

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**June 19, 2018 to September 13, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**DECEMBER 13, 2018**

**ONE HUNDRED AND TWENTY-NINTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2018 to June 20, 2019**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 2019**

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

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**Augusta, Maine**  
**2019**

- C. The person must have left secondary school:
  - (1) Before or during World War II to serve in the Armed Forces during World War II;
  - (2) Before or during the Korean Conflict to serve in the Armed Forces in the Korean Conflict;
  - (3) Before or during the Vietnam War to serve in the Armed Forces during the Vietnam War era. For purposes of this subparagraph, "Vietnam War era" means the period beginning February 28, 1961 and ending May 7, 1975; or
  - (4) To serve in the Armed Forces during the period of wartime or peacetime after a period of wartime described in subparagraph (1), (2) or (3).

- D. The person did not graduate or receive a high school diploma because of service in the Armed Forces.
- E. The person received an honorable discharge or a certificate of honorable service from the Armed Forces.

For purposes of this subsection, "Armed Forces" means the Army, Navy, Air Force, Marine Corps or Coast Guard; and the Merchant Marines only for the period of December 7, 1941 to August 16, 1945.

7. **Applicability of requirements.** This section applies to the granting of diplomas to secondary school students beginning January 1, 2019.

**Sec. 2. 20-A MRSA §4722-A**, as amended by PL 2017, c. 466, §10, is repealed.

See title page for effective date.

**CHAPTER 203  
S.P. 307 - L.D. 1047**

**An Act To Prohibit  
Consideration of Naloxone  
Purchases in Life Insurance  
Underwriting**

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

**Sec. 1. 24-A MRSA §2159-E** is enacted to read:

**§2159-E. Discrimination against naloxone hydrochloride purchases prohibited in life insurance**

**1. Discrimination prohibited.** Notwithstanding any provision of law to the contrary and except as pro-

vided in subsection 2, an insurer authorized to do business in this State may not:

A. Limit coverage or refuse to issue or renew coverage of an individual under any life insurance policy due to the fact that the individual has been issued a prescription for naloxone hydrochloride or has purchased naloxone hydrochloride in accordance with Title 22, section 2353;

B. Consider the fact that an individual has been issued a prescription for naloxone hydrochloride or has purchased naloxone hydrochloride in determining the premium rate for coverage of that individual under a life insurance policy; or

C. Otherwise discriminate in the offering, issuance, cancellation, amount of coverage, price or any other condition of a life insurance policy based solely and without any additional actuarial justification upon the fact that an individual has been issued a prescription for naloxone hydrochloride or has purchased naloxone hydrochloride.

**2. Exception.** An insurer may take an action described in subsection 1 with respect to an individual who has a demonstrated history of opioid use disorder.

See title page for effective date.

**CHAPTER 204  
H.P. 813 - L.D. 1109**

**An Act Regarding All-terrain  
Vehicles**

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

**Sec. 1. 12 MRSA §13001, sub-§3**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

**3. All-terrain vehicle or ATV.** "All-terrain vehicle" or "ATV" means a motor-driven, off-road, recreational vehicle that was originally designed by the manufacturer for and is capable of cross-country travel on land, snow, ice, marsh, swampland or other natural terrain. "All-terrain vehicle" or "ATV" includes, but is not limited to, a multitrack, multiwheel or low-pressure tire vehicle; a motorcycle or related 2-wheel, 3-wheel or belt-driven vehicle; an amphibious machine; or other means of transportation deriving motive power from a source other than muscle or wind. For purposes of this subpart, "all-terrain vehicle" or "ATV" does not include ~~an automobile a motor vehicle as defined in Title 29-A, section 101, subsection 7; an electric personal assistive mobility device as defined in Title 29 A, section 101, subsection 22 A; a truck as defined in Title 29 A, section 101, subsection~~

~~88; a snowmobile; an airmobile; a construction or logging vehicle used in performance of its common functions; a farm vehicle used for farming purposes; or a vehicle used exclusively for emergency, military, law enforcement or fire control purposes 42.~~

**Sec. 2. 12 MRSA §13157-A, sub-§5-A**, as enacted by PL 2007, c. 202, §1, is amended to read:

**5-A. Operating a motor vehicle on an ATV trail.** A person may not operate a ~~truck, pickup truck or passenger motor vehicle as defined in Title 29-A, section 101, subsection 42~~ on a designated ATV trail that is not on a gravel road system unless that use has been authorized by the landowner or the landowner's agent or it is necessitated by an emergency involving the safety of a person or property. ~~For purposes of this subsection, "pickup truck" and "truck" have the same meanings as in Title 29-A, section 101, subsections 55 and 88, respectively, and "passenger vehicle" means a self-propelled 4 wheel motor vehicle designed primarily to carry passengers on public roads.~~

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

See title page for effective date.

## CHAPTER 205

### S.P. 359 - L.D. 1173

#### An Act To Allow the Direct Sale of Electricity

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

**Sec. 1. 35-A MRSA §102, sub-§1-A** is enacted to read:

**1-A. Abutting property.** "Abutting property" means, with respect to a parcel of land, another parcel of land that shares a common property boundary, except that "abutting property" does not include a parcel of land separated from another parcel by a public road or highway.

**Sec. 2. 35-A MRSA §102, sub-§20-B**, as enacted by PL 1999, c. 398, Pt. A, §9 and affected by §§104 and 105, is amended to read:

**20-B. Transmission and distribution utility.** "Transmission and distribution utility" means a person, its lessees, trustees or receivers or trustees appointed by a court, owning, controlling, operating or managing a transmission and distribution plant for compensation

within the State, except where the electricity is distributed by the entity that generates the electricity through private property alone solely for that entity's own use ~~or the use of the entity's tenants and not for sale to others. the use of:~~

A. The entity;

B. The entity's tenants; or

C. Commercial or industrial consumers located on:

(1) The property where the entity is located or on abutting property; or

(2) A commercial or industrial site that was served by the entity or its predecessor without using the transmission and distribution plant of a public utility prior to December 31, 2018.

**Sec. 3. 35-A MRSA §2102, sub-§5** is enacted to read:

**5. Exemption for certain private electric facilities.** The provisions of this section do not apply to the construction of a transmission line, together with all associated equipment and facilities, that is constructed, owned and operated by a generator of electricity for the purpose of electrically and physically interconnecting that generator to a commercial or industrial consumer of the electricity that is located on:

A. The property where the entity that generates the electricity is located or on abutting property; or

B. A commercial or industrial site that was served by the entity that generates the electricity or its predecessor without using the transmission and distribution plant of a public utility prior to December 31, 2018.

**Sec. 4. 35-A MRSA §3132, sub-§1-B**, as enacted by PL 2007, c. 148, §2, is amended to read:

**1-B. Exception; generator interconnection transmission facility.** The construction of a generator interconnection transmission facility is not subject to the requirements of this section. For the purposes of this subsection, "generator interconnection transmission facility" means a transmission line, together with all associated equipment and facilities, that is constructed, owned and operated by a generator of electricity solely for the purpose of electrically and physically interconnecting such generator to ~~the transmission system of a transmission and distribution utility;~~

A. The transmission system of a transmission and distribution utility; or

B. A commercial or industrial consumer of the electricity that is located on: