MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

SECOND REGULAR SESSION January 3, 2024 to May 10, 2024

THE GENERAL EFFECTIVE DATE FOR SECOND REGULAR SESSION NON-EMERGENCY LAWS IS AUGUST 9, 2024

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

Augusta, Maine 2024

Sec. 11. 17 MRSA §1842, sub-§5-A is enacted to read:

Imposition of fine and opportunity for hearing. The Gambling Control Unit shall notify the licensee or registrant in writing that a fine is imposed pursuant to subsection 3, paragraph F and of the right to a hearing pursuant to this subsection. The licensee or registrant has the right to request a hearing before the Commissioner of Public Safety or the commissioner's designee. Upon the licensee's or registrant's request for a hearing, the Commissioner of Public Safety shall provide a hearing. The hearing must comply with the Maine Administrative Procedure Act. The purpose of the hearing is to determine whether a preponderance of the evidence establishes that the licensee or registrant or the licensee's or registrant's agent or employee violated a provision of this chapter or a rule of the Gambling Control Unit prescribed by authority of this chapter. A request for a hearing must be made no later than 10 days after the licensee or registrant is notified of the fine. The imposition of the fine must be stayed pending the hearing; the hearing must be held no later than 30 days after the date the Commissioner of Public Safety receives the request unless otherwise agreed to by the parties or continued upon request of a party for cause shown.

See title page for effective date.

CHAPTER 579 H.P. 1310 - L.D. 2048

An Act to Amend the Content of Notices Provided with Respect to Tax Liens on Certain Property

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

Sec. 1. 36 MRSA §942, 3rd ¶, as enacted by PL 2017, c. 478, §2, is amended to read:

For property that constitutes a homestead for which a property tax exemption is claimed under subchapter 4-B, the tax collector shall include with the written notice authorized under this section written notice to the person named on the tax lien mortgage that that person may be eligible to file an application for tax abatement under section 841, subsection 2, indicating that the municipality, upon request, will assist the person in requesting an abatement and provide information regarding the procedures for making such a request. The notice must also indicate that the person may seek assistance from the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection regarding options for finding an advisor who can help the person work with the municipality to avoid tax lien foreclosure and provide information regarding ways to contact the bureau sources of assistance including legal services providers described in Title 4, section 18-A, subsection 1, paragraph B. The Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection, by July 15th annually, shall provide to a statewide organization representing municipalities post on a publicly accessible website information regarding assistance in avoiding tax lien foreclosure to assist municipalities in providing the information required in the notice on accessing sources of assistance, and that information may be used by municipalities in providing the information required in the notice. Before posting this information, the bureau shall consider input, if any, received from legal services providers, counselors and state and federal agencies involved in foreclosure prevention matters.

Sec. 2. 36 MRSA §1281, as amended by PL 2019, c. 401, Pt. A, §12, is further amended to read:

§1281. Payment of taxes; delinquent taxes; publication; certificate filed in registry

Annually, after January 15th but no later than January 31st, the State Tax Assessor shall send by mail to the last known address of each owner of real estate subject to assessment under section 1602, including supplementary taxes assessed under section 1331, upon which taxes remain unpaid a notice in writing, containing a description of the real estate assessed and the amount of unpaid taxes and interest, and alleging that a lien is claimed on that real estate for payment of those taxes, interests and costs, with a demand that payment be made by the next February 21st. For property that constitutes a homestead for which a property tax exemption is claimed under chapter 105, subchapter 4-B, the State Tax Assessor shall include in the written notice written notice to the owner named on the tax lien mortgage that that owner may be eligible to file an application for tax abatement under section 841, subsection 2, indicating that the State Tax Assessor, upon request, will assist the owner in requesting an abatement and provide information regarding the procedures for making such a request. The notice must also indicate that the owner may seek assistance from the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection regarding options for finding an advisor who can help the owner work with the State Tax Assessor to avoid tax lien foreclosure and provide information regarding ways to contact the bureau sources of assistance including legal services providers described in Title 4, section 18-A, subsection 1, paragraph B. The Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection, by July 15th annually, shall provide to a statewide organization representing municipalities and to the State Tax Assessor post on a publicly accessible website information regarding assistance in avoiding tax lien foreclosure to assist municipalities and the State Tax Assessor in providing the information required in the notice on accessing sources of assistance, and that information may be used by the

