

# MAINE STATE LEGISLATURE

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



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

**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 6, 2006 to June 21, 2007**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 20, 2007**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

---

---

**Penmor Lithographers**  
**Lewiston, Maine**  
**2007**

of State with documentation showing the amount of revenues derived from the tax imposed by section 4641-A, subsection 1 and the amount of revenues derived from the tax imposed by section 4641-A, subsection 2. The Treasurer of State shall credit 1/2 of the revenues derived from the tax imposed by section 4641-A, subsection 1 to the General Fund and shall monthly pay the remaining 1/2 of such revenues to the Maine State Housing Authority, which shall deposit the funds in the Housing Opportunities for Maine Fund created in Title 30-A, section 4853, ~~except that in fiscal year 2003-04, fiscal year 2004-05 and fiscal year 2005-06, \$7,500,000 of the remaining 1/2 of those revenues must be transferred to the General Fund before any payments are made to the Maine State Housing Authority and in fiscal year 2006-07, \$7,687,067 of the remaining 1/2 of those revenues must be transferred to the General Fund before any payments are made to the Maine State Housing Authority.~~ Neither the Governor nor the Legislature may divert the revenues payable to the Housing Opportunities for Maine Fund to any other fund or for any other use. Any proposal to enact or amend a law to allow distribution of less than 1/2 of the revenues derived from the tax imposed by section 4641-A, subsection 1 to the Housing Opportunities for Maine Fund must be submitted to the Legislative Council and to the joint standing committee of the Legislature having jurisdiction over affordable housing matters at least 30 days prior to any vote or public hearing on the proposal. The Treasurer of State shall credit to the General Fund all of the revenues derived from the tax imposed by section 4641-A, subsection 2.

See title page for effective date.

---

**CHAPTER 428**  
**H.P. 702 - L.D. 927**

**An Act To Amend the Lodging  
Place Licensing Requirements  
to Support Small Businesses**

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

**Sec. 1. 22 MRSA §2501, first ¶**, as amended by PL 1977, c. 78, §148, is further amended to read:

Private homes ~~shall~~ are not be deemed or considered lodging places and subject to a license ~~where~~ when not more than 3 ~~5~~ rooms are let ~~;~~ ; such private homes must post in a visible location in each rented room a card with the following statement in text that is easily readable in no less than 18-point boldface type of uniform font "This lodging place is not regulated by the State of Maine Department of Health and Human Services, Maine Center for Disease Control and Prevention." The homes must provide guests upon check-

in with a notice containing the same information. A license ~~shall~~ is not be required from dormitories of charitable, educational or philanthropic institutions, fraternity and sorority houses affiliated with educational institutions, or from private homes used in emergencies for the accommodation of persons attending conventions, fairs or similar public gatherings, nor from temporary eating and lodging places for the same, nor from railroad dining or buffet cars, nor from construction camps, nor from boarding houses and camps conducted in connection with wood cutting and logging operations, nor from any boarding care facilities or children's homes ~~which~~ that are licensed under section 7801.

See title page for effective date.

---

**CHAPTER 429**  
**H.P. 712 - L.D. 937**

**An Act To Exempt Qualifying  
Snowmobile Trail Grooming  
Equipment from State Sales  
Tax**

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

**Sec. 1. 12 MRSA §1893, sub-§3, ¶D** is enacted to read:

D. By June 30th of each fiscal year, the State Controller shall transfer from the Snowmobile Trail Fund to the unappropriated surplus of the General Fund an amount equal to the tax exemption under Title 36, section 1760, subsection 90.

**Sec. 2. 36 MRSA §1760, sub-§90** is enacted to read:

**90. Qualified snowmobile trail grooming equipment.** Sales to incorporated nonprofit snowmobile clubs of snowmobiles and snowmobile trail grooming equipment used directly and exclusively for the grooming of snowmobile trails.

**Sec. 3. Effective date.** This Act takes effect October 1, 2007.

Effective October 1, 2007.

---

**CHAPTER 430**  
**S.P. 99 - L.D. 317**

**An Act To Increase the  
Availability of Public  
Education Services from Child  
Development Services**

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

**Sec. 1. 20-A MRSA §7001, sub-§2-A**, as enacted by PL 2005, c. 662, Pt. A, §15, is amended to read:

**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. Preschool children with disabilities who reach 5 years of age between ~~September~~ **July** 1st and October 15th who are already receiving free, appropriate public education through the Child Development Services System and whose parents choose, in accordance with rules adopted by the commissioner, not to enroll those children in kindergarten until the start of the following school year must have free, appropriate public education available to them through the Child Development Services System for one additional school year.

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF**

**General Purpose Aid for Local Schools 0308**

Initiative: Deappropriates funds to recognize the savings to local schools as a result of an increase in the number of eligible children who are currently receiving free, appropriate public education services through the Child Development Services System and whose parents choose to delay the entry of the children into kindergarten until the start of the following school year due to the extension of the window of eligibility by 2 months.

