

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

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

Augusta, Maine
2023

E. Section 4706-B, subsection 4; and

F. Section 6102-A, subsection 2.

Sec. 5. 35-A MRSA §1911, as amended by PL 2015, c. 445, §7, is further amended to read:

§1911. Reports

The commission shall include in its annual report under section 120, subsection 3 a description of its efforts to pursue, in appropriate regional and federal forums, market and rule changes that will reduce the basis differential for natural gas coming into New England ~~and data and analysis regarding leak emissions of greenhouse gases from liquefied natural gas storage that has been contracted for through a physical energy storage contract.~~

Sec. 6. 35-A MRSA §3143, sub-§9, as enacted by PL 2009, c. 539, §2, is repealed.

Sec. 7. 35-A MRSA §3210-C, sub-§3, as amended by PL 2019, c. 476, §2, is further amended by amending the 6th blocked paragraph to read:

By January 1st of each year, the commission shall submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters on the procurement of transmission capacity, capacity resources, energy and renewable energy credits in the preceding 12 months under this subsection, ~~the Community-based Renewable Energy Act~~ and deep-water offshore wind energy pilot projects under Public Law 2009, chapter 615, Part A, section 6, as amended by Public Law 2013, chapter 369, Part H, sections 1 and 2 and chapter 378, sections 4 to 6. The report must contain information, including, but not limited to, the number of requests for proposals by the commission for long-term contracts, the number of responses to requests for proposals pursuant to which a contract has been finalized, the number of executed term sheets or contracts resulting from the requests for proposals, the commission's initial estimates of ratepayer costs or savings associated with any approved term sheet, actual ratepayer costs or savings for the previous year associated with any procurement, the total ratepayer costs or savings at the time of the report and the megawatt-hours, renewable energy credits or capacity produced or procured through contracts. The report must include actual ratepayer costs or savings for the previous year associated with any contract executed under the Community-based Renewable Energy Act. The report must also include a plan for the succeeding 12 months pertaining to the procurement of capacity resources, energy and renewable energy credits, including dates for requests for proposals, and types of resources to be procured.

Sec. 8. 35-A MRSA §3217, sub-§1, as amended by PL 2009, c. 122, §15, is repealed.

Sec. 9. 35-A MRSA §3607, as enacted by PL 2009, c. 329, Pt. A, §4, is repealed.

Sec. 10. 35-A MRSA §7508, sub-§4, as amended by PL 2009, c. 122, §18, is repealed.

See title page for effective date.

CHAPTER 78

H.P. 296 - L.D. 479

**An Act to Amend the Laws
Governing the Membership of
the Palliative Care and Quality
of Life Interdisciplinary
Advisory Council**

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

Sec. 1. 22 MRSA §1726, sub-§2, ¶E, as enacted by PL 2015, c. 203, §2, is amended to read:

E. Two persons appointed by the member of the House of Representatives who is the leader of the minority party in the House. One person must be a spiritual counselor with experience working with persons with serious illnesses and their family members. One person must represent persons 55 years of age and older; ~~and~~

Sec. 2. 22 MRSA §1726, sub-§2, ¶F, as enacted by PL 2015, c. 203, §2, is amended to read:

F. The executive director of the Maine Hospice Council, established in section 8611, who serves as a nonvoting member; ~~and~~

Sec. 3. 22 MRSA §1726, sub-§2, ¶G is enacted to read:

G. One person who is an individual receiving palliative care, or a primary caregiver of an individual receiving palliative care, appointed by the Governor.

See title page for effective date.

CHAPTER 79

S.P. 264 - L.D. 596

**An Act to Exempt Certain
Conservation Lots from
Municipal Subdivision Review**

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

Sec. 1. 30-A MRSA §4401, sub-§4, ¶J is enacted to read:

J. Unless the intent of a transferor is to avoid the objectives of this subchapter, the division of a tract or parcel of land accomplished by the transfer of

any interest in the land to a holder does not create a lot or lots for purposes of this definition if:

(1) The transferred interest, as expressed by conservation easement, binding agreement, declaration of trust or otherwise, is to be permanently held for one or more of the following conservation purposes:

(a) Retaining or protecting the natural, scenic or open space values of the land;

(b) Ensuring the availability of the land for agricultural, forest, recreational or open space use;

(c) Protecting natural resources; or

(d) Maintaining or enhancing air quality or water quality; and

(2) The transferred interest is not subsequently further divided or transferred except to another holder.

As used in this paragraph, "holder" has the same meaning as in Title 33, section 476, subsection 2.

See title page for effective date.

CHAPTER 80

H.P. 414 - L.D. 637

An Act to Promote the Use of Free Annual Wellness Visits by Ensuring Proper Disclosure

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

Sec. 1. 22 MRSA §1718-H is enacted to read:

§1718-H. Disclosure related to annual wellness visit

A health care entity, as defined in section 1718-B, subsection 1, paragraph B, at the time of an annual wellness visit by an insured patient, shall disclose to the patient that not all services provided during the course of an annual wellness visit may be covered as preventive services without any out-of-pocket costs to the patient by the patient's health plan, as defined in Title 24-A, section 4301-A, subsection 7, and that, if the patient has questions about the scope of covered services under the patient's health plan, the patient should contact the patient's health insurance carrier.

Sec. 2. 24-A MRSA §4303, sub-§15, as enacted by PL 2011, c. 364, §26, is amended to read:

15. Uniform explanation of coverage documents and standardized definitions. A carrier offering a health plan in this State shall:

A. Provide to applicants, enrollees and policyholders or certificate holders a summary of benefits and an explanation of coverage that accurately describe the benefits and coverage under the applicable plan or coverage. A summary of benefits and an explanation of coverage must conform with the requirements of the federal Affordable Care Act; ~~and~~

B. Use standard definitions of insurance-related and medical-related terms in connection with health insurance coverage as required by the federal Affordable Care Act; and

C. Provide notice to enrollees and policyholders or certificate holders that preventive services are covered without cost sharing as provided in section 4320-A, subsection 1, but services related to a specific health concern, condition or injury may be separately billed as an office visit and may be subject to cost-sharing requirements as provided in the health plan.

Sec. 3. Application. That section of this Act that amends the Maine Revised Statutes, Title 24-A, section 4303, subsection 15 applies to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2024. For purposes of this Act, all policies, contracts and certificates are deemed to be renewed no later than the next yearly anniversary of the contract date.

See title page for effective date.

CHAPTER 81

H.P. 506 - L.D. 817

An Act to Allow the Crew Member of a Holder of an Elver Fishing License to Empty an Elver Fyke Net

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

Whereas, fishing for or taking elvers within the waters of the State may occur only between March 22nd and June 7th, or until Maine's elver quota, as established by the Atlantic States Marine Fisheries Commission, has been met, whichever is earlier; and

Whereas, the elvers taken during the 2022 fishing season were worth nearly \$20,000,000 at the docks; and

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order for it to be in effect for the 2023 fishing season; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of