State Tax Assessor in providing the information required in the notice. Before posting this information, the bureau shall consider input, if any, received from legal services providers, counselors and state and federal agencies involved in foreclosure prevention matters. If the owners of any such real estate are unknown, instead of sending the notices by mail, the assessor shall cause the information required in this section on that real estate to be advertised in the state paper and in a newspaper, if any, of general circulation in the county in which the real estate lies. Such a statement or advertisement is sufficient legal notice of delinquent taxes. If those taxes and interest to date of payment and costs are not paid by February 21st, the State Tax Assessor shall record by March 15th, in the registry of deeds of the county or registry district where the real estate lies, a certificate signed by the assessor, setting forth the name or names of the owners according to the last state valuation, or the valuation established in accordance with section 1331; the description of the real estate assessed as contained in the last state valuation, or the valuation established in accordance with section 1331; the amount of unpaid taxes and interest; the amount of costs; and a statement that demand for payment of those taxes has been made, and that those taxes, interest and costs remain unpaid. The costs charged by the register of deeds for the filing may not exceed the fees established by Title 33, section 751.

See title page for effective date.

CHAPTER 580 H.P. 1258 - L.D. 1956

An Act to Amend the Laws Governing Optometrists

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

Sec. 1. 5 MRSA §12004-A, sub-§28, as amended by PL 1999, c. 687, Pt. B, §1, is further amended to read:

28.

State Board of Optometry \$35/Day 32 MRSA <u>\$2415</u> §19201

Sec. 2. 10 MRSA §8001-A, sub-§6, as enacted by PL 1989, c. 450, §5, is repealed and the following enacted in its place:

- **6. State Board of Optometry.** Optometry, State Board of;
- **Sec. 3. 24-A MRSA §4314, sub-§1, \PA,** as enacted by PL 2001, c. 408, §1 and affected by §2, is amended to read:
 - A. "Eye care provider" means a participating provider who is an optometrist licensed to practice optometry pursuant to Title 32, chapter 34 A 151,

or an ophthalmologist licensed to practice medicine pursuant to Title 32, chapter 48 chapter 36, 48 or 145.

Sec. 4. 32 MRSA c. 34-A, as amended, is repealed.

Sec. 5. 32 MRSA §2594-A, last ¶, as amended by PL 1993, c. 600, Pt. A, §184, is further amended to read:

When the delegated activities are part of the practice of optometry as defined in chapter 34 A 151, then the individual to whom these activities are delegated must possess a valid license to practice optometry in Maine or otherwise may perform only as a technician within the established office of a physician and may act solely on the order of and under the responsibility of a physician skilled in the treatment of eyes as designated by the proper professional board and without assuming evaluation or interpretation of examination findings by prescribing corrective procedures to preserve, restore or improve vision.

Sec. 6. 32 MRSA §3270-A, last ¶, as amended by PL 1993, c. 600, Pt. A, §205, is further amended to read:

When the delegated activities are part of the practice of optometry as defined in chapter 34-A 151, then the individual to whom these activities are delegated must possess a valid license to practice optometry in Maine, or otherwise may perform only as a technician within the established office of a physician, and otherwise acting solely on the order of and under the responsibility of a physician skilled in the treatment of eyes as designated by the proper professional board, and without assuming evaluation or interpretation of examination findings by prescribing corrective procedures to preserve, restore or improve vision.

Sec. 7. 32 MRSA §3300-E, as reallocated by RR 2015, c. 1, §36, is amended to read:

§3300-E. Issuance of prescription for ophthalmic lenses

A physician licensed pursuant to section 3275 chapter 36, 48 or 145 may not issue a prescription for ophthalmic lenses, as defined in section 2411 19101, subsection 40 18, solely in reliance on a measurement of the eye by a kiosk, as defined in section 2411 19101, subsection 9 13, without conducting an eye examination, as defined in section 2411 19101, subsection 8 11.

Sec. 8. 32 MRSA c. 151 is enacted to read:

CHAPTER 151
OPTOMETRISTS
SUBCHAPTER 1
GENERAL PROVISIONS