

# 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.**

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**Augusta, Maine**  
**2019**

**2-A. Raffle with a prize of \$10,000 or less conducted by eligible organization.** An eligible organization as described in section 1832, subsection 2 is not required to register with the Gambling Control Unit to conduct a raffle in which the total value of the prize offered to the holder of the winning chance does not exceed \$10,000. If the raffle is conducted in a manner in which there are multiple winning chances, the total value of all prizes offered may not exceed a value of \$10,000.

**3. Raffle with a noncash prize greater than \$2,500 but not greater than \$10,000.** Except for raffles conducted by an eligible organization under subsection 4, a person or organization may conduct a raffle in which the total value of the prize offered to the holder of the winning chance is greater than \$2,500 and does not exceed \$10,000 upon the acceptance of a registration by the Gambling Control Unit. The Gambling Control Unit may not accept a registration for a raffle under this subsection unless the registration states a verifiable charitable purpose for which the proceeds of the raffle are dedicated to benefit. If the raffle is conducted in a manner in which there are multiple winning chances, the total value of all prizes offered may not exceed a value of \$10,000. A prize offered for a raffle conducted under this subsection may not be in the form of cash and may not be exchanged for cash.

**4. Raffle with a noncash prize of up to \$75,000 or a cash prize of up to \$20,000 conducted by eligible organization.** An eligible organization as described in section 1832, subsection 2 may register with the Gambling Control Unit to conduct a raffle in which the total value of the prize offered or prizes awarded to the holder of the a winning chance or to the holders of the winning chances does not exceed \$75,000 upon the acceptance of a registration by the Gambling Control Unit. The registration must state a verifiable charitable purpose for which the proceeds of the raffle are dedicated to benefit. If the raffle is conducted in a manner in which there are multiple winning chances, the total value of all prizes offered may not exceed a value of \$75,000. A noncash prize for a raffle conducted under this subsection may not be exchanged for cash. The total amount of cash prizes that may be awarded for a raffle conducted under this subsection may not exceed \$20,000 with no more than one \$10,000 prize for the holder of a winning chance. An eligible organization may not conduct more than one raffle under this subsection in a 12-month period.

A. Seventy-five thousand dollars that is not in the form of cash and may not be exchanged for cash; or

B. Twenty thousand dollars in cash, with no more than one \$10,000 cash prize for the holder of a winning chance.

At the time of registration, the eligible organization shall state a verifiable charitable purpose that the proceeds of the raffle are dedicated to benefit.

**5. Raffle conducted by persons 18 years of age or older; exception.** Raffle chances or tickets may not be sold by a person under 18 years of age, except for raffles conducted under subsections 2 and 3 designed to benefit activities of children at an event generally attended by persons under 18 years of age.

**6. Multiple raffles.** An eligible organization as described in section 1832, subsection 2 may conduct more than one raffle at a time that meet the requirements of subsections 2-A, 3 and 4, except that an eligible organization may not conduct more than one registered raffle at the same time under subsection 4, paragraph A and may not conduct more than one registered raffle at the same time under subsection 4, paragraph B. This subsection does not prevent an eligible organization from conducting one registered raffle under subsection 4, paragraph A at the same time that the eligible organization conducts one registered raffle under subsection 4, paragraph B. When an eligible organization conducts multiple raffles as permitted by this subsection, the eligible organization is not required to begin and end those raffles on the same dates.

See title page for effective date.

**CHAPTER 130**

**H.P. 158 - L.D. 195**

**An Act To Continue  
MaineCare Coverage for  
Parents During the  
Rehabilitation and  
Reunification Process**

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

**Sec. 1. 22 MRSA §3174-BBB** is enacted to read:

**§3174-BBB. Coverage for parents participating in rehabilitation and reunification efforts**

Notwithstanding any other provision of law to the contrary, a parent receiving benefits under this chapter as a parent of one or more dependent minor children who have been removed from the home of that parent pursuant to section 4036-B continues to be eligible for benefits under this chapter until either the department discontinues rehabilitation and reunification efforts pursuant to section 4041 or parental rights have been terminated pursuant to section 4055, whichever occurs first. The department shall 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.

Beginning January 1, 2021, the department shall provide annually by January 1st to the joint standing committee of the Legislature having jurisdiction over health and human services matters a report on the number of individuals and families who continue MaineCare coverage pursuant to the requirements of this section.

**Sec. 2. Waiver request.** No later than January 1, 2020, the Department of Health and Human Services shall submit a waiver request to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services that requests approval for Medicaid coverage of a parent who has one or more children removed from the home but remains engaged in reunification efforts as established in the Maine Revised Statutes, Title 22, section 3174-BBB. The department shall take all reasonable and necessary steps to seek approval of the waiver. Upon approval of the waiver request, the Commissioner of Health and Human Services shall notify the Secretary of State, the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes of that fact.

**Sec. 3. Report.** The Department of Health and Human Services shall report quarterly to the joint standing committee of the Legislature having jurisdiction over health and human services matters, beginning October 1, 2019, on the department's progress in seeking a waiver under section 2 and implementing rules under section 4 until the process is complete.

**Sec. 4. Rulemaking.** Within 180 days of receiving approval for coverage by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services pursuant to a request in accordance with section 2, the Department of Health and Human Services shall adopt rules to implement the Maine Revised Statutes, Title 22, section 3174-BBB. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 5. Contingent effective date.** That section of this Act that enacts the Maine Revised Statutes, Title 22, section 3174-BBB takes effect only if the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services approves a waiver request submitted in accordance with section 2 of this Act. In no event may this Act take effect until 90 days after the adjournment of the First Regular Session of the 129th Legislature.

See title page for effective date, unless otherwise indicated.

## CHAPTER 131

### S.P. 170 - L.D. 548

#### An Act Regarding Charging a Person under 18 Years of Age with the Crime of Engaging in Prostitution

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

**Sec. 1. 17-A MRSA §853-A, sub-§1,** as amended by PL 2007, c. 476, §29, is further amended to read:

1. A person who has in fact attained 18 years of age is guilty of engaging in prostitution if:

A. The person engages in prostitution as defined in section 851. Violation of this paragraph is a Class E crime, except that the sentencing alternative may include only the penalties provided in section 1301; or

B. The person violates paragraph A and, at the time of the offense, the person has one or more prior convictions under this section or for engaging in substantially similar conduct to that contained in this section in another jurisdiction. Section 9-A governs the use of prior convictions when determining a sentence, except that, for the purposes of this paragraph, the date of the prior conviction may not precede the commission of the offense by more than 2 years. Violation of this paragraph is a Class D crime.

See title page for effective date.

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## CHAPTER 132

### H.P. 271 - L.D. 345

#### An Act To Help New Teachers Succeed

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

**Sec. 1. 20-A MRSA §1055, sub-§10,** as amended by PL 2011, c. 635, Pt. A, §1, is further amended to read:

**10. Supervise school employees.** The superintendent is responsible for implementing a performance evaluation and professional growth system for all teachers and principals pursuant to chapter 508 and an evaluation system for all other employees of the school administrative unit. The superintendent shall evaluate probationary teachers during, ~~but not limited to without limitation, their 2nd~~ each year of their employment as probationary teachers. The method of evaluation must be determined by the school board, be