

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTY-SECOND LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2024 to March 21, 2025**

**FIRST SPECIAL SESSION**  
**March 25, 2025 to June 25, 2025**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NONEMERGENCY LAWS IS**  
**JUNE 20, 2025**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NONEMERGENCY LAWS IS**  
**SEPTEMBER 24, 2025**

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

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**Augusta, Maine**  
**2025**

medical dispatcher as defined in Title 32, chapter 2-B, section 85-A, subsection 1, paragraph D.

Each time the Legislature amends this paragraph to provide for a rebuttable presumption for a new category of employees, the board shall submit a report to the joint standing committee of the Legislature having jurisdiction over labor matters no later than the January 1st after the 5th year of the addition of the category of employees and no later than the January 1st after the 10th year of the addition of the category of employees. The reports must include an analysis of the number of claims brought under this paragraph, the portion of those claims that resulted in a settlement or award of benefits and the effect of the provisions of this paragraph on costs to the State and its subdivisions. The Department of Administrative and Financial Services, Bureau of Human Resources and the Department of Public Safety shall assist the board in developing the reports, and the board shall seek the input of an association whose membership consists exclusively of counties, municipalities and other political or administrative subdivisions in the development of the report.

This paragraph is repealed October 1, 2025.

See title page for effective date.

## CHAPTER 168

### H.P. 949 - L.D. 1440

#### An Act to Amend the Maine Uniform Probate Code

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

**Sec. 1. 4 MRSA §202**, as amended by PL 1981, c. 456, Pt. A, §5, is further amended to read:

#### **§202. Oaths and acknowledgments**

All oaths required to be taken by personal representatives, trustees, guardians, conservators, or of any other persons in relation to any proceeding in the probate court, or to perpetuate the evidence of the publication of any order of notice, may be administered by the judge or register of probate or any notary public. A certificate thereof, when taken out of court, ~~shall~~ must be returned into the registry of probate and there filed. When any person of whom such oath is required, ~~including excluding~~ any parent ~~acknowledging consent to an adoption~~ executing a surrender and release or a consent under Title 18-C, section 9-202, resides temporarily or permanently ~~without~~ outside the State, the oath or acknowledgment may be taken before and be certified by a notary public ~~without~~ outside the State, a commissioner for the State of Maine or a United States Consul.

**Sec. 2. 18-C MRSA §2-201, sub-§3**, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

**3. Marriage.** ~~"Marriage," as it relates to a transfer by the decedent during marriage; "Marriage" or "married" means any marriage of the decedent to the decedent's surviving spouse and includes a registered domestic partnership and a legal union that was validly formed in any state or jurisdiction and that provides substantially the same rights, benefits and responsibilities as a marriage.~~

**Sec. 3. 18-C MRSA §3-108, sub-§1, ¶D**, as amended by PL 2023, c. 4, §7, is further amended to read:

D. Regardless of whether the decedent dies before, on or after the effective date of this Code, an informal testacy or appointment proceeding or a formal testacy or appointment proceeding may be commenced more than 3 years after the decedent's death if no proceeding concerning the succession or estate administration has occurred within the 3-year period after the decedent's death; ~~but the personal representative has no right to possess estate assets as provided in section 3-709 beyond that necessary to confirm title in the successors to the estate, and claims other than expenses of administration may not be presented against the estate; The following conditions apply to a proceeding commenced under this paragraph:~~

(1) The personal representative has no right to possess estate assets as provided in section 3-709 beyond that necessary to confirm title in the successors to the estate;

(2) Claims other than expenses of administration may not be presented against the estate; and

(3) Notwithstanding any provision of law to the contrary, the personal representative may not satisfy the homestead allowance described in section 2-402, exempt property described in section 2-403 or the family allowance described in section 2-404;

**Sec. 4. 18-C MRSA §3-203, sub-§1, ¶E**, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is repealed.

**Sec. 5. 18-C MRSA §5-319**, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended by enacting at the beginning a new paragraph to read:

The authority and responsibility of a guardian terminates upon the death of the adult subject to guardianship. The following provisions govern the process for terminating or modifying a guardianship in circumstances other than death of the adult subject to guardianship.

