

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-NINTH LEGISLATURE

FIRST SPECIAL SESSION

August 26, 2019

SECOND REGULAR SESSION

January 8, 2020 to March 17, 2020

**THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION**

NON-EMERGENCY LAWS IS

NOVEMBER 25, 2019

**THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION**

NON-EMERGENCY LAWS IS

JUNE 16, 2020

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

**Augusta, Maine
2020**

tax liability of the taxpayer and the amount of the credit refunded to the taxpayer, stated separately.

Notwithstanding any provision of law to the contrary, the reports provided under this subsection are public records as defined in Title 1, section 402, subsection 3.

Sec. C-8. 36 MRSA §5234, as enacted by PL 1975, c. 660, §9, is repealed.

Sec. C-9. Application; retroactivity. That section of this Part that amends the Maine Revised Statutes, Title 36, section 1861-A applies to individual income tax years beginning on or after January 1, 2020. That section of this Part that amends Title 36, section 5147 applies retroactively to tax years beginning on or after January 1, 2019.

PART D

Sec. D-1. 36 MRSA §177, sub-§2, as amended by PL 1999, c. 414, §8, is further amended to read:

2. Responsible individual. Each person required to collect taxes that are designated by subsection 1 as trust funds shall inform the State Tax Assessor, at the time an audit of that person's trust fund obligation is performed by the assessor, of the name and position of ~~the~~ each individual who generally is responsible for the control or management of that person's funds or finances and, if different, ~~the~~ each individual who is specifically responsible for the collection and paying over of those trust funds.

Sec. D-2. 36 MRSA §194-D, sub-§1, ¶A, as enacted by PL 2019, c. 343, Pt. G, §13, is amended by amending subparagraph (2) to read:

(2) A contractor for the bureau, including the contractor's employees, subcontractors and subcontractors' employees, who provides or is assigned to provide services to the bureau under an identified contract. ~~For the purposes of this subparagraph, "identified contract" means a contract that the assessor determines involves access or the substantial possibility of access to the bureau's information technology systems or to confidential tax information;~~

Sec. D-3. 36 MRSA §194-D, sub-§1, ¶D is enacted to read:

D. "Identified contract" means a contract that the assessor determines involves access or the substantial possibility of access to the bureau's information technology systems or to confidential tax information.

Sec. D-4. 36 MRSA §194-D, sub-§2, ¶A, as enacted by PL 2019, c. 343, Pt. G, §13, is amended to read:

A. As part of the process of evaluating an affected person, except for a current employee of the bu-

reau, for employment with the bureau, a background investigation must be conducted before an offer of employment is extended.

Sec. D-5. 36 MRSA §4119, as enacted by PL 2017, c. 474, Pt. G, §2, is amended to read:

§4119. Annual adjustments for inflation

Beginning in 2018 and each year thereafter, on or about September 15th, for the estates of decedents who die during the succeeding calendar year, the assessor shall multiply the cost-of-living adjustment by the dollar amount contained in section 4102, subsection 5 applicable to estates of decedents dying on or after January 1, 2018. For the purposes of this section, the "cost-of-living adjustment" is the Chained Consumer Price Index for the 12-month period ending June 30th of the preceding calendar year divided by the Chained Consumer Price Index for the 12-month period ending June 30, 2017. If the dollar amount, adjusted by the application of the cost-of-living adjustment, is not a multiple of \$10,000, any increase must be rounded to the nearest multiple of \$10,000.

See title page for effective date.

