

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

ministered; subject however, to be modified, or annulled by the agreement of the legislature of both the said states; but by no other power or body whatsoever."

Section 6. Constitution to be arranged by Chief Justice of the Supreme Judicial Court; Constitution to be enrolled and printed with laws; supreme law of the State. The Chief Justice of the Supreme Judicial Court shall arrange the Constitution, as amended, under appropriate titles and in proper articles, parts and sections, omitting all sections, clauses and words not in force and making no other changes in the provisions or language thereof, and shall submit the same to the Legislature; and such arrangement of the Constitution shall be made and submitted to the regular session of the Legislature in 1973 and every 10 years thereafter unless sooner authorized by the Legislature; and the draft and arrangement, when approved by the Legislature, shall be enrolled on parchment and deposited in the office of the Secretary of State; and printed copies thereof shall be prefixed to the books containing the Revised Statutes of the State. And the Constitution, with the amendments made thereto, in accordance with the provisions thereof, shall be the supreme law of the State.

Section 7. Original sections 1, 2, 5, of Article X not to be printed; section 5 in full force. (Repealed)

2024 REARRANGEMENT NOTES
of Chief Justice Valerie Stanfill

Article X, section 7 was repealed by Const. Res. 2023, ch. 1, *passed in 2023*. As a result, sections 1, 2 and 5 of article X may be printed. Under article X, section 6 of the Maine Constitution, however, in arranging the Constitution to be printed the Chief Justice is required to omit "all sections, clauses and words not in force." Upon review of sections 1 and 2 for inclusion in the printing, it is patently clear on the face of each section that neither remains in force. They both pertain only to the first Legislature, which has long since adjourned. As a result, sections 1 and 2 have been omitted from article X.

Section 5 is incorporated in this rearrangement because it is not evident from the plain text of this section that it is not in force. Section 5 of article X was also

previously not printed pursuant to the now-repealed seventh section of article X. There are multiple versions of section 5 in existence before the 1875 passage of section 7, *see* Resolves 1875, ch. 98, *approved in 1875*, although the differences appear non-substantive. This arrangement incorporates the iteration of section 5 that appeared in the last officially published version of the Maine Constitution before the section was ordered not to be printed. *See* R.S. (1871) at 42-46.

Effective April 22, 2024.

CHAPTER 176
S.P. 183 - L.D. 402

**Resolve, to Rename Bridges in
the Towns of Limerick, Hiram
and Limington**

Sec. 1. Bridge in Limerick renamed. Resolved: That the Department of Transportation shall designate Bridge 3157, located on Route 11 in the Town of Limerick, currently known as the Sokokis Lake Bridge, the Sokokis Lake Veterans Memorial Bridge.

Sec. 2. Bridge in Hiram renamed. Resolved: That the Department of Transportation shall designate Bridge 2373, which crosses the Saco River on Route 113 in the Town of Hiram, currently known as the Hiram Bridge, the Hiram Veterans Memorial Bridge.

Sec. 3. Bridge in Limington renamed. Resolved: That the Department of Transportation shall designate Bridge 2918, which crosses Webster Mill Pond on Route 11 in the Town of Limington, currently known as the Websters Mill Bridge, the Limington Veterans Memorial Bridge.

See title page for effective date.

CHAPTER 177
S.P. 907 - L.D. 2114

**Resolve, Directing the
Superintendent of Insurance to
Collect Data from Health
Insurers Related to
Prescription Drug Coverage of
Generic Drugs and Biosimilars**

Sec. 1. Superintendent of Insurance to collect data on prescription drug coverage of generic drugs and biosimilars. Resolved: That the Superintendent of Insurance shall request data from health insurance carriers that, at a minimum, provides

information related to each carrier's placement of generic drugs and biosimilars on the carrier's prescription drug formulary, including whether a generic drug or biosimilar is available on the carrier's formulary with a lower out-of-pocket cost to an enrollee than the brand drug to which the generic drug or biosimilar is equivalent and whether the carrier imposes any limitation on coverage of a generic drug or biosimilar or imposes a restriction on a pharmacy that makes it more difficult for an enrollee to obtain coverage of or access to a generic drug or biosimilar than the brand drug to which the generic drug or biosimilar is equivalent. No later than February 15, 2025, the superintendent shall submit a report to the joint standing committee of the Legislature having jurisdiction over health coverage, insurance and financial services matters that summarizes the data submitted by the carriers as requested, together with any findings or recommendations of the superintendent. The joint standing committee may report out a bill to the 132nd Legislature in 2025 based on the report.

See title page for effective date.

CHAPTER 178

H.P. 1432 - L.D. 2233

Resolve, Regarding Legislative Review of Chapter 255: Workers' Compensation Fronting Companies, a Late-filed Major Substantive Rule of the Department of Professional and Financial Regulation, Bureau of Insurance

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, a major substantive rule has been submitted to the Legislature outside the legislative rule acceptance period; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of Chapter 255: Workers' Compensation Fronting Companies, a provisionally adopted major substantive rule of the Department of Professional and Financial Regulation, Bureau of Insurance that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is not authorized.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 23, 2024.

CHAPTER 179

H.P. 1393 - L.D. 2178

Resolve, Regarding Legislative Review of Chapter 20: Rules for the Licensure of Adult Use Cannabis Establishments, a Major Substantive Rule of the Department of Administrative and Financial Services, Office of Cannabis Policy

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, a major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of Chapter 20: Rules for the Licensure of Adult Use Cannabis Establishments, a provisionally adopted major substantive rule of the Department of Administrative and Financial Services, office of cannabis policy that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is not authorized by this resolve. As provided in Title 5, section 8072, subsection 11, this