

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

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

Augusta, Maine
2021

an enrollee, including, but not limited to, the estimated cost-sharing amount to be paid by the enrollee, information on any available formulary alternatives that are clinically appropriate and information about the formulary status and the utilization review and prior authorization requirements of each drug presented. Upon a carrier's request, the superintendent may grant a waiver from the requirements of this paragraph based on a demonstration of good cause.

B. No later than January 1, 2023, unless a waiver is granted by the superintendent, a carrier or entity under contract to a carrier shall make available to a provider in real time at the point of prescribing an electronic benefit tool that is capable of integrating with the provider's electronic prescribing system or electronic medical record system to provide complete, accurate, timely, clinically appropriate formulary and benefit information specific to an enrollee, including, but not limited to, the estimated cost-sharing amount to be paid by the enrollee, information on any available formulary alternatives that are clinically appropriate and information about the formulary status and the utilization review and prior authorization requirements of each drug presented. Upon a carrier's request, the superintendent may grant a waiver from the requirements of this paragraph based on a demonstration of good cause.

Sec. 3. Bureau of Insurance to monitor compliance. Beginning January 1, 2022, the Department of Professional and Financial Regulation, Bureau of Insurance shall monitor compliance by carriers authorized to do business in this State with the requirements of the Maine Revised Statutes, Title 24-A, section 4304, subsection 2-B using its authority under Title 24-A, section 221. The bureau shall also request information from carriers on the adoption and usage of electronic transmission by health care providers for requesting prior authorization for prescription drugs from carriers. No later than June 1, 2023, the bureau shall submit a report to the joint standing committee of the Legislature having jurisdiction over health coverage and insurance matters on the status of compliance by carriers. If the bureau determines that a carrier is not complying with the requirements of Title 24-A, section 4304, subsection 2-B, the bureau shall take enforcement action against the carrier as appropriate. The joint standing committee of the Legislature having jurisdiction over health coverage and insurance matters may report out a bill to the Second Regular Session of the 131st Legislature based on the report.

See title page for effective date.

**CHAPTER 74
H.P. 414 - L.D. 569**

An Act To Prohibit Hunting with a Bow on Land of Another Person within 100 Yards of a Building or Residence on That Land without Permission

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

Sec. 1. 12 MRSA §11209, as amended by PL 2019, c. 14, §§1 and 2, is further amended by amending the section headnote to read:

§11209. Discharge of firearm, crossbow or bow and arrow near dwelling or building

Sec. 2. 12 MRSA §11209, sub-§1, as amended by PL 2019, c. 14, §1, is further amended to read:

1. Prohibition. A person may not:

A. Unless a relevant municipal ordinance provides otherwise and except as provided in subsections 3 and 4 and sections 12401 and 12402, discharge a firearm, including a muzzle-loading firearm, or crossbow or cause a projectile to pass as a result of that discharge within 100 yards of a building or residential dwelling without the permission of the owner or, in the owner's absence, of an adult occupant of that building or dwelling authorized to act on behalf of the owner; ~~or~~

A-1. Except as provided in sections 12401 and 12402:

(1) Discharge an arrow from a bow and arrow when on land of another person and within 100 yards of a building or residential dwelling on that land without the permission of the owner of that building or residential dwelling or, in the owner's absence, of an adult occupant of that building or dwelling authorized to act on behalf of the owner; or

(2) Cause an arrow from a bow and arrow to pass across the land of another person and within 100 yards of a building or residential dwelling on that land without the permission of the owner of that building or residential dwelling or, in the owner's absence, of an adult occupant of that building or dwelling authorized to act on behalf of the owner; or

B. Possess a wild animal or wild bird taken in violation of this subsection, except as otherwise provided in this Part.

This subsection may not be construed to prohibit a person from killing or taking a wild animal in accordance with sections 12401 and 12402.

For purposes of this section, "building" means any residential, commercial, retail, educational, religious or farm structure that is designed to be occupied by people or domesticated animals or is being used to shelter machines or harvested crops.

For purposes of this section, "projectile" means a bullet, pellet, shot, shell, ball, bolt or other object propelled or launched from a firearm or crossbow.

See title page for effective date.

CHAPTER 75

H.P. 417 - L.D. 572

An Act To Assist Students in Preparing for Opportunities To Live and Work in Maine

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

Sec. 1. 20-A MRSA §4713 is enacted to read:

§4713. Statewide employment projections

A junior high school or middle school, when providing career or educational programming materials and guidance for students and parents, shall include an electronic link to the publicly accessible website of the Department of Labor, Center for Workforce Research and Information containing statewide employment projections. The department, working with the Department of Labor, shall develop age-appropriate advice for navigating the website containing the statewide employment projections and shall update this advice from time to time as needed.

Sec. 2. 20-A MRSA §4730 is enacted to read:

§4730. Statewide employment projections

A secondary school, when providing career or educational programming materials and guidance for students and parents, shall include an electronic link to the publicly accessible website of the Department of Labor, Center for Workforce Research and Information containing statewide employment projections. The department, working with the Department of Labor, shall develop age-appropriate advice for navigating the website containing the statewide employment projections and shall update this advice from time to time as needed.

Sec. 3. Career readiness resources for students. The Department of Education, in collaboration with the Department of Economic and Community Development and the Department of Labor, shall create resources that provide developmentally appropriate guidance and information to students in middle schools, junior high schools and secondary schools regarding statewide employment projections, career exploration and extended learning opportunities, internships, apprenticeship programs and career planning.

Sec. 4. Report. No later than January 1, 2022, the Department of Education, in collaboration with the Department of Economic and Community Development and the Department of Labor, shall submit a report to the Joint Standing Committee on Education and Cultural Affairs, the Joint Standing Committee on Labor and Housing and the Joint Standing Committee on Innovation, Development, Economic Advancement and Business regarding the resources created pursuant to section 3 and the progress of the statewide implementation of those resources pursuant to the Maine Revised Statutes, Title 20-A, sections 4713 and 4730.

See title page for effective date.

CHAPTER 76

S.P. 513 - L.D. 1620

An Act To Support Maine Theaters by Expanding Eligibility for Off-premises Catering Licenses

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

Whereas, it is critically important that this legislation take effect before the expiration of the 90-day period to allow auditoriums, civic auditoriums and performing arts centers to provide off-premises catering of spirits, wine and malt liquor at outdoor events or gatherings during the upcoming summer tourist season; 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. 28-A MRSA §1012, sub-§3, as amended by PL 1999, c. 236, §1, is further amended to read:

3. Off-premise Off-premises catering license. A Class A restaurant, hotel, bed and breakfast or club, auditorium, civic auditorium or performing arts center licensed to sell spirits, wine and malt liquor may obtain a license to conduct off-premise off-premises catering of spirits, wine and malt liquor as provided in section 1052.

A. The license fee per calendar day of the event or gathering is\$10.

Sec. 2. 28-A MRSA §1052, sub-§1, as amended by PL 1999, c. 236, §3, is further amended to read: