

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

for any taxable year, then ~~no~~ a penalty may not be imposed with respect to any underpayment of the required installment of estimated tax, if on or before ~~March 1st~~ the first day of the 3rd month following the close of the individual's taxable year, that individual files a return for the taxable year and pays in full ~~his~~ the tax liability for the taxable year of the return.

PART C

Sec. C-1. 23 MRSA §4210-B, sub-§7-A, as amended by PL 2021, c. 630, Pt. D, §1, is further amended to read:

7-A. Sales tax revenue. On July 1st of each year, the State Controller shall transfer to the Multimodal Transportation Fund an amount, as certified by the State Tax Assessor, that is equivalent to 100% of the revenue from the tax imposed on the value of rental of a ~~pickup~~ truck or van with a gross weight of less than 26,000 pounds rented from a person primarily engaged in the business of renting automobiles and the value of rental for a period of less than one year of an automobile pursuant to Title 36, section 1811 for the first 6 months of the prior fiscal year after the reduction for the transfer to the Local Government Fund as described by Title 30-A, section 5681, subsection 5 and the transfer to the ATV Recreational Management Fund pursuant to Title 36, section 1820. On October 1st of each year, the State Controller shall transfer to the Multimodal Transportation Fund an amount, as certified by the State Tax Assessor, that is equivalent to 100% of the revenue from the tax imposed on the value of rental of a ~~pickup~~ truck or van with a gross weight of less than 26,000 pounds rented from a person primarily engaged in the business of renting automobiles and the value of rental for a period of less than one year of an automobile pursuant to Title 36, section 1811 for the last 6 months of the prior fiscal year after the reduction for the transfer to the Local Government Fund as described by Title 30-A, section 5681, subsection 5 and the transfer to the ATV Recreational Management Fund pursuant to Title 36, section 1820. The tax amount must be based on actual sales for that fiscal year and may not consider any accruals that may be required by law.

Sec. C-2. 36 MRSA §191, sub-§2, ¶H, as repealed and replaced by PL 1981, c. 698, §176, is amended to read:

H. The disclosure by the State Tax Assessor of the fact that a person is or is not registered under this Title or disclosure of both the fact that a registration under this Title has been revoked and the reasons for revocation. The exemption under this paragraph is limited to the disclosure of information applicable to the previous 6 years;

Sec. C-3. 36 MRSA §191, sub-§2, ¶EE, as amended by PL 2019, c. 401, Pt. B, §1, is further amended to read:

EE. The disclosure by the State Tax Assessor of the fact that a person has or has not been issued a certificate of exemption pursuant to section 1760, 2013 or 2557, or a resale certificate pursuant to section 1754-B, subsection 2-B or 2-C. The exemption under this paragraph is limited to the disclosure of information applicable to the previous 6 years;

See title page for effective date.

CHAPTER 361

H.P. 250 - L.D. 399

An Act to Amend the Portfolio Requirements for Class II Resources and Require Money Collected from Alternative Compliance Payments to Be Used for Financial Assistance

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

Sec. 1. 35-A MRSA §3210, sub-§3, ¶A, as enacted by PL 2019, c. 477, §1, is amended to read:

A. For the purposes of meeting the portfolio requirement under this subsection, a 300% multiplier is applied to the output of a generator fueled by municipal solid waste in conjunction with recycling that has obtained a solid waste facility license from the Department of Environmental Protection.

This paragraph is repealed January 1, ~~2025~~ 2027.

Sec. 2. 35-A MRSA §3210, sub-§9, as amended by PL 2021, c. 199, §1, is further amended to read:

9. Alternative compliance payment. The commission shall allow competitive electricity providers to satisfy the portfolio requirements for Class I resources under subsection 3-A, Class IA resources under subsection 3-B ~~and~~, thermal renewable energy credits under subsection 3-C ~~and~~ Class II resources under subsection 3 through an alternative compliance payment mechanism in accordance with this subsection.

A. The commission shall set the alternative compliance payment ~~rate rates~~ by rule, ~~which may not be greater than \$50~~, and shall publish the alternative compliance payment ~~rate rates~~ by January 31st of each year. In setting the ~~rate rates~~, the commission shall take into account prevailing market prices, standard-offer service prices for electricity, reliance on alternative compliance payments to meet the requirements of subsections ~~3~~, 3-A, 3-B and 3-C and investment in Class I ~~and~~, Class IA ~~and~~ Class II resources and thermal renewable energy credits in the State during the previous calendar year.

(1) The alternative compliance payment rate for the requirements under subsections 3-A, 3-B and 3-C may not be greater than \$50.

(2) The alternative compliance payment rate for the requirement under subsection 3 may not be greater than \$10.

B. The commission shall collect alternative compliance payments to meet the requirements of subsections ~~3~~, 3-A and 3-B made by competitive electricity providers and shall ~~deposit~~ use all funds collected under this paragraph ~~in the Energy Efficiency and Renewable Resource Fund established under section 10121, subsection 2 to be used to fund research, development and demonstration projects relating to renewable energy technologies and to fund rebates for cost effective renewable energy technologies to provide financial assistance for low-income households in accordance with section 3214, subsection 2.~~

C. The commission shall collect alternative compliance payments to meet the requirements of subsection 3-C made by competitive electricity providers and shall deposit all funds collected under this paragraph in the Thermal Energy Investment Fund established under section 10128, subsection 2 to be used to fund incentives and low-interest or no-interest loans to businesses, municipalities, educational institutions and nonprofit entities in the State for the installation of new thermal energy-derived projects.

The commission shall adopt rules to implement this subsection. Rules adopted ~~under this subsection to establish the alternative compliance payment rates governed by paragraph A, subparagraphs (1) and (2)~~ routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. 35-A MRSA §3214, sub-§2, ¶A, as enacted by PL 1997, c. 316, §3, is amended to read:

A. Receive funds collected by all transmission and distribution utilities in the State at a rate set by the commission in periodic rate cases; ~~and~~

Sec. 4. 35-A MRSA §3214, sub-§2, ¶A-1 is enacted to read:

A-1. Receive funds collected by the commission for alternative compliance payments in accordance with section 3210, subsection 9, paragraph B; and

Sec. 5. 35-A MRSA §3214, sub-§2, as enacted by PL 1997, c. 316, §3, is amended by enacting at the end a new first blocked paragraph to read:

The commission may adopt rules to implement this subsection. Rules adopted under this subsection are routine

technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 362

H.P. 262 - L.D. 429

An Act to Reclassify Certain Offenses Under the Motor Vehicle Laws and Increase the Efficiency of the Criminal Justice System

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

Sec. 1. 29-A MRSA §1603, sub-§9, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

9. Return license, certificates and plates. A person whose license or registration has been suspended shall immediately return every license, registration certificate and registration plate issued to that person to the Secretary of State. A person commits a ~~Class E crime~~ traffic infraction if that person, after notice of suspension, fails or refuses to return every license, registration certificate and registration plate.

Sec. 2. 29-A MRSA §1859, as amended by PL 1995, c. 65, Pt. A, §104 and affected by §153 and Pt. C, §15, is further amended to read:

§1859. Removal of vehicle

Removal of a vehicle described in section 1851 or of any part or accessory from the vehicle without the written consent of the person in charge or the owner of the premises or property where the vehicle is located is a ~~Class E crime~~ traffic infraction. This section applies to all persons, including the owner of the vehicle.

Sec. 3. 29-A MRSA §2069, sub-§3, ¶B, as enacted by PL 2015, c. 159, §4, is amended to read:

B. The issuance of a summons for a traffic infraction as described in section ~~351~~, section 2104 or section 2412-A, subsection 8;

Sec. 4. Effective date. This Act takes effect January 1, 2024.

Effective January 1, 2024.