CHAPTER 608

H.P. 1434 - L.D. 2013

An Act To Extend Arrearage Management Program Requirements for Transmission and Distribution Utilities for One Year

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

Sec. 1. 35-A MRSA §3214, sub-§2-A, as enacted by PL 2017, c. 414, §1, is further amended to read:

2-A. Arrearage management program. Each investor-owned transmission and distribution utility shall implement pursuant to this subsection an arrearage management program to assist eligible low-income residential customers who are in arrears on their electricity bills. An arrearage management program implemented pursuant to this subsection is a plan under which a transmission and distribution utility works with an eligible low-income residential customer to establish an affordable payment plan and provide credit to that customer toward the customer's accumulated arrears as long as that customer remains in compliance with the terms of the program. If a consumer-owned transmission and distribution utility elects to implement an arrearage management program, it must do so in accordance with this subsection and rules adopted pursuant to this subsection. The commission shall establish requirements relating to the arrearage management programs by rule.

Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

In adopting rules regarding arrearage management programs, the commission shall:

- A. Consider best practices as developed and implemented in other states or regions;
- B. Require that an arrearage management program include an electricity usage assessment at no cost to the participant;
- D. Ensure that a transmission and distribution utility develops terms and conditions for its arrearage management program in a manner that is consistent with the program's objectives and is in the best interests of all ratepayers; and
- E. Ensure that a transmission and distribution utility recovers in rates all reasonable costs of arrearage management programs, including:
 - (1) Incremental costs;
 - (2) Reconnection fees;
 - (3) Administrative costs;
 - (4) Marketing costs;
 - (5) Costs for any 3rd-party assistance it receives in administering its arrearage management program; and
 - (6) Costs for providing financial and budgetary guidance to participants whether provided directly or through a 3rd party contracted by the transmission and distribution utility to provide that guidance.

The amount of any arrearage forgiven that is treated as bad debt for purposes of cost recovery by the transmission and distribution utility may not be included as a reasonable cost under this paragraph.

The Efficiency Maine Trust shall work with investor-owned transmission and distribution utilities, consumer-owned transmission and distribution utilities that elect to participate in an arrearage management program and other stakeholders to provide access to a complementary low-income energy efficiency program for participants in arrearage management programs in order to help reduce participants' energy consumption.

No later than January 28, ~~2021~~ 2022, the commission shall prepare a report assessing the effectiveness of arrearage management programs, including the number of participants enrolled in the programs, the number of participants completing the programs, the number of participants who have failed to complete the programs, the payment patterns of participating customers after completing the programs, the dollar amount of arrears forgiven, a comparison of outcomes for those participating in the programs and those not participating, the

impact on any participating transmission and distribution utility's bad debt as a result of the programs, the costs and benefits to all ratepayers associated with the programs and recommendations for ways in which the programs might be improved or continued for the benefit of all ratepayers. In preparing its report, the commission shall hold at least one formal stakeholder meeting involving affected parties, including the Office of the Public Advocate and the participating transmission and distribution utilities. Parties must also be provided an opportunity to submit written comments to the commission regarding the performance of the programs.

The joint standing committee of the Legislature having jurisdiction over utilities matters may report out a bill relating to the commission report to the ~~First~~ Second Regular Session of the 130th Legislature.

This subsection is repealed September 30, ~~2021~~ 2022.

Sec. 2. 35-A MRSA §10110, sub-§2, ¶L, as amended by PL 2017, c. 414, §2, is further amended to read:

L. Pursuant to section 3214, subsection 2-A, the trust shall work with investor-owned transmission and distribution utilities, consumer-owned transmission and distribution utilities that elect to participate in an arrearage management program pursuant to section 3214, subsection 2-A and other stakeholders to provide access to a complementary low-income energy efficiency program for participants in the arrearage management programs in order to help reduce participants' energy consumption.

This paragraph is repealed September 30, ~~2021~~ 2022.

See title page for effective date.

CHAPTER 609

S.P. 715 - L.D. 2025

**An Act To Clarify the
Authorization of Emergency
Medical Services Personnel To
Provide Medical Services in a
Hospital**

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

Sec. 1. 32 MRSA §85, sub-§7 is enacted to read:

7. Delegation. This chapter may not be construed to prohibit a person licensed as an emergency medical services person from rendering medical services in a hospital setting if those services are:

- A. Rendered in the person's capacity as an employee of the hospital;