

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

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

Augusta, Maine
2023

chances, the total value of all prizes offered may not exceed a value of \$10,000. A prize offered for a raffle conducted under this subsection may not be in the form of cash and, notwithstanding subsection 8, may not be exchanged for cash.

Sec. 3. 17 MRSA §1837-A, sub-§4, as amended by PL 2019, c. 129, §3, is further amended to read:

4. Raffle with a noncash prize of up to \$75,000 \$150,000 or a cash prize of up to \$20,000 \$10,000 per holder of a winning chance conducted by eligible organization. An eligible organization as described in section 1832, subsection 2 may register with the Gambling Control Unit to conduct a raffle in which the total value of the prize or prizes awarded to the holder of a winning chance or to the holders of the winning chances does not exceed:

- A. ~~Seventy five thousand dollars~~ Exceed \$150,000 that is not in the form of cash and, notwithstanding subsection 8, may not be exchanged for cash; or
- B. ~~Twenty thousand dollars in cash, with no~~ Include more than one \$10,000 cash prize for ~~the~~ each holder of a winning chance.

At the time of registration, the eligible organization shall state a verifiable charitable purpose that the proceeds of the raffle are dedicated to benefit.

Beginning December 1, 2024, the Gambling Control Unit shall adjust every 2 years the noncash prize dollar value based on the Consumer Price Index as reported by the United States Department of Labor, Bureau of Labor Statistics and rounded to the nearest amount divisible by \$100.

Sec. 4. 17 MRSA §1837-A, sub-§6, as enacted by PL 2019, c. 129, §3, is amended to read:

6. Multiple raffles. An eligible organization as described in section 1832, subsection 2 may conduct more than one raffle at a time that meet the requirements of subsections 2-A, 3 and 4, ~~except that an eligible organization may not conduct more than one registered raffle at the same time under subsection 4, paragraph A and may not conduct more than one registered raffle at the same time under subsection 4, paragraph B. This subsection does not prevent an eligible organization from conducting one registered raffle under subsection 4, paragraph A at the same time that the eligible organization conducts one registered raffle under subsection 4, paragraph B.~~ When an eligible organization conducts multiple raffles as permitted by this subsection, the eligible organization is not required to begin and end those raffles on the same dates.

Sec. 5. 17 MRSA §1837-A, sub-§8 is enacted to read:

8. Lottery ticket as noncash prize; total value. A lottery ticket offered as a prize in a raffle held in

accordance with this section is considered a noncash prize and the total value of the lottery ticket is determined by the purchase price of the lottery ticket and not by the potential or actual value of the lottery ticket winnings.

Sec. 6. 17 MRSA §1839, sub-§1, as amended by PL 2017, c. 284, Pt. KKKKK, §27, is further amended to read:

1. Records required. Each licensee or registrant shall keep a record of all financial transactions involving games operated under this chapter. ~~The~~ Except for records kept by eligible organizations operating raffles under section 1837-A, the records must include an exact account of all gross revenue from the games, an itemization of all allowable expenses, including, but not limited to, the cost of prizes, printing, licenses and administration, and the disposition of all proceeds, including, but not limited to, all gifts, grants and payments to any person, firm, corporation, association or organization for any purpose whatsoever. All financial records involving games operated under this chapter must be separate and distinguishable from other records of the organization. Revenue from more than one game operated under this chapter may be entered into one account.

See title page for effective date.

CHAPTER 87

H.P. 94 - L.D. 153

An Act to Allow Electronic Distribution of Certain Documents to Municipalities and Electronic Acknowledgment of Receipt of Certain Documents as Acceptable Communications

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

Sec. 1. 30-A MRSA §701, sub-§3, as amended by PL 2007, c. 663, §2, is further amended to read:

3. Public hearing. The county commissioners shall hold a public hearing in the county on ~~these~~ the estimates before the end of the county's fiscal year. ~~They~~ At least 10 days before the hearing, the county commissioners shall publish a notice of the hearing at least 10 days before the hearing in a newspaper of general circulation within the county. ~~Written and provide written~~ notice and a copy of the estimates must be sent by mail or delivered in person to the clerk of each municipality in the county at least 10 days before the hearing by e-mail, regular mail or delivery in person to the clerk, except that the county commissioners shall provide the written notice and a copy of the estimates by

e-mail or regular mail if a municipality requests delivery by one of these methods. If the notice is delivered by e-mail or regular mail, the municipal clerk shall confirm receipt of the notice and a copy of the estimates by e-mail or regular mail. The municipal clerk shall notify the municipal officers of the receipt of the estimates.

