

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

7. Infrastructure and material needs.

The Joint Standing Committee on Education and Cultural Affairs is authorized to submit legislation related to the report to the Second Regular Session of the 131st Legislature.

See title page for effective date.

CHAPTER 83

H.P. 1185 - L.D. 1855

Resolve, Directing the Office of Tax Policy to Study Maine's Mining Excise Tax

Sec. 1. Office of Tax Policy to study State's mining excise tax; report. Resolved: That the Department of Administrative and Financial Services, Bureau of Revenue Services, Office of Tax Policy shall examine and evaluate the State's taxation of metallic mineral mining business activity, including the mining excise tax, and shall review mining taxes and fees from other states, including severance taxes, excise taxes, extraction fees and royalties and corresponding potential uses of collected revenue, and consult with national mining tax experts as appropriate. No later than January 15, 2024, the Office of Tax Policy shall submit a report to the Joint Standing Committee on Taxation that includes its findings and recommendations, including suggested legislation, that are consistent with the policy and purposes in the Maine Revised Statutes, Title 36, section 2853. The Joint Standing Committee on Taxation may submit legislation related to the report to the Second Regular Session of the 131st Legislature.

See title page for effective date.

CHAPTER 84

S.P. 315 - L.D. 757

Resolve, to Review Telemonitoring and Certain Telehealth Services Reimbursed under MaineCare

Sec. 1. Department to review telemonitoring services reimbursable under MaineCare. Resolved: That the Department of Health and Human Services shall review its coverage of telemonitoring services reimbursable under the MaineCare program, including its policy of restricting access to telemonitoring to patients eligible for home health services, and shall develop recommendations for changes to its coverage of telemonitoring services, including potential expansion of telemonitoring services to members not receiving home health services.

Sec. 2. Department to review certain telehealth services reimbursable under MaineCare. Resolved: That the Department of Health and Human Services shall review its reimbursement under the MaineCare program for ultrasound procedures and fetal nonstress tests performed remotely in a residence or other off-site location through telehealth. The department shall clarify whether these services are reimbursable under current policy and, if not, shall develop recommendations regarding future reimbursement of these services.

Sec. 3. Report. Resolved: That the Department of Health and Human Services shall submit its recommendations developed under sections 1 and 2 to the Joint Standing Committee on Health and Human Services by January 10, 2024. The committee may report out legislation related to the department's report to the Second Regular Session of the 131st Legislature.

See title page for effective date.

CHAPTER 85

S.P. 829 - L.D. 2008

Resolve, to Remove the Prohibition Against Live Plants in State-owned Buildings

Sec. 1. Live plants in state-owned buildings. Resolved: That the Department of Administrative and Financial Services shall amend its rules to allow live plants in state-owned buildings, except that the department may prohibit live plants that develop mold or bacteria or are contributing to an insect infestation.

See title page for effective date.

CHAPTER 86

S.P. 837 - L.D. 2015

Resolve, Approving the 2023 Draft and Arrangement of the Constitution of Maine Made by the Chief Justice of the Supreme Judicial Court and Providing for Its Publication and Distribution

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 2023 recodification of the Constitution of Maine has been completed by the Chief Justice of the Supreme Judicial Court and submitted to the Legislature; and