

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

Whereas, the recodification must be made available to the public as soon as possible and before the expiration of the 90-day period; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Constitution; approval of 2023 draft and arrangement; enrollment; distribution.

Resolved: That the draft and arrangement of the Constitution of Maine, as amended, made by the Chief Justice of the Supreme Judicial Court pursuant to the Constitution of Maine, Article X, Section 6 is approved and that the same be enrolled on parchment or other suitable material and deposited in the office of the Secretary of State.

Sec. 2. Enrollment on durable material.

Resolved: That the Secretary of State is authorized and directed to cause the Constitution of Maine, as amended and arranged, to be enrolled on parchment or other suitable material and upon final approval of the Chief Justice of the Supreme Judicial Court to attest to the correctness of that enrollment under the seal of the State.

Sec. 3. Publication. Resolved: That the Secretary of State is authorized and directed to cause to be published in pamphlet form, subject to the approval of the Chief Justice of the Supreme Judicial Court, copies of the Constitution of Maine in such numbers as the Secretary of State determines necessary and that one copy of the pamphlet be forwarded to the municipal officers of each city and town and to the assessors of each plantation within the State.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 27, 2023.

CHAPTER 87

H.P. 1186 - L.D. 1856

Resolve, to Study the Establishment of a Public Option Health Benefit Plan

Sec. 1. Office of Affordable Health Care study of health care and coverage. Resolved: That, when conducting the study required by Public Law 2021, chapter 518, the Office of Affordable Health Care shall prioritize consideration of the creation of a public option health benefit plan that takes the form of either a buy-in to the MaineCare program or a fully pub-

licly administered plan that may be eligible for advanced premium tax credits through the Maine Health Insurance Marketplace established under the Maine Revised Statutes, Title 22, section 5403. The office shall also consider other models to address the availability and affordability of health coverage in the State and ways that the State may leverage available federal-state innovation waivers to improve affordability for consumers. Notwithstanding Public Law 2021, chapter 518, the office shall submit a report that prioritizes the consideration of a public option health benefit plan and other models as described in this resolve to the Joint Standing Committee on Health Coverage, Insurance and Financial Services no later than January 31, 2024. The committee may submit legislation in response to the report to the Second Regular Session of the 131st Legislature. The office shall submit a report fulfilling the remaining requirements in Public Law 2021, chapter 518 no later than January 31, 2025.

See title page for effective date.

CHAPTER 88

H.P. 43 - L.D. 68

Resolve, Directing the Office of Tax Policy to Study the Impact of Exempting Certain Nonprofit Organizations from the Sales and Use Tax and the Service Provider Tax

Sec. 1. Study. Resolved: That the Department of Administrative and Financial Services, Bureau of Revenue Services, Office of Tax Policy shall study the legislative history of entity-based exemptions provided to qualifying nonprofit organizations from sales and use tax pursuant to the Maine Revised Statutes, Title 36, section 1760 and from service provider tax pursuant to Title 36, section 2557, including but not limited to review of the entities currently covered and excluded, the impact of changes to statutes if criteria were broadened and exemptions in other states. The department shall submit a report to the Joint Standing Committee on Taxation no later than January 15, 2024. The joint standing committee may report out a bill to the Second Regular Session of the 131st Legislature regarding that report. Notwithstanding Title 36, section 191, the Office of Tax Policy may disclose the number of nonprofit organizations not exempt under Section 501(c)(3) of the federal Internal Revenue Code of 1986 that have active exemption certificates under each sales or service provider tax exemption.

See title page for effective date.