

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

- (a) Has a total permanent disability resulting from a service-connected disability as a result of service;
- (b) Was killed in action;
- (c) Died from a service-connected disability as a result of service;
- (d) At the time of death was totally and permanently disabled due to service-connected disability, but whose death was not related to the service-connected disability; or
- (e) Is a member of the Armed Forces on active duty who has been listed for more than 90 days as missing in action, captured or forcibly detained or interned in the line of duty by a foreign government or power.

The continuous residency requirement of this subparagraph does not apply to a person who is receiving educational benefits under this chapter on or before January 1, 2006.

Sec. 5. 37-B MRSA §505, sub-§2, ¶F, as amended by PL 2013, c. 569, §3, is further amended to read:

F. A child of a veteran who is attending state-supported postsecondary vocational schools or institutions of collegiate grade must be admitted free of tuition including mandatory fees and lab fees for ~~associate certificate programs, associate degree programs~~ and bachelor's ~~degree~~ programs. The tuition waiver provided under this paragraph may not exceed the cost of 120 undergraduate credit hours at the in-state tuition rate at the University of Maine campus located at Orono and may be reduced by an amount necessary to ensure that the value of this waiver, combined with all other grants and benefits received by the student, does not exceed the total cost of education. Room and board may not be waived. A child of a veteran has 6 10 academic years from the date of first entrance to complete 120 credit hours. For degree programs that require more than 120 credit hours, the state-supported postsecondary vocational school or institution of collegiate grade may grant a tuition waiver beyond 120 credit hours. If such a waiver is granted, the state-supported postsecondary vocational school or institution of collegiate grade shall notify the director. The director may waive the limit of 6 10 consecutive academic years when the recipient's education has been interrupted by severe medical disability, learning disability, illness or other hardship, making continued attendance impossible, however, the extension may not exceed 2 academic years. Students

must maintain at least a 2.0 or "C" grade point average to continue receiving educational benefits. If a student's grade point average falls below 2.0 or a "C," then the student has one semester to bring the grade point average up to at least 2.0 or a "C." If after that semester the student's grade point average is below 2.0 or a "C," the student loses educational benefits under this paragraph until the student achieves a grade point average of at least 2.0 or a "C."

Sec. 6. Maine Revised Statutes amended; revision clause. Wherever in the Maine Revised Statutes the words "bureau of Maine veterans' services" appear or reference is made to that entity or those words, those words are amended to read or mean, as appropriate, "Maine bureau of veterans' services" or "bureau" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

CHAPTER 378

S.P. 611 - L.D. 1810

An Act To Amend the Jurisdiction of Certain Reviews Conducted Pursuant to 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, ¶C, as amended by PL 2013, c. 588, Pt. E, §1 and affected by §2 and amended by PL 2015, c. 429, §23, is further amended to read:

C. The joint standing committee of the Legislature having jurisdiction over business, research and economic development matters shall use the following list as a guideline for scheduling reviews:

- (1) Maine Development Foundation in 2021;
- (5) Department of Professional and Financial Regulation, in conjunction with the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters, in 2015;
- (19) Department of Economic and Community Development in 2021;
- (23) Maine State Housing Authority in 2015;
- (32) Finance Authority of Maine in 2017;
and
- ~~(36) Board of Dental Practice in 2019;~~

- ~~(37) Board of Osteopathic Licensure in 2019;~~
- ~~(38) Board of Licensure in Medicine in 2019;~~
- ~~(41) State Board of Nursing in 2019;~~
- ~~(42) State Board of Optometry in 2019; and~~
- (45) State Board of Registration for Professional Engineers in 2019.

Sec. 2. 3 MRSA §959, sub-§1, ¶R is enacted to read:

R. The joint standing committee of the Legislature having jurisdiction over professional licensing of health care professions matters shall use the following list as a guideline for scheduling reviews:

- (1) Board of Dental Practice in 2019;
- (2) Board of Osteopathic Licensure in 2019;
- (3) Board of Licensure in Medicine in 2019;
- (4) State Board of Nursing in 2019; and
- (5) State Board of Optometry in 2019.

See title page for effective date.

CHAPTER 379

H.P. 1294 - L.D. 1817

An Act To Make Technical Changes to the Maine Tax Laws

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

PART A

Sec. A-1. 36 MRSA §208, as amended by PL 2017, c. 288, Pt. A, §36, is further amended to read:

§208. Equalization

The State Tax Assessor has the duty of equalizing the state and county taxes among ~~the several towns all~~ municipalities and the unorganized territory. The State Tax Assessor shall equalize and adjust the assessment list of each ~~town~~ municipality, by adding to or deducting from it such amount as will make it equal to its just value as of April 1st. Notice of the proposed valuations of municipalities within each county must be sent annually by certified mail to the chair of the board of assessors, and chair of the board of selectmen in municipalities having selectmen, of each municipality within that county on or before the first day of October. The valuation so determined is subject to review by the State Board of Property Tax Review pursuant to subchapter 2-A, but the valuation finally certified to the Secretary of State pursuant to section 381

must be used for all computations required by law to be based upon the state valuation with respect to municipalities.

Sec. A-2. 36 MRSA §381, as corrected by RR 2013, c. 2, §44, is amended to read:

§381. State valuation; definition; to be filed with Bureau of Revenue Services annually

The term "state valuation" as used in reference to the unorganized territory in this Title, except in this chapter ~~and chapter 105~~, means an annual valuation of all property subject to a Maine property tax but not taxable by a municipality. The annual valuation is to be completed by and on file in the office of the Bureau of Revenue Services prior to the assessment of the annual property tax in the unorganized territory. The annual valuation is to be based on the status of property on April 1st. In this chapter, ~~in chapter 105~~ and outside of this Title, the term "state valuation" means the valuation filed with the Secretary of State pursuant to section 305, subsection 1.

Sec. A-3. 36 MRSA §506-A, as amended by PL 2009, c. 434, §14, is further amended to read:

§506-A. Overpayment of taxes

Except as provided in section 506, a taxpayer who pays an amount in excess of that finally assessed must be repaid the amount of the overpayment plus interest from the date of overpayment at a rate to be established by the municipality. The rate of interest may not exceed the interest rate established by the municipality for delinquent taxes nor may it be less than that rate reduced by ~~4%~~ 4 percentage points. If a municipality fails to establish a rate of interest for overpayments of taxes, it shall pay interest at the rate it has established for delinquent taxes.

Sec. A-4. 36 MRSA §691, sub-§1, ¶A, as repealed and replaced by PL 2017, c. 475, Pt. A, §61, is amended to read:

A. "Eligible business equipment" means qualified property that, in the absence of this subchapter, would first be subject to assessment under this Part on or after April 1, 2008. "Eligible business equipment" includes, without limitation, repair parts, replacement parts, replacement equipment, additions, accessions and accessories to other qualified ~~business~~ property that first became subject to assessment under this Part before April 1, 2008 if the part, addition, equipment, accession or accessory would, in the absence of this subchapter, first be subject to assessment under this Part on or after April 1, 2008. "Eligible business equipment" also includes inventory parts. "Eligible business equipment" does not include property eligible for exemption under section 652.

"Eligible business equipment" does not include: