

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

SECOND REGULAR SESSION
January 3, 2024 to May 10, 2024

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 9, 2024

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2024

Sec. 10. 35-A MRSA §3210-I, sub-§5 is enacted to read:

5. Public involvement and coordination. The commission and the Department of Environmental Protection shall ensure coordinated public notification and opportunities for public participation, including explanation of all public participation procedures, in connection with regulatory approvals and permitting under this Title and Title 38 for a transmission line or lines and renewable energy generation projects under the program.

Sec. 11. 38 MRSA §346, sub-§4, as repealed and replaced by PL 2011, c. 420, Pt. A, §34, is amended to read:

4. Appeal of decision. A judicial appeal of final action by the board or commissioner regarding an application for an expedited wind energy development, as defined in Title 35-A, section 3451, subsection 4, an application for a transmission line or lines developed pursuant to Title 35-A, section 3210-I, subsection 2 or a general permit pursuant to section 480-HH or section 636-A must be taken to the Supreme Judicial Court sitting as the Law Court. The Law Court has exclusive jurisdiction over request for judicial review of final action by the commissioner or the board regarding expedited wind energy developments, an application for a transmission line or lines developed pursuant to Title 35-A, section 3210-I, subsection 2 or a general permit pursuant to section 480-HH or section 636-A. These appeals to the Law Court must be taken in the manner provided in Title 5, chapter 375, subchapter 7 and the Maine Rules of Civil Procedure, Rule 80C.

Sec. 12. 38 MRSA §485-A, sub-§1-D is enacted to read:

1-D. Hearing required; transmission line. If an application for the development and construction of a transmission line or lines requiring approval under this article is received by the department, the department or the board, as applicable, shall hold a hearing in accordance with section 486-A and may not issue an order without a hearing.

Sec. 13. 38 MRSA §486-A, sub-§2-A is enacted to read:

2-A. Developer; route analysis; public participation. The department shall require an applicant who has submitted an application pursuant to section 485-A related to the development and construction of a transmission line or lines requiring approval under this article to demonstrate to the department that the applicant conducted one or more public meetings regarding the transmission line or lines prior to the submission of its application. The public meetings must include the presentation of information regarding the proposed transmission line or lines, including but not limited to proposed route information, and provide an opportunity

for public participation and comment. Information presented and public comments received at the public meetings must be made publicly available and be part of the record of any department or board proceeding.

See title page for effective date.

CHAPTER 661

S.P. 889 - L.D. 2096

An Act to Ensure Access to Pain Management Services in Health Insurance Plans

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

Sec. 1. 24-A MRSA §4311-A is enacted to read:

§4311-A. Access to pain management services

1. Access to pain management services. A carrier shall develop a plan to provide adequate coverage of and access to a broad spectrum of pain management services, including, but not limited to, nonopioid, nonnarcotic medication for pain management and non-medication pain management services that serve as alternatives to the prescribing of opioid or narcotic drugs in accordance with guidelines developed by the bureau.

2. Approval by bureau. A carrier shall file a plan required under subsection 1 with the bureau for approval. In its review, the bureau shall consider the adequacy of access to a broad spectrum of pain management services under the plan and whether any policies adopted by the carrier may create unduly preferential coverage of and access to prescribed opioids for pain management without consideration of other pain management services.

3. Information for enrollees. A carrier shall distribute educational materials to network providers about a pain management access plan under subsection 1 and post information about the pain management access plan on the carrier's publicly accessible website.

Sec. 2. Application. This Act applies to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in the State on or after January 1, 2026. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

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

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF Insurance - Bureau of 0092

Initiative: Provides a one-time allocation for a consultant to develop guidance on pain management plans.

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
All Other	\$0	\$25,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$25,000

See title page for effective date.

**CHAPTER 662
S.P. 905 - L.D. 2112**

An Act to Replace the Money Transmitters Act

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

Sec. 1. 26 MRSA §879, sub-§3, ¶F, as enacted by PL 2017, c. 416, §4, is amended to read:

F. A money transmitter licensed under Title 32, chapter 80, ~~subchapter 4~~ 79-A; and

Sec. 2. 32 MRSA c. 79-A is enacted to read:

CHAPTER 79-A
MONEY TRANSMITTERS

SUBCHAPTER 1

SHORT TITLE AND PURPOSE

§6067. Short title

This chapter may be known and cited as "the Maine Money Transmission Modernization Act."

§6068. Purpose

It is the intent of the Legislature that the provisions of this Act accomplish the following:

1. Coordination. Ensure states can coordinate in all areas of regulation, licensing and supervision to eliminate unnecessary regulatory burden and more effectively use regulator resources;

2. Protection of public. Protect the public from financial crime;

3. Standardization. Standardize the types of activities that are subject to licensing or otherwise exempt from licensing; and

4. Modernization. Modernize safety and soundness requirements to ensure customer funds are protected in an environment that supports innovative and competitive business practices.

SUBCHAPTER 2
DEFINITIONS

§6071. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Acting in concert. "Acting in concert" means knowingly acting together with a common goal of jointly acquiring control of a licensee whether or not pursuant to an express agreement.

2. Administrator. "Administrator" means the Superintendent of Consumer Credit Protection within the Department of Professional and Financial Regulation.

3. Authorized delegate. "Authorized delegate" means a person a licensee designates to engage in money transmission on behalf of the licensee.

4. Bank Secrecy Act. "Bank Secrecy Act" means the federal Bank Secrecy Act, 31 United States Code, Section 5311 et seq. and its implementing regulations.

5. Bureau. "Bureau" means the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection.

6. Closed loop stored value. "Closed loop stored value" means stored value that is redeemable by the issuer only for goods or services provided by the issuer or its affiliate or franchisees of the issuer or its affiliate, except to the extent required by applicable law to be redeemable in cash for its cash value.

7. Control. "Control" means:

A. The power to vote, directly or indirectly, at least 25% of the outstanding voting shares or voting interests of a licensee or person in control of a licensee;

B. The power to elect or appoint a majority of key individuals or executive officers, managers, directors, trustees or other persons exercising managerial authority of a person in control of a licensee; or

C. The power to exercise, directly or indirectly, a controlling influence over the management or policies of a licensee or person in control of a licensee.

A person is presumed to exercise a controlling influence when the person holds the power to vote, directly or indirectly, at least 10% of the outstanding voting shares or voting interests of a licensee or person in control of a licensee.

A person presumed to exercise a controlling influence pursuant to this subsection may rebut the presumption of control if the person is a passive investor.

For purposes of determining the percentage of a person controlled by any other person, the person's interest must be aggregated with the interest of any other immediate family member, including the person's spouse, parents, children, siblings, parents-in-law, children-in-