Sec. 2. 30-A MRSA §725, sub-§4, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

4. Public hearing on revised budget. The budget committee shall hold at least one additional public hearing in the county on the proposed budget, as revised by the budget committee, before the end of the county's fiscal year and before the final adoption of the budget. Notice of the hearing must be given at least 10 days before the hearing in all newspapers of general circulation within the county. Written notice and a copy of the proposed budget shall be ~~mailed sent~~ or delivered ~~in person~~ to the clerk of each municipality in the county in accordance with section 701, subsection 3. The municipal clerk shall notify the municipal officials of the proposed budget.

Sec. 3. 30-A MRSA §739-B, sub-§3, as enacted by PL 1989, c. 475, §§1 and 2, is amended to read:

3. Public hearing. The finance committee shall hold a public hearing in the county on its proposed budget before the end of the county's fiscal year and before the final adoption of the budget. Notice of the hearing shall be given at least 10 days before the hearing in all newspapers of general circulation within the county. Written notice and a copy of the proposed budget shall be sent ~~by mail~~, or delivered ~~in person~~, to the clerk of each municipality in the county in accordance with section 701, subsection 3. The municipal clerk shall notify the municipal officials of the proposed budget.

Sec. 4. 30-A MRSA §742-A, sub-§4, as amended by PL 2007, c. 663, §5, is further amended to read:

4. Public hearings. Public hearings on the proposed budget must be held by the budget advisory committee and county commissioners in each commissioner's district at least one month prior to the beginning of the fiscal year. Notice of these hearings must be given at least 10 days before the hearing in newspapers of general circulation within the county. Written notice and a copy of the proposed budget must be sent ~~by mail~~, or delivered ~~in person~~, to the clerk of each municipality in the county in accordance with section 701, subsection 3. The municipal clerk shall notify the municipal officials of the receipt of the proposed budget and the date of the hearings.

Sec. 5. 30-A MRSA §753, sub-§3, as enacted by PL 1991, c. 257, is amended to read:

3. Public hearing. The budget committee shall hold a public hearing in the county on its proposed budget before the end of the county's fiscal year and before the final adoption of the budget. Notice of the hearing must be given at least 10 days before the hearing in all newspapers of general circulation within the county. Written notice and a copy of the proposed budget must be sent ~~by mail~~ or delivered ~~in person~~ to the clerk of each municipality in the county in accordance with section 701, subsection 3. The municipal clerk shall notify the municipal officials of the receipt of the proposed budget.

Sec. 6. 30-A MRSA §764, as amended by PL 2007, c. 663, §8, is further amended to read:

§764. Public hearing

The Hancock County commissioners shall hold a public hearing on the budget estimate at least 90 days before the end of the county's fiscal year and an informational meeting on the advisory committee's budget estimates at least 30 days before the end of the county's fiscal year. ~~Pursuant to the requirements of section 701, subsection 3, written~~ Written notice and a copy of the estimates must be sent ~~by mail~~ or delivered ~~in person~~ to each member of the county legislative delegation in accordance with section 701, subsection 3 at least 10 days before the informational meeting on the annual budget.

Sec. 7. 30-A MRSA §825, sub-§4, as amended by PL 2007, c. 663, §13, is further amended to read:

4. Public hearing. The county commissioners shall hold a public hearing in the county on the proposed budget at least 30 days before the end of the county's fiscal year and before the final adoption of the budget. Notice of the hearing must be given at least 10 days before the hearing in all newspapers of general circulation within the county. Written notice and a copy of the proposed budget must be sent ~~by mail~~ or delivered ~~in person~~ to the clerk of each municipality in the county and to the members of the budget committee in accordance with section 701, subsection 3. The municipal clerk shall notify the municipal officials of the proposed budget and the date of the public hearing.