GENERAL FUND	2007-08	2008-09
All Other	\$0	(\$53,590)
<hr/>		
GENERAL FUND TOTAL	\$0	(\$53,590)

**Preschool Handicapped 0449**

Initiative: Provides funds for the provision of services to an increased number of eligible children who are currently receiving free, appropriate public education services through the Child Development Services System and whose parents choose to delay the entry of the children into kindergarten until the start of the following school year due to the extension of the window of eligibility by 2 months.

GENERAL FUND	2007-08	2008-09

All Other	\$0	\$29,756
<hr/>		
GENERAL FUND TOTAL	\$0	\$29,756

<b>EDUCATION, DEPARTMENT OF</b>		
DEPARTMENT TOTALS	2007-08	2008-09
<hr/>		
GENERAL FUND	\$0	(\$23,834)
<hr/>		
DEPARTMENT TOTAL - ALL FUNDS	\$0	(\$23,834)

**HEALTH AND HUMAN SERVICES,  
DEPARTMENT OF (FORMERLY DHS)**

**Medical Care - Payments to Providers 0147**

Initiative: Provides funds for the provision of services to an increased number of MaineCare-eligible children who are currently receiving free, appropriate public education services through the Child Development Services System and whose parents choose to delay the entry of the children into kindergarten until the start of the following school year due to the extension of the window of eligibility by 2 months.

GENERAL FUND	2007-08	2008-09
All Other	\$0	\$7,644
<hr/>		
GENERAL FUND TOTAL	\$0	\$7,644
<hr/>		
FEDERAL EXPENDITURES FUND	2007-08	2008-09
All Other	\$0	\$22,112
<hr/>		
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$22,112

<b>HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)</b>		
DEPARTMENT TOTALS	2007-08	2008-09
<hr/>		
GENERAL FUND	\$0	\$7,644
FEDERAL EXPENDITURES FUND	\$0	\$22,112
<hr/>		
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$29,756

SECTION TOTALS	2007-08	2008-09
GENERAL FUND	\$0	(\$16,190)
FEDERAL EXPENDITURES FUND	\$0	\$22,112
SECTION TOTAL - ALL FUNDS	\$0	\$5,922

See title page for effective date.

**CHAPTER 431**

**H.P. 607 - L.D. 807**

**An Act To Prevent Overcharging for Prescription Drug Copayments**

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

**Sec. 1. 22 MRSA §2699, sub-§2, ¶H** is enacted to read:

H. A pharmacy benefits manager or insurer shall require a contracted pharmacy to charge to an enrollee or insured person the pharmacy's usual and customary price of filling the prescription or the contracted copayment, whichever is less.

**Sec. 2. 22 MRSA §2699, sub-§5**, as enacted by PL 2003, c. 688, Pt. C, §10 and affected by §11, is repealed.

**Sec. 3. Application.** That section of this Act that enacts the Maine Revised Statutes, Title 22, section 2699, subsection 2, paragraph H applies to contracts between a pharmacy benefits manager or insurer and a pharmacy executed or renewed on or after January 1, 2008.

See title page for effective date.

**CHAPTER 432**

**H.P. 837 - L.D. 1144**

**An Act To Provide Information to Property Tax Payers**

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

**Sec. 1. 36 MRSA §507**, as amended by PL 1997, c. 643, Pt. HHH, §2 and affected by §10, is repealed and the following enacted in its place:

**§507. Taxpayer information**

A municipality that issues a property tax bill to a taxpayer must issue the following information.

**1. Reductions to tax.** The property tax bill must contain a statement or calculation that demonstrates the amount or percentage by which the taxpayer's tax has been reduced by the distribution of state-municipal revenue sharing, state reimbursement for the Maine resident homestead property tax exemption and state aid for education. The State Tax Assessor shall annually provide each municipality with the amount of state-municipal revenue sharing and state aid for education subject to identification under this section.

**2. Distribution to education and government.** The property tax bill must indicate the percentage of property taxes distributed to education and local, county and state government.

**3. Indebtedness.** The property tax bill must indicate the outstanding bonded indebtedness of the issuing municipality as of the date the bill is issued.

**4. Due date and interest.** Each property tax bill issued by a municipality must clearly state the date interest will begin to accrue on delinquent taxes.

**Sec. 2. Application.** That section of this Act that repeals and replaces the Maine Revised Statutes, Title 36, section 507 applies to property tax bills issued for property tax years beginning on or after April 1, 2008.

See title page for effective date.

**CHAPTER 433**

**H.P. 599 - L.D. 783**

**An Act To Clarify That Senior Lifetime Hunting Licenses Include the Right To Hunt Turkey**

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

**Sec. 1. 12 MRSA §10851, sub-§1, ¶D**, as enacted by PL 2003, c. 414, Pt. A, §2 and as affected by c. 614, §9, is amended to read:

D. For a resident 70 years of age or older. A person who holds a valid senior lifetime license under this section upon turning 70 years of age may obtain at no cost a hunting license, fishing li-