

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-EIGHTH LEGISLATURE

FIRST SPECIAL SESSION
October 23, 2017 to November 6, 2017

SECOND REGULAR SESSION
January 3, 2018 to May 2, 2018

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 5, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2018

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

Augusta, Maine
2018

rect any illegality, error or irregularity in assessment, ~~provided if the taxpayer has complied with section 706 706-A.~~ The municipal officers may not grant an abatement to correct an error in the valuation of property.

Sec. 8. 36 MRSA §841, sub-§4, as amended by PL 2015, c. 300, Pt. A, §9, is further amended to read:

4. Veteran's widow or widower or minor child. Notwithstanding failure to comply with section ~~706 706-A,~~ the assessors, on written application within one year from the date of commitment, may make such abatement as they think proper in the case of the unremarried widow or widower or the minor child of a veteran, if the widow, widower or child would be entitled to an exemption under section 653, subsection 1, paragraph D, except for the failure of the widow, widower or child to make application and file proof within the time set by section 653, subsection 1, paragraph G, if the veteran died during the 12-month period preceding the April 1st for which the tax was committed.

Sec. 9. 36 MRSA §1331, 3rd ¶, as repealed and replaced by PL 1977, c. 509, §31, is amended to read:

Persons subjected to a tax under this section ~~shall be~~ are deemed to have received sufficient notice if the notice required by section ~~706 706-A~~ was given.

Sec. 10. Task force established. Notwithstanding Joint Rule 353, the Task Force To Restructure and Improve the Efficiency of the State Board of Property Tax Review, referred to in this section as "the task force," is established.

1. Membership; chair. The task force consists of 9 members as follows:

- A. The Commissioner of Administrative and Financial Services or the commissioner's designee, who shall serve as the chair of the task force;
- B. The State Tax Assessor or the State Tax Assessor's designee;
- C. The Attorney General or the Attorney General's designee;
- D. A member of the State Board of Property Tax Review, as established by the Maine Revised Statutes, Title 5, section 12004-B, subsection 6, appointed by the Governor;
- E. Two current or retired assessors who have certificates of eligibility as assessors from the State Tax Assessor under the Maine Revised Statutes, Title 36, section 311, who are familiar with the assessment of large industrial properties and who are appointed by the Governor based on the recommendation of a statewide municipal association;

F. Two persons representing large industrial property taxpayers, appointed by the Governor; and

G. A municipal official representing a community with a large industrial taxpayer, appointed by the Governor based on the recommendation of a statewide municipal association.

2. Appointments; convening of first meeting.

All appointments must be made no later than 45 days following the effective date of this Act. The appointing authorities shall notify the Commissioner of Administrative and Financial Services upon making the appointments. When the appointment of all members is complete, the chair shall call and convene the first meeting of the task force no later than September 10, 2018.

3. Duties. The task force shall study, assess and evaluate the process of and the duties assigned to the State Board of Property Tax Review. The task force shall develop recommendations for restructuring the board to improve the efficiency of the appeal process, if necessary. Recommendations may include, but are not limited to, changes in board membership; access to full-time resources and professional staff; changes to the appeal process; changes in the type of appeals reviewed by the board; and any other recommendations the task force members find necessary to improve board efficiencies.

4. Report. No later than February 28, 2019, the task force shall submit a report with its findings and recommendations, including suggested legislation, for presentation to the First Regular Session of the 129th Legislature. The joint standing committee of the Legislature having jurisdiction over taxation matters may report out to the First Regular Session of the 129th Legislature legislation to implement recommendations on matters related to the report.

See title page for effective date.

CHAPTER 368
H.P. 1236 - L.D. 1791

**An Act To Continue the Maine
Lobster Marketing
Collaborative**

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

Sec. 1. 5 MRSA §12004-H, sub-§14, as amended by PL 2013, c. 309, §1, is further amended to read:

14.

