

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

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

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTIETH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**September 29, 2021**

**SECOND REGULAR SESSION**  
**January 5, 2022 to May 9, 2022**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**DECEMBER 29, 2021**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 8, 2022**

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

---

---

**Augusta, Maine**  
**2022**

E. "Transferor" has the same meaning as in Title 18-C, section 6-402, subsection 7.

**2. Policy to include designated beneficiary.** Notwithstanding any provision of law to the contrary, when an insured property passes to a designated beneficiary under a transfer on death deed, any policy covering the insured property must extend to the designated beneficiary, except as provided in this section.

**3. Cancellation.** Upon receiving a notice of death affidavit under Title 18-C, section 6-414, the insurer may cancel a policy extended pursuant to this section as if the policy had been in effect for less than 90 days, as provided in section 3049. If the insurer does not receive a notice of death affidavit within 30 days after the transferor's death, the policy is deemed to have been cancelled as of the transferor's death without any further action by the insurer.

**4. Coverage extended.** The coverage extension under this section applies only with respect to the premises and property of the transferor.

**5. Proof demanded; policy conditions.** Before making any claim payments to a party claiming rights under this section as a designated beneficiary, the insurer may ask for proof that the party is a designated beneficiary under a properly recorded transfer on death deed and that the party has filed a notice of death affidavit under Title 18-C, section 6-414. The designated beneficiary shall comply with the conditions of the policy.

**6. Insurable interest; multiple beneficiaries.** A designated beneficiary is not entitled to recover under a policy extended as provided in this section in an amount that would exceed the designated beneficiary's insurable interest at the time of loss or damage. If the transfer on death deed has designated multiple beneficiaries, nothing in this section requires the insurer to pay an amount for loss or damage to the premises and property that exceeds the amount that would be owed to the transferor if the transferor were living at the time of loss or damage.

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

Effective March 16, 2022.

---

---

**CHAPTER 498**

**H.P. 1310 - L.D. 1759**

**An Act To Extend the Legal Hours for Harvesting Lobster in the Month of September**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until

90 days after adjournment unless enacted as emergency; and

**Whereas,** the current legal times for raising and hauling lobster traps are determined by the sun's rising and setting; and

**Whereas,** in the autumn, the later sunrise prevents lobster license holders from fishing most efficiently and during the calmer morning hours; and

**Whereas,** it is necessary that this Act take effect before September 2022 in order to allow lobster license holders to take advantage of the autumn harvest and in order to allow them to fish efficiently and safely; 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. 12 MRSA §6440, sub-§1,** as amended by PL 2017, c. 32, §1, is further amended to read:

**1. Summer.** During the period 1/2 hour after sunset until 1/2 hour before sunrise from June 1st to ~~September 30th~~ August 31st, both days inclusive, and during the period 1/2 hour after sunset until 4 a.m. from ~~October~~ September 1st to October 31st, both days inclusive; and

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

Effective March 16, 2022.

---

---

**CHAPTER 499**

**H.P. 1319 - L.D. 1768**

**An Act To Allow the Private Sale of Certain State Surplus Property to State Employees**

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

**Sec. 1. 5 MRSA §1828,** as amended by PL 2017, c. 310, §§1 and 2, is further amended by amending the section headnote to read:

**§1828. Sales of surplus property to educational institutions, qualifying nonprofit organizations and fire departments and state employees**

**Sec. 2. 5 MRSA §1828, sub-§1, ¶D** is enacted to read: