LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 4, 2024 to March 21, 2025

FIRST SPECIAL SESSION
March 25, 2025 to June 25, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 20, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
SEPTEMBER 24, 2025

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

Augusta, Maine
2025

plan may be funded with proceeds of a pre-need insurance policy in accordance with this subsection. For the purposes of this section, "pre-need insurance" has the same meaning as in Title 24-A, section 2176-A, subsection 1.

A. During a person's lifetime, a person or that person's legal representative may enter into an agreement that services will be performed or personal property will be delivered in connection with the disposition of that person's body after death by the assignment of proceeds of a pre-need insurance policy to the funeral establishment upon that person's death.

B. The face amount of a pre-need insurance policy sold in connection with a prearranged funeral service or plan as described in section 1402 may not exceed the maximum amount of the goods and services that are contracted for in the prearranged funeral service or plan.

C. An agreement under paragraph A must be in writing and a copy must be furnished to the person or the person's legal representative by the funeral establishment when the agreement is executed. The agreement must identify the parties to the agreement and must be signed by an authorized representative of the funeral establishment.

The receipt of a commission for the sale of pre-need insurance by a licensee that is also licensed as an insurance producer does not constitute a violation of section 1455-B, subsection 5.

This subsection may not be construed to alter the terms of an insurance policy or supersede any law governing the regulation of insurance policies.

Sec. 6. 32 MRSA §1401, sub-§2, as enacted by PL 1999, c. 258, §2 and affected by §3, is amended to read:

2. Rulemaking. The board shall adopt rules regarding prearranged funeral agreements, including, but not limited to:

A. The form, format and content of trust agreements;

B. Standards regarding when service contracts are required in conjunction with trust agreements and the form, format and content of the service contracts;

C. The establishment of reasonable fees that may be charged only pursuant to subsection 1, paragraph D; ~~and~~

D. Inspection of trust agreements, account information and any related documentation~~.~~; and

E. The form, format and content of agreements for prearranged funeral services or plans as described in section 1402 funded by pre-need insurance.

Rules adopted pursuant to this section are routine technical rules under ~~the Maine Revised Statutes,~~ Title 5, chapter 375, subchapter ~~II-A~~ 2-A.

Sec. 7. 32 MRSA §1402, first ¶ is amended to read:

~~No~~ A funeral home, funeral establishment or person holding a license under this chapter ~~shall~~ may not as, or through, an agent or principal solicit a prearranged funeral service or plan for any person or persons. "Prearranged funeral service or plan" ~~shall mean~~ means any funeral service or plan ~~which~~ that is arranged, planned or determined prior to the demise of a person or persons for whom the funeral service is to be performed. Funeral homes, funeral establishments and licensees under this chapter may enter into contracts or agreements for prearranged funeral services or plans ~~provided that~~, as long as they do not in any manner either as, or through, principals or agents solicit ~~such~~ that contract or agreement. This section does not prohibit the sale of insurance, in compliance with section 1401, subsection 1-B and Title 24-A, section 2176-A, to a consumer who has contacted a funeral home, funeral establishment or licensee under this chapter to prearrange a funeral.

See title page for effective date.

CHAPTER 204

H.P. 605 - L.D. 940

An Act to Increase the Maximum Cash Prize for the Long Lake Ice Fishing Derby

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

Sec. 1. 12 MRSA §12504, sub-§3, ¶B, as amended by PL 2013, c. 358, §5, is further amended to read:

B. Fixing the maximum total value of prizes that may be awarded at each derby, except that for ~~a derby~~ 2 derbies, one held on Sebago Lake in Cumberland County and ~~in conjunction with the department's fisheries management objectives~~ the Long Lake Ice Fishing Derby held in northern Aroostook County, the maximum total value of prizes at each derby may not exceed $100,000. These derbies must be conducted in such a manner as to be consistent with the department's fisheries management objectives.

See title page for effective date.