

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

Sec. 16. 12 MRSA §13152, sub-§2, as repealed and replaced by PL 2005, c. 397, Pt. E, §17, is amended by amending the first blocked paragraph to read:

~~A person under 16 years of age must attend the training program with that person's parent or guardian.~~ The training program must include instruction on the safe operation of ATVs, the laws pertaining to ATVs, the effect of ATVs on the environment and ways to minimize that effect, courtesy to landowners and other recreationists and landowners and other materials as determined by the department.

Sec. 17. Effective date. That section of this Act that repeals and replaces the Maine Revised Statutes, Title 12, section 11109-A, subsection 2-A and that section of this Act that amends Title 12, section 11109-A, subsection 3 take effect January 1, 2024.

See title page for effective date, unless otherwise indicated.

**CHAPTER 229
S.P. 126 - L.D. 267**

**An Act to Require Private
Insurance Coverage for Donor
Breast Milk**

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

Sec. 1. 24-A MRSA §4320-V is enacted to read:

§4320-V. Coverage for donor breast milk

1. Required coverage. A carrier offering a health plan in this State shall provide coverage for pasteurized donor breast milk provided to an infant eligible for coverage under the health plan if a physician or physician assistant licensed under Title 32, chapter 36 or 48 or an advanced practice registered nurse licensed under Title 32, chapter 31 signs an order stating that:

A. The infant is medically or physically unable to receive maternal breast milk or participate in breastfeeding or the infant's parent is medically or physically unable to produce maternal breast milk in quantities sufficient for the infant; and

B. The infant:

(1) Was born at a birth weight of less than 1,500 grams;

(2) Has a gastrointestinal anomaly or metabolic or digestive disorder or is recovering from intestinal surgery and the infant's digestive needs require additional support;

(3) Is not appropriately gaining weight or growing;

(4) Has formula intolerance and is experiencing weight loss or difficulty feeding;

(5) Has low blood sugar;

(6) Has congenital heart disease;

(7) Has received or will receive an organ transplant; or

(8) Has another serious medical condition for which donor breast milk is medically necessary.

Sec. 2. 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.

Sec. 3. Exemption from mandate review. Notwithstanding the Maine Revised Statutes, Title 24-A, section 2752, this Act is enacted without review and evaluation by the Department of Professional and Financial Regulation, Bureau of Insurance.

See title page for effective date.

**CHAPTER 230
S.P. 226 - L.D. 509**

**An Act to Amend the Net
Energy Billing Laws to Direct
Expiring Net Energy Billing
Credits to Provide Low-income
Assistance**

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

Sec. 1. 35-A MRSA §3209-A, sub-§8, as enacted by PL 2021, c. 370, §1 and reallocated by RR 2021, c. 1, Pt. A, §37 and PL 2021, c. 659, §18 and c. 705, §13, is amended to read:

8. Unused kilowatt-hour credits; rules. To the extent rules adopted under this section provide for the periodic expiration of unused kilowatt-hour credits accumulated by a customer participating in a net energy billing arrangement, the commission shall require by rule that, ~~no earlier than April 1, 2022~~, each transmission and distribution utility with a net energy billing arrangement ~~that has implemented or elected to implement an arrearage management program pursuant to section 3214, subsection 2-A shall account for and, on or before January 1st of each year, apply remit the value of all unused kilowatt-hour credits that were accumulated and that expired during the prior calendar year to the commission for the benefit of participants in the utility's arrearage management program individuals receiving low-income assistance in accordance with section~~