

# 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.**

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**Augusta, Maine**  
**2023**

D. The plan requires the financial assurance be updated 15 years after approval of the plan and no less frequently than every 5 years thereafter. Updates to financial assurance required under this paragraph must be submitted to the environmental permitting entity on or before December 31st of the year in which such updates are required.

**4. Applicability.** This section applies to a battery storage system development on which construction begins on or after January 1, 2024. This section does not apply to a battery storage system development on which construction begins prior to January 1, 2024 unless the battery storage system development undergoes a transfer of ownership on or after January 1, 2024 in which case a person may not operate the battery storage system after the transfer of ownership without a decommissioning plan approved by the environmental permitting entity under this section.

Upon a transfer of ownership of a battery storage system development subject to a decommissioning plan approved under this section, a person that transfers ownership of the development remains jointly and severally liable for implementation of the plan until the environmental permitting entity approves transfer of the decommissioning plan to the new owner or operator.

**5. Administration and enforcement; rulemaking.** The Department of Environmental Protection shall administer and enforce this chapter with respect to the decommissioning of battery storage system developments for which it is the environmental permitting entity, subject to the same powers and authorities granted to it pursuant to Title 38, chapter 2, which may include, but are not limited to, the adoption of rules and the establishment of reasonable fees. The Maine Land Use Planning Commission shall administer and enforce this chapter with respect to the decommissioning of battery storage system developments for which it is the environmental permitting entity, subject to the same powers and authorities granted to it pursuant to Title 12, chapter 206-A, which may include, but are not limited to, the adoption of rules and the establishment of reasonable fees.

Notwithstanding Title 5, section 8071, subsection 3, rules adopted by the Department of Environmental Protection or by the Maine Land Use Planning Commission pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 4. PL 2021, c. 151, §2** is repealed.

See title page for effective date.

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**CHAPTER 216  
H.P. 380 - L.D. 603**

**An Act to Make Electric Breast Pumps More Accessible by Providing for MaineCare Reimbursement**

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

**Sec. 1. 22 MRSA §3174-KKK** is enacted to read:

**§3174-KKK. Electric breast pump reimbursement**

The department shall reimburse under the MaineCare program for electric breast pumps and supplies without prior authorization or limitation when electric breast pumps or supplies have been prescribed or recommended by a health care professional licensed under Title 32 acting within the health care professional's authorized scope of practice. The department shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

**Sec. 2. Electric breast pump and supplies reimbursement rules.** By January 1, 2024, the Department of Health and Human Services shall adopt rules to implement the Maine Revised Statutes, Title 22, section 3174-KKK.

See title page for effective date.

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**CHAPTER 217  
H.P. 386 - L.D. 609**

**An Act Regarding Guidelines for Free Telephone Calls by Individuals Incarcerated in Department of Corrections Facilities**

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

**Sec. 1. 34-A MRSA §3015, sub-§2**, as enacted by PL 2021, c. 615, Pt. A, §1, is amended by enacting at the end a new first blocked paragraph to read:

The chief administrative officer of each department facility shall draft, publish and implement guidelines governing resident access to free telephone calls as required by paragraphs A and B in that facility.

See title page for effective date.

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