

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 2016 to August 2, 2017

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
NOVEMBER 1, 2017

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

Augusta, Maine
2017

4. Rate-making treatment. This section does not limit the commission's authority in any rate case or alternative rate-making proceeding to disallow, in whole or in part, any expense of a gas utility that the commission finds to be unjust, unreasonable, excessive or unwarranted. A gas utility may not recover from any person other than its shareholders or other owners any expenditures, contributions, expenses or costs incurred by that utility with respect to promotional allowances.

See title page for effective date.

CHAPTER 84

S.P. 382 - L.D. 1161

An Act To Amend the Insurance Laws Governing the Provision of Rebates

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

Sec. 1. 24-A MRSA §2163-A, as amended by PL 1999, c. 8, §1, is repealed and the following enacted in its place:

§2163-A. Permitted activities

1. Permissible gifts and prizes. Notwithstanding any other provision in sections 2160 to 2163, an insurer, an employee of an insurer or a producer may offer to give gifts in connection with marketing for the sale or retention of contracts of insurance, as long as the cost does not exceed \$100 per year per person, and conduct raffles or drawings, as long as there is no participation cost to entrants and as long as the prizes are not valued in excess of \$500. Nothing in sections 2160 to 2163 may be construed to prohibit an insurance producer from receiving a fee rather than commission on the sale of property and casualty insurance in accordance with section 1450 and rules adopted by the superintendent.

Gifts and prizes given pursuant to this section may not be in the form of cash.

2. Permissible value-added service or activity. An insurer, an employee of an insurer or a producer may offer to provide a value-added service or activity, offered or provided without fee or at a reduced fee, that is related to the coverage provided by an insurance contract if the provision of the value-added service or activity does not violate any other applicable statute or rule and is:

A. Clearly identified and included within the insurance contract; or

B. Directly related to the servicing of the insurance contract or offered or undertaken to provide risk control for the benefit of a client.

3. Services for free or for less than fair market value. This section does not prohibit a person from offering or providing services, whether or not the services are directly related to an insurance contract, for free or for less than fair market value as long as the receipt of the services is not contingent upon the purchase of insurance and the services are offered on the same terms to all potential insurance customers. A person that offers or provides services under this subsection for free or for less than fair market value shall disclose conspicuously in writing to the recipient before the purchase of insurance, receipt of a quote for insurance or designation of an agent of record that receipt of the services is not contingent on the purchase of insurance.

4. Rules. The superintendent may adopt rules as necessary to make reasonable modifications to the standards in this section. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 85

S.P. 46 - L.D. 98

An Act To Provide Greater Authority to the Department of Inland Fisheries and Wildlife over the Management of Wild Turkeys

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

Sec. 1. 12 MRSA §10953, sub-§1, ¶B, as enacted by PL 2013, c. 236, §3, is amended to read:

B. Hunt wild turkey with a crossbow ~~during the spring open season on wild turkey~~ in areas open to wild turkey hunting as established by rule in section 11701, ~~except that a person may not hunt wild turkey with a crossbow from October 1st until the first day of the open season established by the commissioner in the following year;~~

Sec. 2. 12 MRSA §11155, sub-§1-C, as enacted by PL 2013, c. 387, §2, is amended to read:

1-C. Issuance; permit fee. Beginning January 1, 2014, the commissioner, through the commissioner's authorized agent, shall issue in wildlife management districts that are open by rule for wild turkey hunting a ~~combined fall and spring~~ wild turkey hunting permit that allows an eligible person to take wild turkeys ~~in the spring and fall seasons~~ in accordance with section 11701. The fee for a ~~combined fall and spring~~ wild turkey hunting permit is \$20 for residents and nonresidents.