Sec. 8. 30-A MRSA §833, sub-§3, as enacted by PL 1993, c. 623, §1, is amended to read:

3. Public hearing. The budget committee shall hold a public hearing in the county on the proposed budget before the end of the county's fiscal year and before the final adoption of the budget. Notice of the hearing must be given in all newspapers of general circulation within the county at least 10 days before the hearing. Written notice and a copy of the proposed budget must be sent ~~by mail~~, or delivered ~~in person~~, to the clerk of each municipality in the county in accordance with section 701, subsection 3. The municipal clerk shall notify the municipal officials of the proposed budget.

Sec. 9. 30-A MRSA §855, sub-§3, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

3. Public hearing. The budget committee shall hold a public hearing in the county on the proposed budget before the end of the county's fiscal year and before the final adoption of the budget. Notice of the hearing shall be given at least 10 days before the hearing in a newspaper of general circulation within the county. Written notice and a copy of the proposed budget shall be sent ~~by registered or certified mail with return receipt requested, or delivered in person, with proof received of the delivery,~~ to the clerk of each municipality in the county in accordance with section 701, subsection 3. The municipal clerk shall notify the municipal officers of the proposed budget.

Sec. 10. 30-A MRSA §864, sub-§3-A, as enacted by PL 1991, c. 533, §6 and affected by §10, is amended to read:

3-A. Written notification. Written notice and a copy of the proposed budget must be sent or delivered in accordance with section 701, subsection 3 at least 10 days before the public hearing to the clerk of each municipality in the county. The municipal clerk shall notify the elected officials of the proposed budget.

Sec. 11. 30-A MRSA §874, sub-§3, as enacted by PL 1991, c. 495, is amended to read:

3. Public hearing. The advisory committee shall hold a public hearing in the county on the proposed budget before the end of the county's fiscal year and before the final adoption of the budget. Notice of the hearing must be given in all newspapers of general circulation within the county at least 10 days before the hearing. Written notice and a copy of the proposed budget must be sent ~~by mail, or delivered in person,~~ to the clerk of each municipality in the county in accordance with section 701, subsection 3. The municipal clerk shall notify the municipal officials of the proposed budget.

Sec. 12. 30-A MRSA §897, sub-§3, as enacted by PL 1993, c. 582, §1, is amended to read:

3. Public hearing. The budget committee shall hold a public hearing in the county on the proposed budget before the end of the county's fiscal year and before final adoption of the budget. Notice of the hearing must be given in all newspapers of general circulation within the county at least 10 days before the hearing. Written notice and a copy of the proposed budget must be sent ~~by mail or delivered in person~~ to the clerk of each municipality in the county in accordance with section 701, subsection 3. The municipal clerk shall notify the municipal officials of the proposed budget.

See title page for effective date.

**CHAPTER 88
H.P. 160 - L.D. 239**

**An Act to Establish the
Pink-edged Sulphur as the
State Butterfly**

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

Sec. 1. 1 MRSA §231 is enacted to read:

§231. State butterfly

The Pink-edged Sulphur (Colias interior) is the official state butterfly.

See title page for effective date.

**CHAPTER 89
H.P. 278 - L.D. 449**

**An Act to Authorize the
Department of Health and
Human Services to License
Home-based and
Community-based Services for
Persons with an Intellectual
Disability, Autism Spectrum
Disorder or a Related
Condition or an Acquired
Brain Injury and Define
Autism Spectrum Disorder**

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

Sec. 1. 22 MRSA §3089, sub-§2-A is enacted to read:

2-A. Licensing. As provided in Title 34-B, section 1203-B, the department shall license agencies, as defined in that section, that serve or provide support for an adult with an acquired brain injury.

Sec. 2. 22 MRSA §7801, sub-§3, as amended by PL 1993, c. 661, §3, is further amended to read:

3. Residential care facilities. A residential care facility providing care to no more than 2 residents is not required to obtain a license under subsection 1, unless the license is required for the residential care facilities to receive payment from available state funds, including the State's share of MaineCare reimbursements. The department may issue 2-year licenses and conduct modified surveys for compliance of those facilities as long as the facilities have relatively deficiency-free surveys with no history of health or safety violations.

Sec. 3. 22 MRSA §7801, sub-§3-A is enacted to read: