

MAINE STATE LEGISLATURE

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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

Sec. 38. 24-A MRSA §4435, sub-§4, as amended by PL 2001, c. 478, §5 and affected by §11, is further amended to read:

4. Covered claim. "Covered claim" means an unpaid claim, including one for unearned premiums but excluding one for punitive damages, arising under and within the coverage and applicable limits of a policy of a kind of insurance referred to in section 4433 to which this subchapter applies issued by an insurer that becomes an insolvent insurer after May 9, 1970, and where:

A. The claimant or insured is a resident of this State at the time of the insured event; or

B. The property from which the claim arises is permanently located in this State.

"Covered claim" includes claim obligations that arose through the issuance of an insurance policy by a member insurer, which are later allocated, transferred, merged into, novated, assumed by or otherwise made the sole responsibility of a member or nonmember insurer if: the original member insurer has no remaining obligations on the policy after the transfer; a final order of liquidation with a finding of insolvency has been entered against the insurer that assumed the member's coverage obligations by a court of competent jurisdiction in the insurer's state of domicile; the claim would have been a covered claim if the claim had remained the responsibility of the original member insurer and the order of liquidation had been entered against the original member insurer, with the same claim submission date and liquidation date; and, in cases for which the member's coverage obligations were assumed by a nonmember insurer, the transaction received prior regulatory or judicial approval.

"Covered claim" does not include any amount due any insurer, reinsurer, affiliate, insurance pool or underwriting association, as subrogation recoveries or otherwise, except that any payment made to the workers' compensation residual market pool pursuant to section 4438, subsection 1, paragraph A-1 must be included as a covered claim. "Covered claim" does not include any first-party claims by an insured whose net worth exceeds \$25,000,000 on December 31st of the year prior to the year in which the member insurer becomes an insolvent insurer. An insured's net worth on that date is deemed to include the aggregate net worth of the insured and all its subsidiaries as calculated on a consolidated basis.

Sec. 39. 24-A MRSA §4435, sub-§4-A is enacted to read:

4-A. Cybersecurity insurance. "Cybersecurity insurance" means first-party or 3rd-party coverage, in a policy or endorsement, written on a direct, admitted basis for losses and loss mitigation arising out of or relating to data privacy breaches, unauthorized information

network security intrusions, computer viruses, ransomware, extortion through electronic means, identity theft and similar exposures.

Sec. 40. 24-A MRSA §4438, sub-§1, ¶A, as amended by PL 2009, c. 129, §1 and affected by §13, is further amended by amending subparagraph (2) to read:

(2) An amount not exceeding \$25,000 per policy for a covered claim for the return of an unearned premium; ~~or~~

Sec. 41. 24-A MRSA §4438, sub-§1, ¶A, as amended by PL 2009, c. 129, §1 and affected by §13, is further amended by enacting a new subparagraph (2-A) to read:

(2-A) An amount not exceeding \$500,000 for covered claims arising out of a single insured event under a policy or endorsement of cybersecurity insurance, regardless of the number of claims made or the number of claimants; or

Sec. 42. 24-A MRSA §4438, sub-§2, ¶A, as enacted by PL 1969, c. 561, is amended to read:

A. Employ or retain such persons as are necessary to handle claims, provide covered policy benefits and services and perform other duties of the association;

See title page for effective date.

CHAPTER 349

S.P. 736 - L.D. 1866

An Act to Amend the Laws Regarding the State-designated Agency Advocating for Individuals with Serious Mental Illness

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

Sec. 1. 34-B MRSA §3012 is enacted to read:

§3012. Advocacy services for individuals with serious mental illness

1. Legislative intent. It is the intent of the Legislature to effectuate the State's commitment to protecting the rights of individuals with serious mental illness, as demonstrated by the successful resolution and dismissal of the Augusta Mental Health Institute Consent Decree, issued on December 3, 2024, by the Superior Court, Kennebec County, Civil Action Docket No. 89-88. Independent advocacy was a key component of the system improvements that supported that resolution, and the Legislature seeks to ensure that those protections continue through the ongoing delivery of advocacy services in both institutional and community settings.

2. Contract for protection and advocacy services. The department shall contract with and make a good faith effort to obtain sufficient appropriations to fund the agency designated under Title 5, section 19502 to carry out the duties related to protecting the rights of individuals with serious mental illness in both institutional and community settings. The contract must be consistent with the scope of authority and protections provided in Title 5, chapter 511 and must ensure that advocacy services are provided statewide through a presence in at least 5 geographically dispersed areas.

3. Access to state mental health institute records. In addition to the agency's authority to access records under Title 5, chapter 511 and notwithstanding subsection 1207, the agency contracted under subsection 2 may access medical records of individuals with serious mental illness who are hospitalized in a state mental health institute as defined in section 3801, subsection 9 when necessary to provide advocacy services as authorized under Title 5.

4. Medical advice. Advocates providing services in accordance with this section are prohibited from providing medical advice.

See title page for effective date.

CHAPTER 350 S.P. 696 - L.D. 1794

An Act to Provide Protection from Unfair Parking Tickets on Lots Accessible to the Public

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

Sec. 1. 10 MRSA c. 239 is enacted to read:

CHAPTER 239

ENFORCEMENT OF PARKING VIOLATIONS ON LOTS ACCESSIBLE TO THE PUBLIC

§1500-Z. Enforcement of parking violations on property accessible to the public

A person or entity that owns, operates or manages property accessible to the public for the parking of motor vehicles, or that provides collection or enforcement services with respect to the parking of motor vehicles, may not impose, assess or seek to enforce or collect any fine, fee or charge to any person for the violation of any parking rule applicable to that property except in compliance with this section.

1. Fine, fee or charge amount must be reasonable and conspicuously posted. The amount of any fine, fee or charge to any person for the violation of any parking rule applicable to property accessible to the public for the parking of motor vehicles must be reasonable and must be conspicuously and prominently posted

within the property so that it is visible at any entrance and exit of a parking lot or parking structure within the property by a person entering and exiting in a motor vehicle.

2. Written notice of violation required. Written notice of a violation of any parking rule applicable to property accessible to the public for the parking of motor vehicles, including the failure to pay an amount of money to park a motor vehicle, must be provided to the registered owner of the motor vehicle. At a minimum, the written notice must include the following information:

A. The date and time of the violation;

B. The nature of the violation, including the parking rule violated;

C. The amount of the fine, fee or charge for the violation and the payment due date for the fine, fee or charge for the violation, which must be at least 10 business days after the date of the written notice of the violation;

D. Payment instructions; and

E. Contact information for the person or entity responsible for collecting the fine, fee or charge for the violation.

3. Use of automated license plate recognition system prohibited. The provisions of Title 29-A, section 2117-A prohibit the use of an automated license plate recognition system at a property accessible to the public for the parking of motor vehicles, subject to the exceptions enumerated in that section.

4. Violation; remedies. A violation of this section is a violation of the Maine Unfair Trade Practices Act. In addition to any remedies available under the Maine Unfair Trade Practices Act, a claimant may obtain an award of damages equal to 3 times the amount of a fine, fee or charge assessed, imposed or sought to be enforced in violation of this section.

See title page for effective date.

CHAPTER 351 H.P. 1266 - L.D. 1895

An Act to Require the Removal from a Property Tax Lien the Name of a Previous Owner Who Paid Prorated Property Taxes

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

Sec. 1. 36 MRSA §943, as amended by PL 2023, c. 523, Pt. A, §7 and c. 640, §2, is further