

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

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:

Sec. 1. 26 MRSA §1192, sub-§13, as amended by PL 2017, c. 453, §3, is further amended to read:

13. Reemployment services and eligibility assessment; participation. In the case that the individual has been referred to reemployment services and eligibility assessment by the Department of Labor, the individual participates in those services, unless the department determines there is good cause for the individual's failure to participate. Failure to participate in reemployment services and eligibility assessment without good cause results in a denial of benefits until the individual participates; ~~and~~

Sec. 2. 26 MRSA §1192, sub-§14, as enacted by PL 2017, c. 453, §4, is amended by amending the first blocked paragraph to read:

An individual may not receive more than 6 weeks of benefits in a benefit year pursuant to this subsection unless approved by the Department of Labor; ~~and~~

Sec. 3. 26 MRSA §1192, sub-§15 is enacted to read:

15. Actively seeking work; union hiring hall. An individual is considered to be actively seeking work in accordance with this section if the individual is a member of a bona fide labor union, maintains contact with that union and uses and complies with the placement services of the union hiring hall in seeking work. As used in this subsection, unless the context otherwise indicates, "union hiring hall" means a service provided by a labor union or an entity associated with a labor union that places employees with an employer under a collective bargaining agreement or otherwise places employees with employers.

Sec. 4. 26 MRSA §1193, sub-§3, ¶B, as amended by PL 2021, c. 348, §40, is further amended by amending subparagraph (2) to read:

(2) If the wages, hours or other conditions of work, such as fringe benefits, are substantially less favorable to the individual than those prevailing for similar work in the locality;

Sec. 5. 26 MRSA §1193, sub-§3, ¶B, as amended by PL 2021, c. 348, §40, is further amended by amending subparagraph (3) to read:

(3) If, as a condition of being employed, the individual would be required to join a company union or to resign from or refrain from joining or maintaining membership in any bona fide labor organization;

See title page for effective date.

**CHAPTER 234
H.P. 907 - L.D. 1411**

**An Act to Enhance Reporting
by Certain Agencies Regarding
Greenhouse Gas Emissions**

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

Sec. 1. 38 MRSA §576-A, sub-§5 is enacted to read:

5. Annual report. On or before February 15, 2024, and annually thereafter, the Department of Transportation shall submit a report to the joint standing committees of the Legislature having jurisdiction over environment and natural resources matters and transportation matters regarding capital work plan investments designed to reduce greenhouse gas emissions associated with the Department of Transportation during the prior calendar year, including a summary of Department of Transportation-related greenhouse gas emissions associated with different sources and Department of Transportation-related greenhouse gas emissions associated with new road alignment construction activities during the prior calendar year.

Sec. 2. 38 MRSA §577, sub-§5-A is enacted to read:

5-A. Greenhouse gas emissions reductions projections. Beginning with the updated climate action plan under subsection 1 due by December 1, 2024, and for each subsequent update to the plan thereafter, the plan must include greenhouse gas emissions reductions projections, including sector-specific greenhouse gas emissions reductions projections, based on the strategies and actions in the plan and information regarding how those projections and the updated plan are designed to achieve the greenhouse gas emissions reductions specified in section 576-A.

Sec. 3. 38 MRSA §578, as amended by PL 2019, c. 476, §10, is further amended to read:

§578. Progress evaluation

The department, in consultation with the Maine Climate Council, established under section 577-A, shall evaluate the State's progress toward meeting the ~~reduction goals~~ reductions specified in section 576-A and progress toward implementing the climate action plan in section 577. The department, after consultation with the council, shall submit a report of its evaluation to the joint standing committee of the Legislature having jurisdiction over natural resources matters and the joint standing committee of the Legislature having jurisdiction over utilities and energy matters by December 1, 2022 and by that date every 2 years thereafter. The report must include, but is not limited to, an evaluation of gross annual greenhouse gas emissions, including an identification of greenhouse gas emissions by source