

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

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

Augusta, Maine
2021

sexual harassment during military service as described in 38 United States Code, Section 1720D and who separated from service without an honorable discharge. By January 15, 2022, the director shall report to the Joint Standing Committee on Veterans and Legal Affairs on both the potential for implementing such a process in the State and the resources that would be required to implement the process. The Joint Standing Committee on Veterans and Legal Affairs may report out legislation based upon the report to the Second Regular Session of the 130th Legislature.

See title page for effective date.

CHAPTER 38
H.P. 162 - L.D. 232

An Act To Recognize "My Sweet Maine" as Maine's Song of the 21st Century

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

Sec. 1. 1 MRSA §210-C is enacted to read:

§210-C. State song of 21st century

The official song of the State of the 21st century is the song entitled "My Sweet Maine," written by Terry Swett.

See title page for effective date.

CHAPTER 39
H.P. 175 - L.D. 254

An Act To Allow Certified Registered Nurse Anesthetists To Bill for Their Services

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

Sec. 1. 24-A MRSA §4320-P is enacted to read:

§4320-P. Coverage for services provided by a certified registered nurse anesthetist

1. Services provided by a certified registered nurse anesthetist. A carrier offering a health plan in this State shall provide coverage for health care services performed by a certified registered nurse anesthetist licensed under Title 32, chapter 31 when those services are covered services under the health plan when performed by any other health care provider and when those services are within the lawful scope of practice of the certified registered nurse anesthetist.

2. Limits; deductible; copayment; coinsurance. A carrier may offer a health plan containing a provision for a deductible, copayment or coinsurance requirement

for a health care service provided by a certified registered nurse anesthetist as long as the deductible, copayment or coinsurance does not exceed the deductible, copayment or coinsurance applicable to the same service provided by other health care providers.

3. Network participation. A carrier may not prohibit a certified registered nurse anesthetist from participating in the carrier's provider network or billing the carrier directly solely because the provider is a certified registered nurse anesthetist as long as the provider is willing to meet the same terms and conditions as other participating providers. This subsection does not require a carrier to contract with all certified registered nurse anesthetists or require a carrier to provide coverage under a health plan for any service provided by a participating certified registered nurse anesthetist that is not a covered service under the plan.

4. Claim submission. Services billed by a certified registered nurse anesthetist must be submitted using the current standardized claim form for professional services approved by the Federal Government and submitted electronically.

Sec. 2. Application. This Act applies to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2022. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

Sec. 3. Exemption from review. Notwithstanding the Maine Revised Statutes, Title 24-A, section 2752, this Act is enacted without review and evaluation by the Department of Professional and Financial Regulation, Bureau of Insurance.

See title page for effective date.

CHAPTER 40
H.P. 218 - L.D. 314

An Act To Continue the Green Power Electricity Offer

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

Sec. 1. 35-A MRSA §3212-B is enacted to read:

§3212-B. Green power options

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Green power supply" means electricity or renewable energy credits for electricity generated from renewable capacity resources as defined in section 3210, subsection 2, paragraph B-3, includ-

ing electricity generated by community-based renewable energy projects as defined in section 3602, subsection 1.

B. "Renewable energy credit" has the same meaning as in section 3210, subsection 2, paragraph B-2.

1-A. Green power offer. The commission shall arrange for a green power offer that is composed of green power supply in accordance with this subsection. Except as provided in this subsection, the commission shall ensure that the green power offer is available to all residential and small commercial electricity customers, as defined by the commission by rule, and shall administer a competitive bid process to select a green power offer provider or providers for the service territory of a transmission and distribution utility.

A. The green power offer must be in addition to existing standard-offer service under section 3212.

B. The commission shall, to the maximum extent possible:

(1) Incorporate green power supply from community-based renewable energy projects, as defined in section 3602, subsection 1, into the green power offer; and

(2) Encourage entities based in this State to provide green power supply from community-based renewable energy projects, as defined in section 3602, subsection 1, for the green power offer pursuant to this subsection.

C. The green power offer may include incidental amounts of electricity supply that do not meet the definition of green power supply, if the commission determines that including such electricity supply is necessary to ensure that a green power offer provider can meet its retail load obligation.

D. The commission shall, in accordance with section 3210, subsection 7, inform residential and small commercial consumers of electricity in this State of the opportunity to purchase the green power offer.

E. The commission is not required to arrange for a green power offer in the event that the commission receives no bids to provide the green power offer in a transmission and distribution utility's territory, determines that the bids it receives are inadequate or unacceptable or determines, based on prior experience arranging for a green power offer in a utility's territory, that it is reasonably likely that it will not receive any adequate or acceptable bids.

F. The commission is not required to arrange for a green power offer for the territory of a consumer-owned transmission and distribution utility. If the commission arranges standard-offer service for a consumer-owned transmission and distribution

utility, the consumer-owned transmission and distribution utility may elect to have the commission arrange a green power offer in accordance with this subsection. A consumer-owned transmission and distribution utility may establish a green power offer through a competitive bidding process conducted in accordance with the commission's rules governing the selection of a green power offer provider under this subsection.

The commission shall adopt rules to implement this subsection. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

2. Certification; information in bill inserts. Information regarding the availability of the green power offer and of green power supply products and renewable energy credit products that are certified by the commission may, at the option of the provider of the offer or the product and with the cooperation of the transmission and distribution utility, be presented through inserts in customer bills issued by transmission and distribution utilities. The costs of the inserts, including but not limited to printing and postage costs, are the responsibility of the provider of the offer or product. The commission may define the criteria for certification of green power supply products and renewable energy credit products by order or by rule, and the commission may limit the criteria for certification for consumer protection and eligibility verification purposes. Rules adopted to implement this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 41
H.P. 304 - L.D. 420**

**An Act To Amend the Maine
Revised Unclaimed Property
Act**

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

Sec. 1. 33 MRSA §2066, sub-§3, as enacted by PL 2019, c. 498, §22, is amended to read:

3. No period of limitation, limited charges or fees; exceptions, disclosure. Notwithstanding section 2112, fees, charges or a period of limitation may not be imposed on stored-value obligations, except that the issuer may charge a transaction fee for the initial issuance and for each occurrence of adding value to an existing stored-value obligation. These fees must be disclosed in a separate writing prior to the initial issuance or referenced on the stored-value obligation. Fee restrictions do not apply to any stored-value obligation that enables the holder to transfer the underlying funds to multiple