

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.**

**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.

**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

- (4) Of the number who appealed, the number accepted following the appeal;
- 2. An assessment as to whether the department is fulfilling the intended purpose of the rule, regardless of whether the department has amended the rule, as authorized pursuant to section 1;
- 3. The department's plan for communicating to providers how the department plans to ensure the provision of community support services under the rule; and
- 4. Any other information relevant to the provision of community support services under the rule and the access of individuals to those services.

The joint standing committee may report out legislation to the First Regular Session of the 130th Legislature regarding the subject matter of the report and any rules adopted by the department pursuant to section 1.

See title page for effective date.

CHAPTER 118

H.P. 1342 - L.D. 1876

Resolve, To Name Bridge 3880 in the Town of Dresden the Veterans Memorial Bridge

Sec. 1. Veterans Memorial Bridge named. Resolved: That the Department of Transportation shall designate Bridge 3880 in the Town of Dresden the Veterans Memorial Bridge.

See title page for effective date.

CHAPTER 119

H.P. 1433 - L.D. 2012

Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

Sec. 1. State Tax Assessor authorized to convey real estate. Resolved: That the State Tax Assessor is authorized to convey by sale the interest of the State in real estate in the Unorganized Territory as indicated in this resolve. Except as otherwise directed in this resolve, the sale must be made to the highest bidder subject to the following provisions.

- 1. Notice of the sale must be published 3 times prior to the sale, once each week for 3 consecutive weeks, in a newspaper in the county where the real estate lies, except in those cases in which the sale is to be made to a specific individual or individuals as au-

thorized in this resolve, in which case notice need not be published.

- 2. A parcel may not be sold for less than the amount authorized in this resolve. If identical high bids are received, the bid postmarked with the earliest date is considered the highest bid.

If bids in the minimum amount recommended in this resolve are not received after the notice, the State Tax Assessor may sell the property for not less than the minimum amount without again asking for bids if the property is sold on or before April 1, 2021.

Employees of the Department of Administrative and Financial Services, Bureau of Revenue Services and spouses, siblings, parents and children of employees of the Bureau of Revenue Services are barred from acquiring from the State any of the real property subject to this resolve.

Upon receipt of payment as specified in this resolve, the State Tax Assessor shall record the deed in the appropriate registry at no additional charge to the purchaser before sending the deed to the purchaser.

Abbreviations and plan and lot references are identified in the 2017 Unorganized Territory valuation book. Parcel descriptions are as follows:

2017 MATURED TAX LIENS

Bancroft TWP, Aroostook County

Map AR110, Plan 05, Lot 7.8 030400035-3
 Collelo, Sarah 35.90 acres with building

TAX LIABILITY	
2017	\$259.34
2018	\$289.76
2019	\$306.61
2020 (estimated)	\$306.61
Estimated Total	\$1,162.32
Taxes	
Interest	\$35.92
Costs	\$38.00
Deed	\$19.00
Total	\$1,255.24

Recommendation: Sell to the immediate former owner or the immediate former owner's heirs or devisees for \$1,255.24. If payment is not received within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$1,275.00.

Salem TWP, Franklin County

Map FR027, Plan 01, Lot 49.18 078200334-3