

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 2013

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

Augusta, Maine
2013

(1) Subject the provider to health plan payor requirements or fee schedules that materially differ from the terms of the provider's contract with the carrier, unless those materially different terms are set out in writing in a separate section of the contract, such as an exhibit or amendment; or

(2) Permit the terms of the provider's existing preferred provider arrangement contract to be superseded by a carrier's subsequent contract with a health plan payor.

E. A preferred provider arrangement contract may not require a provider providing a service to an enrollee under a health plan included in the provider's contract to obtain preauthorization if the enrollee's health plan does not require prior authorization as a condition of coverage.

F. Explanation of remittance advices or comparable documents, whether in paper or electronic form, that accompany and identify payment of a provider's claims under a carrier's contract, including contracts offered through a preferred provider arrangement, must identify the administrator and payor of the provider's claims and include contact information.

The requirements of this subsection do not apply to a carrier offering a health plan with respect to preferred provider arrangement contracts with a hospital or pharmacy.

See title page for effective date.

**CHAPTER 400
H.P. 53 - L.D. 61**

**An Act To Amend Standards
for Participation in Certain
Public School Services by
Students Who Are
Homeschooled**

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

Sec. 1. 20-A MRSA §4772-B is enacted to read:

§4772-B. Students receiving homeschool instruction

A student is eligible to receive a state subsidy for postsecondary courses, as specified in section 4775, if the student is receiving home instruction in a program that meets the requirements of section 5001-A, subsection 3, paragraph A, subparagraph (4) and the eligible institution.

1. Space available. Has space available for the student;

2. Course prerequisites. Has determined that the student has satisfactorily completed all course prerequisites; and

3. Academic fitness. Reviews all requested evidence of the student's academic fitness and gives its approval for the student to take the requested course or courses.

A student who meets the requirements of this section is eligible to participate in postsecondary courses at an eligible institution under this section, subject to the requirements and conditions of sections 4774 to 4776. Notwithstanding section 15672, subsection 32, a student described in this section is considered to be a subsidizable pupil for purposes of receiving the subsidy provided in this chapter.

Sec. 2. Application of postsecondary course enrollment and subsidy provisions. A student in a home instruction program is eligible for the subsidy for postsecondary enrollment, as provided in this Act, for the entire 2013-2014 school year, as long as the student enrolls in the course after July 1, 2013 and the student otherwise meets the eligibility criteria.

See title page for effective date.

**CHAPTER 401
S.P. 346 - L.D. 1001**

**An Act To Improve Laws
Governing Financial Disclosure
by Legislators and Certain
Public Employees and Public
Access to Information
Disclosed**

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

Sec. 1. 1 MRSA §1016-G, sub-§1, ¶¶C, E and K, as enacted by PL 2011, c. 634, §11, are amended to read:

C. The name, address and principal economic or business activity of any corporation, partnership, limited liability company or other business in which the Legislator or members of the Legislator's immediate family own or control, directly or indirectly, more than ~~50%~~ 5% of the outstanding equity, whether individually or in the aggregate, that has received revenue of \$2,000 or more;

E. Each source of income of \$2,000 or more received by the Legislator and a description of the nature of the income, such as rental income, dividend income and capital gains;

K. Each party as defined in Title 21-A, section 1, subsection 28, including a party committee, and each organization that is required under Title 21-A, chapter 13 to register with the commission as a political action committee or ballot question committee for which the Legislator or a member of the Legislator's immediate family is a treasurer, principal officer or principal fund-raiser or decision maker;

Sec. 2. 1 MRSA §1016-G, sub-§5, as enacted by PL 2011, c. 634, §11, is amended to read:

5. Public record. Statements filed under this section are public records. The commission shall ~~publish~~ provide a means for Legislators to file statements in an electronic format that must immediately place the statements on a publicly accessible website ~~the completed forms of Legislators filed under this section.~~ Legislators shall file statements required by this section using the electronic format prescribed by the commission. If a Legislator can attest to an inability to access or use the electronic filing format, the commission may provide assistance to the Legislator to ensure proper and timely placement of the required statements on the publicly accessible website.

Sec. 3. 5 MRSA §19, sub-§2, ¶¶H, J and P, as enacted by PL 2011, c. 634, §19, are amended to read:

H. The name, address and principal economic or business activity of any corporation, partnership, limited liability company or other business in which the executive employee or members of the employee's immediate family own or control, directly or indirectly, more than ~~50%~~ 5% of the outstanding equity, whether individually or in the aggregate, that has received revenue of \$2,000 or more;

J. Each additional source of income of \$2,000 or more received by the executive employee ~~and a description of the nature of the income, such as rental income, dividend income and capital gains;~~

P. Each party as defined in Title 21-A, section 1, subsection 28, including a party committee, and each organization that is required under Title 21-A, chapter 13 to register with the commission as a political action committee or ballot question committee for which the executive employee or a member of the executive employee's immediate family is a treasurer, principal officer or principal fund-raiser or decision maker of the organization;

Sec. 4. 5 MRSA §19, sub-§6, as amended by PL 2007, c. 704, §9, is further amended to read:

6. Public record. Statements filed under this section are public records. The Commission on Governmental Ethics and Election Practices shall ~~publish~~ provide a means for executive employees to file state-

ments in an electronic format that must immediately place the statements on a publicly accessible website ~~the completed forms of executive employees filed under this section.~~ Executive employees shall file statements required by this section using the electronic format prescribed by the commission. If an executive employee can attest to an inability to access or use the electronic filing format, the commission may provide assistance to the employee to ensure proper and timely placement of the required statements on the publicly accessible website.

Sec. 5. Commission on Governmental Ethics and Election Practices to recommend method for disclosing income in ranges. By February 1, 2014, the staff of the Commission on Governmental Ethics and Election Practices shall recommend to the Joint Standing Committee on Veterans and Legal Affairs a method for providing disclosure of income received by Legislators and certain employees of the executive branch as ranges of income reported. The committee shall consider the recommendations of the commission and seek input from Legislators and members of the executive branch subject to disclosure requirements. The committee is authorized to report out a bill to the Second Regular Session of the 126th Legislature directing the commission to adopt major substantive rules, as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, to require that income disclosures, required by Title 1, section 1016-G and Title 5, section 19, be submitted in ranges.

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL Governmental Ethics and Election Practices - Commission on 0414

Initiative: Provides one-time funding to develop and implement a new electronic filing system.

GENERAL FUND	2013-14	2014-15
All Other	\$20,000	\$0
GENERAL FUND TOTAL	\$20,000	\$0

See title page for effective date.

**CHAPTER 402
S.P. 484 - L.D. 1377**

An Act To Protect Cellular Telephone Privacy