

# 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.**

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**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