

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 2016 to August 2, 2017

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
NOVEMBER 1, 2017

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

Augusta, Maine
2017

6. Appeal of Superior Court decision. A challenger may appeal the decision of the Superior Court under subsection 5, on questions of law, by filing a notice of appeal within 3 days of that decision. The record on appeal must be transmitted to the Law Court within 3 days after notice of appeal is filed. After filing notice of appeal, the parties have 4 days to file briefs and appendices with the clerk of courts. As soon as the record and briefs have been filed, the court shall immediately consider the case. The court shall issue its decision within 14 days of the date of the decision of the Superior Court.

Sec. 4. Retroactivity. Sections 1 and 2 of this Act apply retroactively to November 1, 2016 and apply to any party whose nominee for President of the United States appeared on the ballot at the general election on November 8, 2016.

See title page for effective date.

CHAPTER 255

H.P. 1127 - L.D. 1634

An Act To Update the Scheduling Guidelines for Review of Agencies or Independent Agencies under the State Government Evaluation Act

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

Sec. 1. 3 MRSA §959, sub-§1, ¶P, as amended by PL 2013, c. 505, §1, is further amended to read:

P. The joint standing committee of the Legislature having jurisdiction over utilities and energy matters shall use the following list as a guideline for scheduling reviews:

- (1) Public Advocate in ~~2015~~ 2019;
- (2) Board of Directors, Maine Municipal and Rural Electrification Cooperative Agency in 2015;
- (3) Public Utilities Commission, including the Emergency Services Communication Bureau, in ~~2015~~ 2021; and
- (5) Telecommunications Relay Services Advisory Council in ~~2015~~ 2017.

See title page for effective date.

CHAPTER 256

H.P. 250 - L.D. 336

An Act To Amend the Requirements of the Temporary Assistance for Needy Families Program

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

Sec. 1. 22 MRSA §3762, sub-§3, as amended by PL 2015, c. 267, Pt. RRRR, §2, is further amended to read:

3. Administration. The department may administer and operate a program of aid to needy dependent children, called "Temporary Assistance for Needy Families" or "TANF," ~~who are deprived of support or care due to the death, continued absence, physical or mental incapacity of a parent or the unemployment or underemployment of the principal wage earner in accordance with the United States Social Security Act, as amended by PRWORA and DRA, and this Title.~~

A. The department shall adopt rules as necessary to implement and administer the program. The rules must include eligibility criteria, budgeting process, benefit calculation and confidentiality. The confidentiality rules must ensure that confidentiality is maintained for TANF recipients at least to the same extent that confidentiality was maintained for families in the Aid to Families with Dependent Children program unless otherwise required by federal law or regulation.

B. The department may use funds, insofar as resources permit, provided under and in accordance with the United States Social Security Act or state funds appropriated for this purpose or a combination of state and federal funds to provide assistance to families under this chapter. In addition to assistance for families described in this subsection, funds must be expended for the following purposes:

- (1) To continue the pass-through of the first \$50 per month of current child support collections and the exclusion of the \$50 pass-through from the budget tests and benefit calculations;
- (2) To provide financial assistance to non-citizens legally admitted to the United States who are receiving assistance under this subsection as of July 1, 2011. Recipients of assistance under this subparagraph are limited to the categories of noncitizens who would be eligible for the TANF programs but for their status as aliens under PRWORA. Eligibility for the TANF program for these categories of noncitizens must be determined using the cri-