2025 EARNINGS DISTRIBUTION	18,835.02	5,082,945.65
07/03/2025	26A	Z40001	JUNE 2025 EARNINGS DISTRIBUTION	18,279.75	5,101,225.40
08/20/2025	26A	Z40001	JULY 2025 EARNINGS DISTRIBUTION	18,778.73	5,120,004.13
09/19/2025	26A	Z40001	AUGUST 2025 EARNINGS DISTRIBUTION	18,994.86	5,138,998.99 Current Balance
Grand Total				5,138,998.99	
		10/20/25 S	eptember 2025 EARNINGS DISTRIBUTION	18,202.92	5,157,201.91 Actual
		11/20/25 O	ct 2025 earnings	17,696.00	5,174,897.91 Projection
		12/20/25 N	ov 2025 earnings	17,013.00	5,191,910.91 Projection
<u>01/20/26</u> Dec 2025 earnings		ec 2025 earnings	17,462.00	5,209,372.91 Projection	
		02/20/26 Ja	an 2026 earnings	17,388.00	5,226,760.91 Projection
		03/20/26 Fe	eb 2026 earnings	15,758.00	5,242,518.91 Projection
		04/20/26 N	<u>1a</u> r 2026 earnings	17,320.00	5,259,838.91 Projection
05/20/26 Apr		Apr 2026 earnings	16,644.00	5,276,482.91 Projection	
06/20/26 May 2026		<u>1a</u> y 2026 earnings	16,984.00	5,293,466.91 Projection	
		07/20/26	un 2026 earnings	16,533.00	5,309,999.91 Projection
		08/20/26 Ju	<u>ıl</u> 2026 earnings	16,912.00	5,326,911.91 Projection
		09/20/26 A	ug 2026 earnings	16,921.00	5,343,832.91 Projection
		10/20/26 Se	ep 2026 earnings	16,339.00	5,360,171.91 Projection
		11/20/26 O	ct 2026 earnings	16,890.00	5,377,061.91 Projection
		12/20/26 N	ov 2026 earnings	16,441.00	5,393,502.91 Projection
		01/20/27 D	ec 2026 earnings	16,811.00	5,410,313.91 Projection

Screenshot from Advantage System - Unexpended Cash Balance



APPENDIX D

Virginia Tech Fund Data

Virginia Tech Claims Data, Calendar Years 2007-2024

Year	Number of	Total Awarded to	Average Amount
	Claims Approved	Approved Claims	Awarded
2007	2	\$2,100	\$1,050
2008	3	\$3,657	\$1,219
2009	87	\$96,272	\$1,107
2010	87	\$62,670	\$720
2011	86	\$60,348	\$702
2012	44	\$27,344	\$621
2013	41	\$27,283	\$665
2014	34	\$44,901	\$1,321
2015	33	\$47,661	\$1,444
2016	30	\$48,058	\$1,602
2017	28	\$49,546	\$1,770
2018	52	\$39,400	\$758
2019	92	\$82,288	\$894
2020	36	\$36,371	\$1,010
2021	32	\$16,631	\$520
2022	29	\$28,166	\$971
2023	31	\$43,825	\$1,414
2024	34	\$29,657	\$872

Between CY 2007 and 2024, DCJS received 781 claims and awarded \$746,179, for an average of \$955 per claim.

Source: DCJS Financial Services, 1/9/2025

Prepared by DCJS Criminal Justice Research Center 1/14/2025

