

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

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FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
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PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2021

**CHAPTER 368
S.P. 385 - L.D. 1122**

**An Act To Promote Public
Safety by Allowing Lighted
Signs on Certain Vehicles**

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

Sec. 1. 29-A MRSA §1922, sub-§4, ¶B, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

B. On a semitrailer, on the front portion of the semitrailer; ~~and~~

Sec. 2. 29-A MRSA §1922, sub-§4, ¶C, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

C. On a truck, on the front portion of the storage compartment above and behind the cab; ~~and~~

Sec. 3. 29-A MRSA §1922, sub-§4, ¶D is enacted to read:

D. On a delivery vehicle, on the roof of the vehicle as long as the only information on the illuminated sign is the name and telephone number of the company providing the delivery. The sign may be illuminated only when making a delivery, as determined by the Department of Public Safety by rule. The sign may not have words that scroll or change messages while the vehicle is in transit and a vehicle is limited to one sign. The sign must be securely fastened to the vehicle to prevent it from falling off the vehicle. For the purposes of this paragraph, "delivery vehicle" means a motor vehicle used to transport customers or property. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 4. 29-A MRSA §1922, sub-§7, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

7. Exception. This section does not apply to the illuminated name and telephone number identification affixed to vehicles, including the illuminated name and telephone number identification affixed to the roof, for the conveyance of passengers.

See title page for effective date.

**CHAPTER 369
H.P. 1026 - L.D. 1392**

**An Act Directing the Maine
Center for Disease Control and
Prevention To Release
Annually Public Health Data
Regarding Certain Fatalities
and Hospitalizations**

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

Sec. 1. 22 MRSA c. 256-A is enacted to read:

CHAPTER 256-A

**REPORTING OF FIREARM FATALITIES AND
HOSPITALIZATIONS**

**§1425. Annual report on firearm fatalities and
hospitalizations**

Beginning January 1, 2022, the Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services shall report annually to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the following data:

1. Firearm fatalities. Public health data concerning firearm fatalities in the State, separated by:

A. The number of homicides, including the number of homicides that were the result of domestic violence, further separated by the ages of the victims for each;

B. Suicides, further separated by the ages of the victims; and

C. Unintentional discharges, further separated by the ages of the victims; and

2. Hospitalizations. Hospitalizations that occurred as a result of a firearm but did not result in death.

The Commissioner of Public Safety, the Office of Chief Medical Examiner, the Office of the Attorney General and the Maine Health Data Organization shall assist the Director of the Maine Center for Disease Control and Prevention with the collection of the data required in this section.

The Director of the Maine Center for Disease Control and Prevention shall make the report required under this section publicly available.

Sec. 2. 25 MRSA §1544, 2nd ¶, as amended by PL 2001, c. 399, §6, is further amended to read:

The bureau shall establish a category for abuse by adults of family or household members, a category for cruelty to animals ~~and~~, a category for crimes that manifest evidence of prejudice based on race, religion, disability, sexual orientation or ethnicity and a category for

unintentional and intentional firearm discharges that are supplementary to its other reported information. The bureau shall prescribe the information to be submitted in the same manner as for all other categories of the uniform crime reports.

See title page for effective date.

**CHAPTER 370
H.P. 763 - L.D. 1025**

An Act To Support Arrearage Management Programs through Unused Kilowatt-hour Credits Derived from Net Energy Billing Arrangements

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

Sec. 1. 35-A MRSA §3209-A, sub-§5 is enacted to read:

5. Unused kilowatt-hour credits; rules. To the extent rules adopted under this section provide for the periodic expiration of unused kilowatt-hour credits accumulated by a customer participating in a net energy billing arrangement, the commission shall require by rule that, no earlier than April 1, 2022, each transmission and distribution utility with a net energy billing arrangement that has implemented or elected to implement an arrearage management program pursuant to section 3214, subsection 2-A shall account for and, on or before January 1st of each year, apply all unused kilowatt-hour credits that were accumulated and that expired during the prior calendar year for the benefit of participants in the utility's arrearage management program. The rules adopted by the commission pursuant to this subsection must:

A. Establish the manner by which a transmission and distribution utility must account for unused kilowatt-hour credits that were accumulated by all customers of the utility with net energy billing arrangements during the prior calendar year and that expired during the prior calendar year; and

B. Establish the manner by which a transmission and distribution utility must apply such unused kilowatt-hour credits for the benefit of participants in the utility's arrearage management program, which must be designed to result in each such participant receiving as close to an equal amount of those credits except when the credited amount would exceed the amount of a participant's arrearage.

Notwithstanding any provision of this section to the contrary, rules adopted by the commission pursuant to

this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 371
H.P. 1066 - L.D. 1450**

An Act To Provide Fairness in Communications from Pharmacy Benefits Managers

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

Sec. 1. 24-A MRSA §4348-A is enacted to read:

§4348-A. Use of untrue, deceptive or misleading advertisement prohibited

A pharmacy benefits manager or representative of a pharmacy benefits manager may not cause or knowingly permit the use of any advertisement, promotion, solicitation, representation, proposal or offer that is untrue, deceptive or misleading.

See title page for effective date.

**CHAPTER 372
H.P. 238 - L.D. 334**

An Act To Help Maine Students Catch Up and Keep Up by Providing Remedial and Compensatory Assistance in Response to Education Disruption

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

Sec. 1. 20-A MRSA §12723 is enacted to read:

§12723. High school graduates tuition waiver: 2021-2022 and 2022-2023 school years

For the 2021-2022 and 2022-2023 school years, the system shall provide a waiver of tuition and fees to any student who graduated from a high school in this State in the 2019-2020 or 2020-2021 school year and who has completed an application for federal student aid financial aid programs and is eligible for a Federal Pell Grant for the academic year in which the person applies to the system. The amount of the waiver is limited to the difference between the amount of the full tuition and fees and the amount provided by the Federal Pell Grant and is limited to 2 school years. The system may request federal funding allocated to the State in any federal law enacted after December 15, 2020 that provides stimulus