

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

veterans seeking case management services who are enrolled with the United States Department of Veterans Affairs and those who would likely be eligible to be enrolled.

1. Coordination. The department, with the assistance of the bureau, shall seek to coordinate services with the United States Department of Veterans Affairs and state agencies that offer mental health care services or provide assistance to veterans.

2. Regional contracts. The department may enter into regional contracts, including a contract with a provider that has experience providing services in the northern part of the State, for the purpose of ensuring a statewide network of case management that provides coordinated mental health care services for veterans living in the State, including, but not limited to, inpatient treatment as clinically required. Contracted providers shall, at a minimum, connect each individual referred to the provider for case management services with a veteran service officer at the bureau, who shall assist the individual in accessing the state and federal veterans benefits to which the individual may be entitled.

3. Eligibility. An individual who served in the Armed Forces of the United States and meets the definition of "veteran" under 38 Code of Federal Regulations, Section 3.1 or who has served or is currently serving in the Maine Army National Guard or Air National Guard or the Reserves of the Armed Forces of the United States is eligible to receive services under this subchapter. The character of a veteran's discharge from service is not a disqualifying eligibility criterion to receive services under this subchapter. A veteran who has received a mental health diagnosis or mental health disability rating from the United States Department of Veterans Affairs is eligible to receive services under this subchapter. A veteran who is not enrolled with the United States Department of Veterans Affairs who is determined to require mental health care services by a licensed mental health professional may be considered eligible for case management and other behavioral health services under this subchapter based on the individual needs of the veteran. The department, with the assistance of the bureau, shall establish criteria to determine eligibility for case management services to be provided under this subchapter.

4. Enrollment. The bureau shall work to assist veterans receiving case management services under this subchapter who are not enrolled with the United States Department of Veterans Affairs to determine eligibility and to assist with those veterans' enrollment and with filing claims to the United States Department of Veterans Affairs.

5. Cultural competency. Case management and mental health professionals selected to provide services pursuant to this subchapter must demonstrate familiarity with military and veteran culture.

6. Data collection. All veterans receiving case management and mental health services under this subchapter must be accounted for in department and bureau data collections.

7. Department report. The department, in consultation with the bureau, shall prepare a written report of the services provided under this subchapter and make any recommendations regarding its provision of services under this subchapter to the joint standing committee of the Legislature having jurisdiction over veterans affairs by February 1st annually.

§3912. Veterans Mental Health Case Management and Services Fund

The Veterans Mental Health Case Management and Services Fund, referred to in this section as "the fund," is established as a dedicated, nonlapsing Other Special Revenue Funds account in the department. The fund is administered by the department to support the provision of case management services for veterans under this subchapter.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective July 8, 2021.

CHAPTER 431

H.P. 569 - L.D. 764

**An Act To Authorize the Maine
Emergency Management
Agency To Requisition Food
Supplies for Emergency Use or
Special Duty Assignments**

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

Sec. 1. 5 MRSA §8-C, first ¶, as corrected by RR 1995, c. 2, §1 and amended by PL 2001, c. 354, §3; PL 2003, c. 689, Pt. B, §§6 and 7; PL 2011, c. 657, Pt. W, §7; and PL 2013, c. 405, Pt. A, §23, is further amended to read:

All commissary-type facilities operated by state departments for the sale of food and food supplies to any person must be eliminated. Purchasing of food and food supplies for any person by requisition or otherwise is prohibited, except that the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency and the Department of Inland Fisheries and Wildlife and the Department of Agriculture, Conservation and Forestry, Bureau of Forestry may requisition food supplies for emergency use or special duty assignments. Meals purchased and prepared for institutional or school use may be sold to employees or to visitors based on the actual total cost of purchasing, preparing and serving such food or food supplies.

In the case of institutions and schools operated by the Department of Health and Human Services, income derived from the sale of meals accrues to the General Fund. With the approval of the Commissioner of Health and Human Services and the head of the institution involved, no charge may be made for the provision of meals to any state employee who eats such meals within the scope of employment and in doing so serves a function of that employment. If such approval is given, the Commissioner of Health and Human Services shall establish standards that must be applied uniformly at all institutions within the department.

See title page for effective date.

**CHAPTER 432
S.P. 117 - L.D. 803**

**An Act Regarding Violation of
a Protective Order**

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

Sec. 1. 19-A MRSA §4011, sub-§1, as amended by PL 2001, c. 420, §1, is further amended to read:

1. Crime committed. Except as provided in subsections 2 ~~and~~ 4 ~~and~~ 5, violation of the following is a Class D crime when the defendant has prior actual notice, which may be notice by means other than service in hand, of the order or agreement:

A. A temporary, emergency, interim or final protective order, an order of a tribal court of the Passamaquoddy Tribe or the Penobscot Nation or a similar order issued by a court of the United States or of another state, territory, commonwealth or tribe; or

B. A court-approved consent agreement.

Sec. 2. 19-A MRSA §4011, sub-§4, as enacted by PL 2001, c. 420, §2, is amended to read:

4. Reckless conduct; assault. A defendant who violates a protective order issued pursuant to section 4007 or an order that is similar to a protective order pursuant to section 4007 issued by a court of the United States or of another state, territory, commonwealth or tribe through conduct that is reckless and that creates a substantial risk of death or serious bodily injury to the plaintiff named in the protective order or who assaults the plaintiff named in the protective order commits a Class C crime.

See title page for effective date.

**CHAPTER 433
H.P. 696 - L.D. 940**

**An Act To Establish Appliance
Energy and Water Standards**

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

Sec. 1. 38 MRSA §1613 is enacted to read:

§1613. Appliance and product efficiency standards

1. Sale prohibition; appliances and products. The following provisions apply to the sale or offering for sale in the State of certain new appliances and products.

A. Except as provided in subsection 2, beginning January 1, 2023, a person may not sell or offer for sale in the State any of the following appliances and products manufactured on or after January 1, 2023 that are prohibited from sale in rules adopted by the department in accordance with subsection 3:

- (1) Computers and computer monitors;
- (2) General service lamps;
- (3) Commercial hot food holding cabinets;
- (4) Plumbing fittings that are showerheads, lavatory faucets, kitchen faucets, public lavatory faucets, metering faucets, kitchen replacement aerators and lavatory replacement aerators;
- (5) Plumbing fixtures that are water closets and urinals;
- (6) Portable electric spas;
- (7) Spray sprinkler bodies; and
- (8) Water dispensers.

For the purposes of this paragraph, the appliances and products listed in subparagraphs (1) to (8) have the same meanings as in rules adopted by the department under subsection 3, except that "general service lamps" means medium-base incandescent light bulbs that are: reflector lamps that are ER30, BR30, BR40 or ER40 lamps rated at 50 watts or less; reflector lamps that are BR30, BR40 or ER40 lamps rated at 65 watts; reflector lamps that are R20 lamps rated at 45 watts or less; B, BA, CA, F and G shape lamps as defined in American National Standards Institute standard C79.1-2002 with a lumen output greater than or equal to 200 and rated at 40 watts or less; A and C shape lamps as defined in American National Standards Institute standard C79.1-2002 with a lumen output greater than or equal to 200 and less than 310; shatter-resistant lamps; and 3-way lamps.