

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 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

3214, subsection 2. The rules adopted by the commission pursuant to this subsection must:

A. Establish the manner by which a transmission and distribution utility must account for unused kilowatt-hour credits that were accumulated by all customers of the utility with net energy billing arrangements during the prior calendar year and that expired during the prior calendar year; and

B. Establish the manner by which a transmission and distribution utility must ~~apply such unused kilowatt-hour credits for the benefit of participants in the utility's arrearage management program, which must be designed to result in each such participant receiving as close to an equal amount of those credits except when the credited amount would exceed the amount of a participant's arrearage remit the value of the unused and expired kilowatt-hour credits.~~

Notwithstanding any provision of this section to the contrary, rules adopted by the commission pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 35-A MRSA §3214, sub-§2, as enacted by PL 1997, c. 316, §3, is amended to read:

2. Low-income assistance. In order to continue existing levels of financial assistance for low-income households and to meet future increases in need caused by economic exigencies, the commission shall:

A. Receive funds collected by all transmission and distribution utilities in the State at a rate set by the commission in periodic rate cases; ~~and~~

B. Set initial funding for programs based on an assessment of aggregate customer need in periodic rate cases. The funding formula may not result in assistance being counted as income or as a resource in other means-tested assistance programs for low-income households. To the extent possible, assistance must be provided in a manner most likely to prevent the loss of other federal assistance; ~~and~~

C. Receive funds remitted by transmission and distribution utilities with net energy billing arrangements for expired kilowatt-hour credits in accordance with section 3209-A, subsection 8.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

PUC - Unused NEB Credits for Low-Income Assistance N452

Initiative: Provides allocation to establish a new program to use net energy billing credits for low-income assistance.

| | | |
|------------------------------------|----------------|----------------|
| OTHER SPECIAL REVENUE FUNDS | 2023-24 | 2024-25 |
|------------------------------------|----------------|----------------|

| | | |
|-----------------------|-------|-------|
| All Other | \$500 | \$500 |
| OTHER SPECIAL REVENUE | \$500 | \$500 |
| FUNDS TOTAL | | |

See title page for effective date.

CHAPTER 231

H.P. 605 - L.D. 958

An Act to Expand Protections to Maine's Loons from Lead Poisoning by Prohibiting the Sale and Use of Certain Painted Lead Jigs

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

Sec. 1. 12 MRSA §12663-B, as enacted by PL 2013, c. 372, §2, is amended to read:

§12663-B. Unlawful sale of lead sinkers ~~and~~, bare lead jigs and painted lead jigs

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Bare lead jig" means an unpainted lead jig that contains lead and that:

- (1) Weighs one ounce or less; or
- (2) Measures 2 1/2 inches or less in length.

B. "Lead sinker" means a device that contains lead that is designed to be attached to a fishing line and intended to sink the line and that:

- (1) Weighs one ounce or less; or
- (2) Measures 2 1/2 inches or less in length.

"Lead sinker" does not include artificial lures, weighted line, weighted flies or jig heads.

C. "Painted lead jig" means a painted lead jig that contains lead and that:

- (1) Weighs one ounce or less; or
- (2) Measures 2 1/2 inches or less in length.

2. Sale of lead sinker ~~or~~, bare lead jig or painted lead jig. This subsection governs the sale of lead sinkers ~~and~~, bare lead jigs and painted lead jigs.

A. A person may not:

- (1) Sell a lead sinker; ~~or~~
- (2) Beginning September 1, 2016, sell a bare lead jig; ~~or~~
- (3) Beginning September 1, 2024, sell a painted lead jig.

B. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

C. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

3. Offer lead sinker ~~or~~, bare lead jig or painted lead jig for sale. This subsection governs offering lead sinkers ~~and~~, bare lead jigs and painted lead jigs for sale.

A. A person may not:

- (1) Offer for sale a lead sinker; ~~or~~
- (2) Beginning September 1, 2016, offer for sale a bare lead jig; or
- (3) Beginning September 1, 2024, offer for sale a painted lead jig.

B. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

C. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

Sec. 2. 12 MRSA §12664, as enacted by PL 2013, c. 372, §3, is amended to read:

§12664. Unlawful use of lead sinkers ~~and~~, bare lead jigs and painted lead jigs

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Bare lead jig" means an unpainted lead jig that contains lead and that:

- (1) Weighs one ounce or less; or
- (2) Measures 2 1/2 inches or less in length.

B. "Lead sinker" means a device that contains lead that is designed to be attached to a fishing line and intended to sink the line and that:

- (1) Weighs one ounce or less; or
- (2) Measures 2 1/2 inches or less in length.

"Lead sinker" does not include artificial lures, weighted line, weighted flies or jig heads.

C. "Painted lead jig" means a painted lead jig that contains lead and that:

- (1) Weighs one ounce or less; or
- (2) Measures 2 1/2 inches or less in length.

2. Unlawful use. This subsection governs the use of lead sinkers ~~and~~, bare lead jigs and painted lead jigs.

A. A person may not:

- (1) Use a lead sinker; ~~or~~
- (2) Beginning September 1, 2017, use a bare lead jig; or
- (3) Beginning September 1, 2026, use a painted lead jig.

B. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

C. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

See title page for effective date.

CHAPTER 232

H.P. 815 - L.D. 1267

An Act to Provide Alternative Methods of Payment to Health Care Providers

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

Sec. 1. 24-A MRSA §2436, sub-§1-A, as enacted by PL 2005, c. 58, §1, is amended to read:

1-A. A claimant, including a health care provider, may submit simultaneously a claim for payment with all carriers potentially liable for payment of the claim whether primary or secondary. Payment or denial of a claim by each carrier must be made within 30 calendar days after the carrier has received all information needed to pay or deny the claim whether or not another carrier with which it is attempting to coordinate has acted on the claim. Upon request by a health care provider, a carrier shall provide the health care provider a method for making a claims payment using an electronic funds transfer through the automated clearing-house network. Any payment made must be in accordance with rules adopted by the superintendent relative to coordination of benefits.

See title page for effective date.

CHAPTER 233

H.P. 882 - L.D. 1368

An Act to Ensure Fairness in Unemployment Benefits by Clarifying Laws Regarding Labor Organizations

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