

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

5. Rulemaking. The board shall adopt rules to implement the requirements of this section. Rules adopted 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 116
H.P. 276 - L.D. 443**

An Act to Prohibit Marriage of Any Person Under 17 Years of Age

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

Sec. 1. 19-A MRSA §652, sub-§7, as amended by PL 2019, c. 340, §10, is further amended to read:

7. Parties under 18 who are 17 years of age. A marriage license may not be issued to persons under 18 who are 17 years of age without the written consent of their parents, guardians or persons to whom a court has given custody. In the absence of persons qualified to give consent, the judge of probate in the county where each minor resides may grant consent after notice and opportunity for hearing.

Sec. 2. 19-A MRSA §652, sub-§8, as amended by PL 2019, c. 340, §11 and c. 535, §1, is further amended to read:

8. Parties under 16 17 years of age. The clerk or State Registrar of Vital Statistics may not issue a marriage license to a person under 16 17 years of age.

See title page for effective date.

**CHAPTER 117
S.P. 268 - L.D. 651**

An Act to Amend the Standards for Manufactured Housing to Comply with United States Department of Housing and Urban Development Standards

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

Sec. 1. 30-A MRSA §4358, sub-§1, ¶A, as amended by PL 1995, c. 625, Pt. A, §35, is further amended by amending subparagraph (1) to read:

(1) Those units constructed after June 15, 1976, commonly called "newer mobile homes," that the manufacturer certifies are constructed in compliance with the United

States Department of Housing and Urban Development standards, meaning structures transportable in one or more sections, that in the traveling mode are ~~14 8~~ body feet or more in width and ~~40~~ body feet or more in length or, when erected on site, are ~~750~~ 320 or more square feet, and that are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities including the plumbing, heating, air conditioning or electrical systems contained in the unit.

(a) This term also includes any structure that meets all the requirements of this subparagraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, United States Code, Title 42, Section 5401, et seq.; and

See title page for effective date.

**CHAPTER 118
H.P. 457 - L.D. 688**

An Act to Protect Access to Veterinary Care by Prohibiting Noncompete Agreements

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

Sec. 1. 26 MRSA §599-A, sub-§3, as enacted by PL 2019, c. 513, §1, is amended to read:

3. Prohibited for certain workers. Notwithstanding subsection 2, an employer may not require or permit an employee earning wages at or below 400% of the federal poverty level to enter into a noncompete agreement with the employer: if:

A. The employee is earning wages at or below 400% of the federal poverty level; or

B. The employee is a veterinarian licensed under Title 32, chapter 71-A and is employed in a veterinary facility in which the employee does not have an ownership interest.

A court may not enforce a noncompete agreement entered into or renewed with an employee who is a veterinarian licensed under Title 32, chapter 71-A before the effective date of this paragraph unless

the employee is working in a veterinary facility in which the employee has an ownership interest.

See title page for effective date.

**CHAPTER 119
S.P. 280 - L.D. 722**

An Act to Expedite the Health Insurance Referral Process for Specialists by Allowing Referrals During Urgent Care Visits

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

Sec. 1. 24-A MRSA §4301-A, sub-§2-A is enacted to read:

2-A. Behavioral health care service. "Behavioral health care service" means a health care service or treatment to address mental health and substance use conditions.

Sec. 2. 24-A MRSA §4301-A, sub-§21 is enacted to read:

21. Urgent care. "Urgent care" means health care or treatment provided in response to exigent circumstances.

Sec. 3. 24-A MRSA §4303, sub-§22-A is enacted to read:

22-A. Denial of referral during urgent care visit prohibited. A carrier may not deny payment for any behavioral health care service or physical therapy service covered under an enrollee's health plan based solely on the basis that the enrollee's referral was not made by the enrollee's primary care provider as long as the enrollee's referral is made by a provider during an urgent care visit and the provider notifies the enrollee's primary care provider of the referral. A carrier may not apply a deductible, coinsurance or copayment greater than the applicable deductible, coinsurance or copayment that would apply to the same health care service if the service was referred by the enrollee's primary care provider. A carrier may require a provider of urgent care that is making a referral to provide additional information necessary to implement this subsection.

Sec. 4. Application. The requirements of this Act apply 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 120
S.P. 341 - L.D. 782**

An Act to Support Statewide Economic Opportunities Through Strategic Investments of Property and Funds, Including Emergency Relief Funds

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

Sec. 1. 12 MRSA §5012, 4th ¶, as amended by PL 1987, c. 308, §7 and PL 2011, c. 657, Pt. W, §6, is further amended to read:

The commissioner may, subject to the approval of the Governor, apply for and accept on behalf of the State any funds, other personal or real property, including emergency relief funds, grants, bequests, gifts or contributions from any person, corporation or government, including the Government of the United States for the purpose of economic opportunity, business growth and other strategic investments. Such funds shall must be received by the Treasurer of State on behalf of the State and deposited in an appropriate new or existing account in the department. All such funds may, subject to the rules promulgated by the Governor, be expended by the Commissioner of Agriculture, Conservation and Forestry. The commissioner shall adopt rules to implement and administer grant or other fund disbursement programs using funds in the account. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. The commissioner may adjudicate appeals of grant or other disbursement decisions made under the programs. Notwithstanding any provision of law to the contrary, an adjudicatory hearing on an appeal must be held in accordance with the Maine Administrative Procedure Act.

See title page for effective date.

**CHAPTER 121
S.P. 394 - L.D. 923**

An Act to Improve Disclosure of Present and Future Costs to Maine Electricity Consumers

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

Sec. 1. 35-A MRSA §3110 is enacted to read:
§3110. Rate disclosures

1. Current transmission and distribution utility rates. On January 1st of each year, the commission shall publish on the commission's publicly accessible