

# MAINE STATE LEGISLATURE

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**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.**

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**Augusta, Maine  
2020**

**CHAPTER 116  
H.P. 29 - L.D. 28**

**Resolve, Directing the  
Department of Marine  
Resources To Evaluate the  
Limited-entry Lobster and  
Crab Fishing Licensing System**

**Sec. 1. Limited-entry lobster zone management review. Resolved:** That the Department of Marine Resources shall submit a report to the joint standing committee of the Legislature having jurisdiction over marine resources matters by February 15, 2021 that evaluates the limited-entry zone policy in the Maine Revised Statutes, Title 12, section 6448. The report must examine the long waiting periods for new zone entrants to be permitted to obtain a lobster and crab fishing license to fish in a limited-entry zone. In examining the waiting list for participation, the department shall consider:

1. The current biological status of the fishery;
2. Current exit-to-entry ratios in each limited-entry zone;
3. Latency of licenses and trap tags;
4. The current policy for student lobster and crab fishing licenses; and
5. Any other factors the department finds relevant to its examination.

The department shall also revisit the findings and recommendations made in the report prepared for the department by the Gulf of Maine Research Institute pursuant to Resolve 2011, chapter 62. The report must include recommendations regarding the long waiting periods for entry into a limited-entry zone. In making any recommendations, the department shall account for potential impacts to the lobster fishery as a result of any proposed new federal regulations to address protections for endangered right whales. The joint standing committee of the Legislature having jurisdiction over marine resources matters may report out legislation to the First Regular Session of the 130th Legislature based upon the report of the department.

See title page for effective date.

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**CHAPTER 117  
H.P. 580 - L.D. 775**

**Resolve, To Authorize the  
Department of Health and  
Human Services To Amend Its  
Rules for Eligibility for  
Community Support Services**

**Sec. 1. Department of Health and Human Services authorized to amend eligibility criteria for community support services. Resolved:** That the Department of Health and Human Services may amend its rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 17, Community Support Services concerning eligibility criteria for services under that section. The department may include in the eligibility determination an assessment of whether an individual has significant impairment or limitation in adaptive behavior or functioning related to the individual's primary clinical diagnosis. The department may also consider:

1. Including in the list of clinical diagnoses that are automatically eligible for services additional clinical diagnoses of conditions that substantially interfere with or limit one or more major life activities; and
2. Expanding the situations in which an individual might be at risk of harm if the individual were to have future episodes related to the individual's primary clinical diagnosis.

**Sec. 2. Report. Resolved:** That the Department of Health and Human Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15, 2021 as to whether the department amended its rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 17, Community Support Services, referred to in this section as "the rule," concerning eligibility criteria for services under that section and, if so, the justification for the changes made by the amendment.

The department also shall provide the committee with:

1. Data regarding:
  - A. The eligibility criteria for determining who has access to community support services; and
  - B. The number of individuals who applied for community support services and, of those:
    - (1) The number initially accepted;
    - (2) The number initially rejected;
    - (3) The number who were rejected who appealed the rejection; and