

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

sections 2325-A and 2329 and Title 24-A, sections 2749-C, 2842, 2843 and 4234-A. To determine compliance as required by this section, the superintendent may authorize a market conduct examination or use a survey tool to assess compliance.

Sec. 2. Report. Resolved: That, no later than January 30, 2020, the Superintendent of Insurance shall submit a report to the Joint Standing Committee on Health Coverage, Insurance and Financial Services with the results of the compliance assessment required in section 1 including any recommendations.

Sec. 3. Legislation. Resolved: That the Joint Standing Committee on Health Coverage, Insurance and Financial Services may report out a bill to the Second Regular Session of the 129th Legislature based on the report provided in accordance with section 2.

See title page for effective date.

CHAPTER 73

H.P. 1162 - L.D. 1610

Resolve, To Modify the Deed for a Parcel of Property in the Town of Carrabassett Valley

Sec. 1. Resolve 1999, c. 41, §4, amended. Resolved: That Resolve 1999, c. 41, §4, as amended by PL 1999, c. 790, Pt. Q, §1 and affected by §2, is further amended to read:

Sec. 4. Deed and restrictions. Resolved: That the property must be conveyed by quit claim deed without covenants, subject to the following deed restrictions: The Town of Carrabassett Valley shall in perpetuity retain title to the property and may not sell or otherwise transfer any interest, in whole or in part, in the property except that the Town of Carrabassett Valley may lease portions of the property as long as the uses are consistent with the uses specified in this resolve. The property must remain open and available for use and enjoyment by the public at large. Use of the property must be dedicated for purposes of public outdoor recreation, including, but not limited to: natural history study; hiking; camping, ~~other than in motor vehicles~~; cross-country skiing; hunting; fishing; fisheries and wildlife management; skating; timber management and harvesting under a management plan prepared by a licensed professional forester; and attendant roads and parking. The property must be maintained in an essentially natural and undeveloped condition, except that up to 25 contiguous acres in the aggregate, including any development in existence on the effective date of this resolve, may be developed for any municipal facility. The following uses are expressly prohibited: residential development of any type; development for overnight accommodations, except camping, including commercial camping if

development plans for commercial camping are approved by the State; development for any type of commercial service center, shops, restaurants or other commercial development; or development for any purpose that will change the natural character of the area, except that those uses presently made of the Outdoor and Touring Center located on the property may continue. If the Town of Carrabassett Valley fails to comply with any of the conditions or restrictions, in whole or in part, contained in this resolve, the State may give written notice to the Town of Carrabassett Valley, and if the Town of Carrabassett Valley fails to comply within 30 days, then the title to the property reverts to the State; such a reversion may not be effective until the State records a notice of the reversion in the Franklin County Registry of Deeds.

See title page for effective date.

CHAPTER 74

H.P. 1093 - L.D. 1491

Resolve, To Study Consolidation of Payment of Cost-of-living Tax Credits

Sec. 1. Study of consolidation of payment of cost-of-living tax credits; working group established. Resolved: That the Working Group to Study Consolidation of Payment of Cost-of-living Tax Credits, referred to in this resolve as "the working group," is established to make recommendations to the Legislature regarding the most efficient and effective means to consolidate application and payment of cost-of-living tax credits, including recommendations for making such payments available on a periodic advance basis throughout the year. For the purposes of this section, "cost-of-living tax credits" means the following individual income tax credits under the Maine Revised Statutes, Title 36, chapter 822, which assist Maine taxpayers with basic living expenses: the sales tax fairness credit, the property tax fairness credit, the credit for child care expenses, the credit for adult dependent care expenses and any similar credit identified by the working group.

1. Membership. The working group consists of 9 members appointed by the Associate Commissioner for Tax Policy within the Department of Administrative and Financial Services, Bureau of Revenue Services, referred to in this resolve as "the associate commissioner":

A. Two representatives of organizations with expertise in matters related to accessing income supports, assisting low-income populations with tax filing or tax policy affecting adults with low incomes;

B. One representative of an organization representing Maine workers;

C. One representative of an organization with expertise in legal and policy matters related to public benefit programs that assist individuals with low incomes;

D. Two low-income residents of the State currently enrolled in the federal Medicaid program, the federal supplemental nutrition assistance program administered by the State pursuant to Title 22, section 3104 or the Temporary Assistance for Needy Families program pursuant to Title 22, chapter 1053-B;

E. One representative, recommended by the Commissioner of Health and Human Services, with expertise in the administration of public assistance programs; and

F. Two other individuals chosen by the associate commissioner or the associate commissioner's designee.

2. First meeting; chair. The associate commissioner or the associate commissioner's designee shall convene the first meeting of the working group no later than October 15, 2019. At the first meeting the working group shall select a chair from among its membership. The working group may create subgroups to work on specific issues or initiatives and may include individuals who are not working group members.

3. Duties. The working group shall:

A. Review the current method of applying for cost-of-living tax credits to determine how applications for those credits may be consolidated into a single, simplified application;

B. Determine the most efficient method for making a single consolidated payment to eligible individuals for all cost-of-living tax credits for which these individuals are eligible;

C. For making consolidated payments, review possible periodic schedules that are administratively feasible and best meet the needs of eligible individuals;

D. Determine methods to facilitate claims for cost-of-living tax credits, including any consolidated payments recommended by the working group, for persons applying for assistance from the Maine Department of Health and Human Services through its automated client eligibility system;

E. Examine mechanisms for providing any advance consolidated payment of cost-of-living tax credits recommended by the working group to persons receiving assistance through means-tested assistance programs, including, but not limited to,

the federal Medicaid program, the federal supplemental nutrition assistance program administered by the State pursuant to Title 22, section 3104 or the Temporary Assistance for Needy Families program pursuant to Title 22, chapter 1053-B in a manner that will not reduce assistance from these programs solely as a result of receiving the advance consolidated payment; and

F. Review administrative policies and practices to prevent overpayments in advance periodic payments of cost-of-living tax credits and review practices to allow for payment adjustments to reflect changes to income throughout the year.

Sec. 2. Report. Resolved: That by February 1, 2020, the associate commissioner shall submit the results of its study, including any suggested legislation necessary to implement the recommendations of the working group, to the Joint Standing Committee on Taxation and the Joint Standing Committee on Appropriations and Financial Affairs. Each committee may submit a bill to the Second Regular Session of the 129th Legislature related to the report.

Sec. 3. Staff assistance. Resolved: That the Department of Administrative and Financial Services shall provide necessary staffing services to the working group.

See title page for effective date.

CHAPTER 75

H.P. 668 - L.D. 904

Resolve, Directing the Commissioner of Professional and Financial Regulation To Conduct a Sunrise Review Regarding the Proposal To License Operators of Cranes

Sec. 1. Commissioner of Professional and Financial Regulation to conduct a sunrise review regarding the proposal to license operators of cranes. Resolved: That the Commissioner of Professional and Financial Regulation shall conduct an independent assessment pursuant to the sunrise review requirements in the Maine Revised Statutes, Title 32, chapter 1-A, subchapter 2 of the proposal to license operators of cranes. For the purpose of this resolve, "crane" means a piece of power-operated equipment that can hoist, lower and horizontally move a suspended load.

Sec. 2. Requirements. Resolved: That, in conducting the sunrise review required by section 1, the Commissioner of Professional and Financial Regulation shall consider: