

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND TWENTIETH LEGISLATURE**  
**FIRST REGULAR SESSION**  
**December 6, 2000 to June 22, 2001**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 21, 2001**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**2001**

This subsection does not apply to any sale canceled by the dealer due to material misrepresentation made by the buyer.

See title page for effective date.

## CHAPTER 257

### H.P. 717 - L.D. 932

#### **An Act to Authorize the Maine State Housing Authority to Administer an Electric Assistance Program**

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the 118th Legislature enacted Public Law 1997, chapter 316, requiring the Public Utilities Commission to establish needs-based assistance for low-income persons in this State; and

**Whereas,** the Public Utilities Commission will establish an electric assistance program to become effective before the winter of 2001-2002; and

**Whereas,** this legislation needs to take effect immediately to allow the Maine State Housing Authority the time necessary to implement procedures to administer this electric assistance program; 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 enacted by the People of the State of Maine as follows:**

**Sec. 1. 30-A MRSA c. 201, sub-c. XI-A** is enacted to read:

#### **SUBCHAPTER XI-A**

#### **ELECTRIC ASSISTANCE**

#### **§4961. Electric assistance program**

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

**A. "Authority"** means the Maine State Housing Authority established pursuant to section 4722.

**B. "Electric assistance"** means assistance as established by the commission pursuant to Title 35-A, section 3214 and rules adopted pursuant to

that section, based on an eligible household's income level and electricity usage and paid to an electric utility on behalf of an eligible household.

**C. "Electric utility"** means a transmission and distribution utility as defined in Title 35-A, section 102, subsection 20-B.

**D. "Eligible household"** means a household that is eligible to receive fuel assistance through the Maine State Housing Authority pursuant to section 4722, subsection 1, paragraph W; section 4741, subsection 15; and subchapter XIII and rules adopted pursuant to these laws. "Eligible household" does not include a tenant who resides in subsidized housing and receives a utility allowance or a tenant whose utilities are included in the rent.

**E. "Commission"** means the Public Utilities Commission established pursuant to Title 35-A, section 103.

**F. "Fund"** means the Electric Assistance Program Fund established in section 4962.

**G. "Program"** means the electric assistance program established by the commission pursuant to Title 35-A, section 3214.

**2. Program administration.** The authority shall administer the program directly or through regional contract agents. The program may be administered in conjunction with other programs of the authority.

**3. Reporting requirements.** The authority shall report annually to the commission information to determine the amount of funding necessary for the program, including the amount of electric assistance paid on behalf of each eligible household, the total amount of electric assistance paid on behalf of eligible households, the number of eligible households served and other reasonably necessary information required by the commission in connection with the program.

**4. Rulemaking.** The authority may adopt rules to implement this subchapter. Rules adopted pursuant to this subchapter are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

#### **§4962. Electric Assistance Program Fund**

**1. Established.** The fund is established under the jurisdiction of the authority.

**2. Sources of the fund.** The funds consists of:

**A. Funds collected by an electric utility as determined by the commission pursuant to Title 35-A, section 3214;**

B. All money appropriated by the State for inclusion in the fund;

C. Subject to any pledge, contract or other obligation, all interest, dividends and pecuniary gains from the investment of money in the fund; and

D. All other money deposited in the fund to implement the provisions of this subchapter.

**3. Application of fund.** The authority shall apply money in the fund to provide electric assistance for the benefit of eligible households and for other purposes authorized by this subchapter. Money in the fund not currently needed for purposes of this subchapter may be deposited with the authority to the credit of the fund and may be invested as provided by law. The fund may be used by the authority to pay for the administrative expenses of the fund and operation of the program with the approval of the commission.

**4. Accounts within the fund.** The authority may divide the fund into separate accounts as it determines necessary or convenient to accomplish the purposes of this subchapter.

**5. Revolving fund.** The fund is a revolving fund. The authority shall continuously apply the money in the fund to accomplish the purposes of this subchapter.

**Sec. 2. Allocation.** The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	2001-02	2002-03
<b>HOUSING AUTHORITY, MAINE STATE</b>		
<b>Electric Assistance Program Fund</b>		
All Other	\$500	\$500
Provides funds for electric assistance to low-income households.		

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

Effective May 25, 2001.

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**CHAPTER 258**

**H.P. 1282 - L.D. 1742**

**An Act to Clarify and Update the  
Laws Related to Health Insurance  
Contracts**

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

**PART A**

**Sec. A-1. 24 MRSA §2318-A**, as enacted by PL 1995, c. 615, §1, is amended to read:

**§2318-A. Maternity and routine newborn care**

A nonprofit hospital or medical service organization that issues individual and group contracts providing maternity benefits, including benefits for childbirth, ~~must~~ shall provide coverage for services related to maternity and routine newborn care, including coverage for hospital stay, in accordance with the attending physician's or attending certified nurse midwife's determination in conjunction with the mother that the mother and newborn meet the criteria outlined in the "Guidelines for Perinatal Care," published by the American Academy of Pediatrics and the American College of Obstetrics and Gynecology. For the purposes of this section, "routine newborn care" does not include any services provided after the mother has been discharged from the hospital. For the purposes of this section, "attending physician" includes the obstetrician, pediatrician or other physician attending the mother and newborn. Benefits for routine newborn care required by this section are part of the mother's benefit. The mother and the newborn are treated as one person in calculating the deductible, coinsurance and copayments for coverage required by this section.

**Sec. A-2. 24-A MRSA §2743-A**, as enacted by PL 1995, c. 615, §2, is amended to read:

**§2743-A. Maternity and routine newborn care**

An insurer that issues individual contracts providing maternity benefits, including benefits for childbirth, ~~must~~ shall provide coverage for services related to maternity and routine newborn care, including coverage for hospital stay, in accordance with the attending physician's or attending certified nurse midwife's determination in conjunction with the mother that the mother and newborn meet the criteria outlined in the "Guidelines for Perinatal Care," published by the American Academy of Pediatrics and the American College of Obstetrics and Gynecology. For the purposes of this section, "routine newborn care" does not include any services provided after the mother has been discharged from the hospital. For the purposes of this section, "attending physician" includes the obstetrician, pediatrician or other physician attending the mother and newborn. Benefits for routine newborn care required by this section are part of the mother's benefit. The mother and the newborn are treated as one person in calculating the