Maine Lobster Mar-	\$55 Per Diem	12 MRSA
keting Collaborative	Plus Expenses	§6455

This subsection is repealed October 1, 2021.

Sec. 2. 12 MRSA §6455, sub-§2-B is enacted to read:

2-B. Executive committee. The collaborative shall establish an executive committee of no fewer than 5 members, who are appointed by a majority vote of the collaborative. The collaborative shall specify in its bylaws when the executive committee may act on behalf of the collaborative with regard to oversight of collaborative staff, daily operations of the collaborative and addressing unexpected expenditures to be made by the collaborative. The bylaws must specify what constitutes a quorum of the executive committee and how many votes are necessary for the executive committee to take a valid action. In addition to any other restrictions adopted by the collaborative, the executive committee may not act on behalf of the collaborative to:

- A. Adopt or amend an annual budget;
- B. Adopt or amend an annual marketing plan;
- C. Hire or terminate the employment of the executive director of the collaborative; or
- D. Amend the bylaws of the collaborative.

Sec. 3. 12 MRSA §6455, sub-§5-A, ¶D, as amended by PL 2013, c. 492, §5, is further amended to read:

- D. For the years 2016 to ~~2018~~ 2021 the surcharges are, for:
 - (1) Class I lobster and crab fishing licenses for persons 18 to 69 years of age, \$165.25;
 - (2) Class II lobster and crab fishing licenses, \$330.50, except that for license holders 70 years of age or older the surcharge is \$165;
 - (3) Class III lobster and crab fishing licenses, \$480.75, except that for license holders 70 years of age or older the surcharge is \$240;
 - (4) Nonresident lobster and crab landing permits, \$480.75;
 - (5) Wholesale seafood licenses with lobster permits if the license holders hold no supplemental wholesale seafood licenses with lobster permits, or lobster transportation licenses if the license holders hold no supplemental lobster transportation licenses, \$1,200;
 - (6) Supplemental wholesale seafood licenses with lobster permits or supplemental lobster transportation licenses as follows:
 - (a) One thousand eight hundred dollars for up to 2 supplemental wholesale seafood licenses with lobster permits or supplemental lobster transportation licenses;

(b) Two thousand four hundred dollars for 3 to 5 supplemental wholesale seafood licenses with lobster permits or supplemental lobster transportation licenses; and

(c) Three thousand dollars for 6 or more supplemental wholesale seafood licenses with lobster permits or supplemental lobster transportation licenses; and

(7) Lobster processor licenses, \$1,000 if less than 1,000,000 pounds of raw product is processed, and \$4,000 if 1,000,000 pounds or more of raw product is processed.

Sec. 4. 12 MRSA §6455, sub-§8, as enacted by PL 2013, c. 309, §2, is repealed.

Sec. 5. 12 MRSA §6455, sub-§9 is enacted to read:

9. Repeal. This section is repealed October 1, 2021.

Sec. 6. 12 MRSA §6455, last ¶, as enacted by PL 2013, c. 309, §2, is repealed.

Sec. 7. Report. The Commissioner of Marine Resources shall investigate whether the surcharges assessed under the Maine Revised Statutes, Title 12, section 6455, subsection 5-A on a wholesale seafood license with lobster permits or a supplemental lobster transportation license may be amended to reflect the amount of lobster bought, sold, shipped or transported by the license holder or a class of license holders. The commissioner shall provide a report of recommendations to amend the surcharges to the joint standing committee of the Legislature having jurisdiction over marine resources matters by January 15, 2019. The joint standing committee may report out legislation to the First Regular Session of the 129th Legislature based upon the report.

See title page for effective date.

CHAPTER 369

H.P. 1054 - L.D. 1534

**An Act To Reduce Food Waste
in Maine**

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

Sec. 1. 38 MRSA §2137-A is enacted to read:

§2137-A. Food recovery database

The department, as resources allow and in consultation with other state agencies, municipalities, counties, businesses and other public or private entities, shall develop and maintain on its publicly accessible