

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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

Augusta, Maine
2019

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

Sec. 1. 30-A MRSA §900-B, sub-§2, as enacted by PL 1991, c. 777, §1, is amended to read:

2. Legislative member. The Washington County legislative delegation shall annually select one member of the delegation who resides in Washington County to serve as a nonvoting member on the budget advisory committee.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 11, 2019.

CHAPTER 24

H.P. 113 - L.D. 131

An Act To Permit a Veterans Organization To Lease Its Facility to an Organization That Is Registered To Operate Beano or Bingo Games without Obtaining a Commercial Beano Hall Permit

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this Act exempts a veterans organization from the requirement to obtain a commercial beano hall permit in order to lease its facility to an organization registered to operate "beano" or "bingo" games; and

Whereas, it is necessary that this Act take effect before the expiration of the 90-day period in order to ensure that veterans organizations that rent their facilities for "beano" or "bingo" games during the summer may do so without obtaining the permit required under current law; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 17 MRSA §313-C, sub-§1, ¶C, as enacted by PL 2017, c. 284, Pt. JJJJJ, §7, is amended to read:

C. A bona fide nonprofit, charitable, educational, political, civic, recreational, fraternal, patriotic, religious or veterans organization that has been in existence and founded, chartered or organized in the State for at least 2 years prior to its registration; and

Sec. 2. 17 MRSA §328, sub-§1, as amended by PL 2017, c. 284, Pt. JJJJJ, §29, is further amended to read:

1. Permit required. An individual, corporation, partnership or unincorporated association may not rent or lease space for profit to ~~a licensee~~ an organization registered under section 313-C to hold, conduct or operate "Beano" or "Bingo" unless a commercial beano hall permit is obtained from the Gambling Control Unit.

Sec. 3. 17 MRSA §328, sub-§§6 and 7, as enacted by PL 1999, c. 74, §7, are amended to read:

6. Membership in registered organization. The permittee or the permittee's employee may not be a member of ~~a licensee~~ an organization registered under section 313-C renting or leasing the commercial beano hall.

7. Rent or lease amount. The permittee shall charge a ~~licensee~~ registrant under section 313-C fair market value and may not charge based on the percentage of profit ~~which that the licensee~~ registrant makes for the rent or lease of a commercial beano hall.

Sec. 4. 17 MRSA §328, sub-§8, as amended by PL 2017, c. 284, Pt. JJJJJ, §30, is further amended to read:

8. Exceptions. The requirements of this section do not apply to an agricultural fair association that qualifies for registration and operates "beano" or "bingo" games pursuant to section 313. The requirements of this section do not apply to a veterans organization that leases its facility to another organization that is registered to operate "beano" or "bingo" games pursuant to section 313.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 11, 2019.

CHAPTER 25

H.P. 6 - L.D. 5

An Act To Require Notification of Proposed Rate Increases for Long-term Care Policies

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

Sec. 1. 24-A MRSA §5084 is enacted to read:
§5084. Notice to policyholders of rate increase

1. Notice. An insurer shall notify a policyholder of a long-term care insurance policy issued in accordance with this chapter or chapter 68 of a proposed premium rate increase that affects the policyholder no later than 30 days after the filing by the insurer of the premium rate increase. An insurer shall provide written notice by first-class mail to the last known mailing address of all affected individual and group policyholders and others who are directly billed for group coverage. The notice must:

- A. Show the proposed rate;
- B. State that the rate is subject to regulatory approval;
- C. Inform a policyholder of the policyholder's right to request a hearing pursuant to section 229;
- D. Inform a policyholder of the policyholder's right to provide written comments on the proposed rate increase to the bureau; and
- E. Provide to the policyholder contact information for the bureau, including the bureau's toll-free telephone number.

2. Implementation of rate increase. An increase in a premium rate may not be implemented until approved by the bureau or until the effective date of the premium rate increase, whichever is later.

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

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF Insurance - Bureau of 0092

Initiative: Provides allocations to the Department of Professional and Financial Regulation, Bureau of Insurance for costs associated with additional rate hearings.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$11,100	\$14,800
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,100	\$14,800

See title page for effective date.

CHAPTER 26
S.P. 21 - L.D. 68

An Act To Improve the Record Keeping of Utilities and the Public Utilities Commission

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

Sec. 1. 35-A MRSA §716 is enacted to read:
§716. Complaints; record retention

A public utility shall keep a record of every customer complaint and retain that record for a period of 10 years from the date of final resolution of the complaint and shall make all records of customer complaints readily available to the commission for examination. The commission may adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 35-A MRSA §1318, sub-§1, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

1. Record. The commission shall keep a complete and permanent record of:

- A. All proceedings before it;
- B. Investigations; and
- C. Formal public hearings; and
- D. Complaints.

The record must include the results and conclusions of proceedings, investigations, formal public hearings and complaints, including, but not limited to, orders, findings, decisions and settlement agreements.

See title page for effective date.

CHAPTER 27
H.P. 78 - L.D. 92

An Act To Amend Educator Evaluation Requirements

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

Sec. 1. 20-A MRSA §13704, sub-§1, ¶A, as enacted by PL 2011, c. 635, Pt. A, §3, is amended to read:

- A. The department shall provide, by rule, a set of standards of professional practice or a set of criteria for determining acceptable locally determined standards for teachers and a set of standards of professional practice or a set of criteria for deter-