

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

F. A pesticide in containers that are unsafe due to damage; or

Sec. 3. 7 MRSA §606, sub-§1, ¶G is enacted to read:

G. Beginning January 1, 2022, a pesticide containing chlorpyrifos as an active ingredient.

Sec. 4. Temporary permit for use of pesticide containing chlorpyrifos. Notwithstanding the Maine Revised Statutes, Title 7, section 606, subsection 1, paragraph G, from January 1, 2022 to December 31, 2022 the Board of Pesticides Control may grant a temporary permit authorizing a pesticides applicator licensed by the State to use or apply a pesticide containing chlorpyrifos as an active ingredient, as long as that licensed pesticides applicator possessed the pesticide in the State before January 1, 2022. The Board of Pesticides Control shall post on its publicly accessible website information on the temporary permits issued under this section.

See title page for effective date.

CHAPTER 106
S.P. 160 - L.D. 374

An Act To Allow Veterans,
Active Duty Service Members
and Their Spouses To Apply
for Temporary Occupational
Licenses

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

Sec. 1. 10 MRSA §8011, as enacted by PL 2013, c. 424, Pt. D, §2 and affected by §3, is amended to read:

§8011. Veterans and military spouses

By January 1, 2014, each board, commission, office and agency within the department listed in section 8001 or affiliated with the department under section 8001-A shall adopt a process to facilitate qualified returning military veterans and qualified spouses of returning military veterans or of active duty service members to qualify for persons to obtain professional licenses granted by those boards, commissions, offices and agencies in an expeditious manner. For the purposes of this section, "returning military veteran" means a veteran of the Armed Forces of the United States who has been honorably discharged from active duty. Notwithstanding any other provision of law to the contrary, the Director of the Office of Professional and Occupational Regulation and each licensing board within or affiliated with the department shall, upon presentation of satisfactory evidence by an applicant a qualified person who applies for professional or occupational licensure, accept education, training or service completed by the

applicant qualified person as a member of the Armed Forces of the United States or Reserves of the United States Armed Forces, the national guard of any state, the military reserves of any state or the naval militia of any state toward the qualifications to receive the license.

1. Endorsement. The board, commission, office or agency may permit a returning military veteran or a spouse of a returning military veteran or of an active duty service member qualified person who holds a comparable license in good standing in another state to acquire a license by endorsement in this State for the remainder of the term of the license from the other state or until a license is obtained in this State.

2. Temporary license. The A board, commission, office or agency, other than those described in section 8001, subsection 38, may permit a returning military veteran or a spouse of a returning military veteran or of an active duty service member qualified person who holds a comparable license in good standing in another state to obtain a temporary license in this State for a period of time necessary to obtain a license in this State.

Upon receipt of a completed application, a board, commission, office or agency described in section 8001, subsection 38 shall issue a temporary license to a qualified person if the person holds a current, valid occupational or professional license in good standing issued by a state or territory of the United States. The license issued by the state or territory may not be temporary, conditional, probationary or otherwise restricted and must be reasonably equivalent to the license sought, as determined by the board, commission, office or agency. The qualified person may obtain a temporary license for a period of not less than 180 days while completing any requirements for licensure in this State as long as no cause for denial of a license exists under this section or under section 8003, subsection 5-A, paragraph A or under any other law.

2-A. Application for temporary license. An applicant for a temporary license under this section shall submit a notarized affidavit affirming, under penalty of law, that the applicant is the person described and identified in the application, that all statements made on the application are true and correct and complete, that the applicant has read and understands the requirements for licensure and certifies that the applicant meets those requirements and that the applicant is in good standing in all jurisdictions in which the applicant holds or has held a license.

2-B. Extension. An applicant for a temporary license under this section may request a one-time 180-day extension of the temporary license if necessary to complete the licensing requirements of this State. The applicant must make this request at least 15 days prior to the temporary license's expiration date.

3. **Acceptance of military credentials.** The board, commission, office or agency shall permit a ~~returning military~~ recently separated veteran whose military training qualifies the veteran for a license in a profession or occupation that requires a license in this State to acquire a temporary license until a license is issued.

4. **Continuing education requirements.** The board, commission, office or agency may allow a full or partial exemption from continuing education requirements for a ~~returning military veteran or the spouse of a returning military veteran or of an active duty service member~~ qualified person. Evidence of completion of continuing education requirements may be required for a subsequent license or renewal. A board, commission, office or agency shall provide that continuing education requirements may be met by comparable military training.

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

A. "Good standing" as applied to an applicant under this section means that the applicant does not have a license complaint, allegation or investigation pending, does not have a license that is suspended or subject to practice restrictions and has never surrendered a license or had a license revoked.

B. "Qualified person" means:

(1) A recently separated veteran, a spouse of a recently separated veteran or a domestic partner of a recently separated veteran; or

(2) An active duty service member, a spouse of an active duty service member or a domestic partner of an active duty service member.

C. "Recently separated veteran" means a veteran of the Armed Forces of the United States during the 3-year period beginning on the date of the veteran's honorable discharge or release from active duty.

See title page for effective date.

CHAPTER 107

H.P. 370 - L.D. 507

An Act To Improve Consumer Protections for Community Solar Projects

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

Sec. 1. 35-A MRSA §3209-A, sub-§1, ¶D is enacted to read:

D. "Project sponsor" means an entity or its successor or assignee that solicits customers to participate

in a net energy billing arrangement based upon a shared financial interest in a distributed generation resource.

Sec. 2. 35-A MRSA §3209-A, sub-§5 is enacted to read:

5. Consumer protection. To protect customers who participate in or are solicited to participate in a net energy billing arrangement based upon a shared financial interest in a distributed generation resource from fraud or unfair and deceptive business practices, a project sponsor:

A. Must obtain a customer's explicit affirmative authorization before serving the customer;

B. Must provide to a residential customer such information as the commission may require by rule or order in a standard disclosure form before entering into an agreement with the residential customer to participate in a net energy billing arrangement based upon a shared financial interest in a distributed generation resource;

C. Must allow a customer to rescind the customer's decision to participate in a net energy billing arrangement based upon a shared financial interest in a distributed generation resource, as long as the customer requests such rescission orally or in writing within 5 days of the customer's receipt of the first bill or invoice under the arrangement that the customer is responsible for paying in full;

D. May not collect or seek to collect unreasonable costs from a customer who is in default;

E. Must comply with any other applicable standards or requirements adopted by the commission by rule or order;

F. May not release to any other entity, other than for purposes of debt collection or credit reporting pursuant to state and federal law or to law enforcement agencies pursuant to lawful process, any personal information regarding a customer, including name, address, telephone number and usage and historical payment information, without the explicit affirmative consent of the customer;

G. Must comply with the Maine Unfair Trade Practices Act;

H. Must comply with all applicable provisions of the federal Equal Credit Opportunity Act, 15 United States Code, Sections 1691 to 1691f; and

I. Must comply with all federal and state laws, federal regulations and state rules regarding the prohibition or limitation of telemarketing.

Sec. 3. 35-A MRSA §3209-A, sub-§6 is enacted to read: