

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

permit. A selected loan repayment recipient must enter into a loan repayment agreement with the authority and may receive payment from the authority on the recipient's outstanding student debt for each year of service as long as the recipient teaches in an underserved geographic area.

Sec. 5. 20-A MRSA §12503, last ¶, as amended by PL 1999, c. 441, §7, is repealed.

Sec. 6. 20-A MRSA §12504, last ¶, as amended by PL 2003, c. 427, §5, is further amended to read:

Loans of up to \$2,000 per academic year or \$8,000 total in an amount to be determined annually by the authority based on available funds, but in no event less than \$3,000 per academic year for eligible undergraduate students and \$2,000 per academic year for eligible students pursuing postbaccalaureate certification, may be made to students pursuing postbaccalaureate certification. Loans of up to \$3,000 per academic year or \$12,000 total may be made to eligible undergraduate students. Selected full-time undergraduate students may receive loans for a period not to exceed 8 semesters at the institution they attend. Selected full-time and part-time students pursuing postbaccalaureate certifications may receive loans for a period not to exceed 4 semesters or the equivalent thereof at the institution they attend. An individual who has received an Educators for Maine loan as an undergraduate may also receive a loan for students pursuing postbaccalaureate certification. In no event may an individual receive more than \$20,000 in total Educators for Maine loans. Loans are for one academic year and are renewable if the recipient maintains a grade point average of at least 2.5 based on a 4.0 grade point system or the equivalent and submits a complete renewal application by the deadline annually.

Sec. 7. 20-A MRSA §12505, sub-§1, as amended by PL 2003, c. 427, §6, is further amended to read:

1. Eligibility for loans for undergraduate education. An Educators for Maine loan recipient must be an undergraduate at an institution of higher education. Preference must be given to students enrolled in a program that has been determined to be an underserved subject area.

Sec. 8. 20-A MRSA §12507, first ¶, as amended by PL 2003, c. 427, §10, is further amended to read:

Each student who receives a loan may cancel the total amount of the loan by completing one year of return service in ~~the~~ a public schools school, publicly supported secondary school, special education facility as defined in section 7001, subsection 6 or private schools school approved for tuition purposes in the State for each year the individual receives a loan. An individual who received that individual's first program

loan after January 1, 2000 may also cancel the total amount of the loan by completing one year of return service by working in a child care facility. The return service requirement is one year for every 2 years or less that the individual receives a loan if return service is performed in an underserved subject area or an underserved geographic area. Return service for this purpose must be performed within 5 10 years of graduation from the institution of higher education. If the chief executive officer grants a deferment, the time period for performance of return service may be extended for the same period as the deferment. Return service may not be credited for the same semester for which an individual receives a loan pursuant to this chapter. Pro rata loan forgiveness may be granted for part-time return service as determined by rule of the authority. Failure to fulfill the return service option necessitates repayment to the authority as follows.

See title page for effective date.

**CHAPTER 304
H.P. 1161 - L.D. 1609**

**An Act To Set Off Court Fines,
Surcharges and Assessments
against Lottery Winnings**

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

Sec. 1. 8 MRSA §378-A is enacted to read:

§378-A. Setoff of claims against lottery winnings; priority

If the bureau is required under state law or court order to set off a person's lottery winnings against a claim of an amount due and more than one claim is made against the lottery winnings, the bureau shall set off against the winnings as many claims as possible in the following order of priority:

1. Liquidated child support debts. Liquidated child support debts owed to or through the Department of Health and Human Services pursuant to Title 19-A, section 2360;

2. Liquidated tax liabilities. Liquidated tax liabilities pursuant to Title 36, section 185, subsection 3;

3. Unemployment compensation debt. Unemployment compensation debt pursuant to Title 26, section 1051, subsection 8;

4. Court-ordered restitution obligations. Court-ordered restitution obligations when the amounts due are identified by a district attorney's office;

5. Fines, surcharges and assessments owed to State. Fines, surcharges and assessments imposed by

any of the courts and owed to the State pursuant to Title 14, section 3141-A; and

6. All other claims. All other claims in the order of their receipt.

Sec. 2. 14 MRSA §3141-A is enacted to read:

§3141-A. Setoff of fines against lottery winnings

The State Court Administrator appointed pursuant to Title 4, section 15 shall periodically notify the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations, referred to in this subsection as "the bureau," of all persons who owe a monetary fine, surcharge or assessment imposed by a court to the State under this Title. Prior to paying any lottery winnings that must be paid directly by the bureau, the bureau shall determine whether the lottery winner is on the list of persons who owe a monetary fine, surcharge or assessment imposed by a court to the State under this Title. If the winner is on the list of persons who owe a monetary fine, surcharge or assessment imposed by a court, the bureau shall suspend payment of the winnings and provide notice to the winner of its intention to set off the winnings against the monetary fine, surcharge or assessment owed. The bureau shall provide the winnings due to the winner to the State Court Administrator in payment of any monetary fine, surcharge or assessment owed by the winner under this Title. The bureau shall release any remaining winnings in accordance with state law.

See title page for effective date.

CHAPTER 305

H.P. 1172 - L.D. 1629

An Act Regarding Future Evaluations of the Pine Tree Development Zone Program

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

Sec. 1. 30-A MRSA §5250-P, sub-§2, as enacted by PL 2017, c. 440, §5, is amended to read:

2. Evaluation; specific public policy objective; performance measures. The Pine Tree Development Zone program established by this subchapter is subject to ongoing legislative review in accordance with Title 3, chapter 37. In developing evaluation parameters to perform the review, the Office of Program Evaluation and Government Accountability, the Legislature's government oversight committee and the joint standing committee of the Legislature having jurisdiction over taxation matters shall consider:

A. That the specific public policy objective of the Pine Tree Development Zone program established

by this subchapter is to create and retain quality jobs in this State by reducing the tax burden experienced by businesses and thereby making this State's business tax burden more comparable to other states, encouraging location and expansion of businesses in this State and improving the competitiveness of this State's businesses; and

B. Performance measures, including:

- (1) Change in employment levels of qualified Pine Tree Development Zone employees;
- (2) Amount of investment directly related to a qualified business activity;
- (3) Comparison of business tax burden in this State to other states;
- (4) Comparison of other cost burdens in this State to other states;
- (5) Comparison of the amount of public incentives received from the Pine Tree Development Zone program to the amount of public incentives received from other incentive programs in the State;
- (6) Measures of industry competitiveness for businesses receiving Pine Tree Development Zone benefits;
- (7) Measures of fiscal impact and overall economic impact to the State; and
- (8) Other measures as may be relevant to the evaluation of program outcomes.

The Office of Program Evaluation and Government Accountability shall provide a report of its evaluation of the Pine Tree Development Zone program established by this subchapter in accordance with Title 3, section 999 by January 15, 2021 and shall also provide this report to the joint standing committee of the Legislature having jurisdiction over economic development matters, which may report out a bill to the ~~First Regular Session of the 130th~~ Legislature in response to the report's recommendations.

See title page for effective date.

CHAPTER 306

S.P. 597 - L.D. 1766

An Act To Transform Maine's Heat Pump Market To Advance Economic Security and Climate Objectives

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