**Sec. 6. 18-C MRSA §9-202, sub-§8**, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

**8. Surrender and release or consent by court of comparable jurisdiction from another state.** The court shall accept a surrender and release or a consent by a court of comparable jurisdiction in another state if the court receives an affidavit from a member of that state's bar or a certificate from that court of comparable jurisdiction stating that:

A. The party executing the surrender and release or the consent followed the procedure required to make a surrender and release or a consent valid in the state in which it was executed; and

B. The court of comparable jurisdiction advised the person executing the surrender and release or the consent of the consequences of the surrender and release or the consent under the laws of the state in which the surrender and release or the consent was executed.

The court shall accept a waiver of notice by a putative parent that meets the requirements of section 9-201, subsection 3.

**Sec. 7. 18-C MRSA §9-202, sub-§9** is enacted to read:

**9. Surrender and release or consent from another state without court of comparable jurisdiction.** If a parent of a child resides in another state and the laws of that state do not provide for a court of comparable jurisdiction to advise the parent of the consequences of the surrender and release or the consent, the surrender and release or the consent must be approved pursuant to subsections 1 and 2 in person or, after a motion, the court may approve a remote appearance by videoconference.

**Sec. 8. Maine Comments.** Comments submitted by the Probate and Trust Law Advisory Commission are acknowledged by the Legislature as Maine Comments, and the Revisor of Statutes shall submit the comments for inclusion in the publication of the Maine Revised Statutes Annotated.

See title page for effective date.

## CHAPTER 169

### H.P. 987 - L.D. 1503

#### An Act to Create a Green Crab Only Wholesale Dealer License

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

**Sec. 1. 12 MRSA §6301, sub-§2, ¶W**, as amended by PL 2017, c. 296, §4, is further amended to read:

W. A commercial green crab only license issued under section 6808 expires on April 30th of each year; ~~and~~

**Sec. 2. 12 MRSA §6301, sub-§2, ¶X**, as enacted by PL 2017, c. 296, §5, is amended to read:

X. An aquaculture license issued under section 6810-B expires on April 30th of each year; ~~and~~

**Sec. 3. 12 MRSA §6301, sub-§2, ¶Y** is enacted to read:

Y. A green crab only wholesale dealer license issued under section 6866 expires on March 31st of each year.

**Sec. 4. 12 MRSA §6866** is enacted to read:

#### **§6866. Green crab only wholesale dealer license**

**1. Definition.** For the purposes of this section, unless the context indicates otherwise, "green crab" means the species *Carcinus maenas*.

**2. License required.** A person may not engage in the activities authorized under this section without a current:

A. Green crab only wholesale dealer license established by this section; or

B. Wholesale seafood license pursuant to section 6851.

**3. License activities.** The holder of a green crab only wholesale dealer license may, in wholesale trade, buy, sell, process, ship or transport green crabs purchased directly from harvesters in this State. A holder of a green crab only wholesale dealer license when buying directly from a harvester may buy only from a harvester who possesses a license or permit to harvest green crabs required under this Part. The harvester shall make the applicable marine resources license or permit available for inspection upon the green crab only wholesale dealer license holder's request.

**4. License fee.** The fee for a green crab only wholesale dealer license is \$50. The license fee must be deposited in the Green Crab Management Fund established in section 6809.

**5. License limited.** A license under this section authorizes activities at only one establishment or with only one vehicle.

**6. Violation.** A person who engages in activities authorized under subsection 3 without a license specified in subsection 2 is subject to a penalty established by the department. The department may revoke or suspend a green crab only wholesale dealer license for violation of this section.

**7. Sunset.** This section is repealed January 1, 2031.