

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

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

Augusta, Maine
2023

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See title page for effective date.

CHAPTER 25

H.P. 83 - L.D. 137

An Act to Amend the Maine Parentage Act Regarding Joinder of Parties

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

Sec. 1. 19-A MRSA §1836, as enacted by PL 2015, c. 296, Pt. A, §1 and affected by Pt. D, §1, is amended to read:

§1836. Parties to proceeding

~~In addition to a child whose parentage is to be adjudicated a proceeding to adjudicate the parentage of a child, all parents of the child must be joined as parties in a proceeding to adjudicate parentage.~~

Sec. 2. 19-A MRSA §1844, sub-§2, as enacted by PL 2015, c. 296, Pt. A, §1 and affected by Pt. D, §1, is amended to read:

2. Adjudication in divorce, annulment or legal separation proceeding to dissolve marriage or proceeding to establish parental rights. In a proceeding for divorce, for legal separation, to dissolve annul a marriage or to establish parental rights and responsibilities, the court is deemed to have made an adjudication of the parentage of a child if the court acts under circumstances that satisfy the jurisdictional requirements of section 2961 and the final order:

A. Expressly identifies a child as a "child of the ~~marriage parties~~" or "issue of the marriage" or by similar words indicates that the parties are the parents of the child; or

B. Provides for support of the child by the parent or parents.

See title page for effective date.

CHAPTER 26

H.P. 90 - L.D. 144

An Act Regarding the Monitoring of Municipal Abandoned Property

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

Sec. 1. 36 MRSA §946-C, sub-§4, as enacted by PL 2021, c. 127, §2, is amended to read:

4. Program to monitor municipal abandoned property. A municipality that certifies abandoned property under this section shall submit the address and parcel data for the abandoned property to the ~~Maine State Housing Redevelopment Land Bank Authority under Title 30-A, chapter 204~~ for use in determining opportunities for redevelopment, ~~programs supporting first time home buyers and similar programs and data analysis.~~

See title page for effective date.

CHAPTER 27

H.P. 357 - L.D. 552

An Act Regarding the Definition of "Reportable Accident"

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

Sec. 1. 29-A MRSA §2251, sub-§1, as amended by PL 2007, c. 348, §23, is further amended to read:

1. Definition. As used in this section, "reportable accident" means an accident on a public way or a place where public traffic may reasonably be anticipated, resulting in bodily injury or death to a person or apparent property damage of ~~\$1,000~~ \$2,000 or more. Apparent property damage under this subsection must be based upon the market value of the necessary repairs and may not be limited to the current value of the vehicle or property.

See title page for effective date.

CHAPTER 28

S.P. 19 - L.D. 27

An Act to Align Maine's Lead Abatement Law with Federal Definitions and to Clarify Lead Abatement Licensing and Certification Requirements

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

Sec. 1. 38 MRSA §1291, sub-§26-A, as enacted by PL 2007, c. 628, Pt. B, §3, is amended to read:

26-A. Residential dwelling. "Residential dwelling" means a room or group of rooms that form a single independent habitable unit for ~~permanent~~ occupation by one or more individuals that has facilities with permanent provisions for living, sleeping, eating, cooking and sanitation, including common areas and appurtenant structures. "Residential dwelling" does not include:

~~A. An area not used for living, sleeping, eating, cooking or sanitation, such as an unfinished basement, that is not readily accessible to children under 6 years of age;~~

~~B. A zero-bedroom dwelling unit where the living area is not separated from the sleeping area, such as a dwelling unit within a hotel, motel or seasonal or temporary lodging facility unless the unit is occupied by one or more children under 6 years of age for a period exceeding 30 days. This exemption does not apply if a child under 6 years of age resides or is expected to reside in the dwelling unit or visit the dwelling unit on a regular basis;~~

~~C. An area that is secured and inaccessible to occupants;~~

~~D. Housing for the elderly, or a dwelling unit designated exclusively for adults with disabilities. This exemption does not apply if a child under 6 years of age resides or is expected to reside in the dwelling unit or visit the dwelling unit on a regular basis; or~~

~~E. An unoccupied dwelling unit that is to be demolished because it is considered unsafe and is thus no longer habitable for occupation, as long as the dwelling unit remains unoccupied and posted as a lead hazard until demolition.~~

Sec. 2. 38 MRSA §1292, sub-§5, as amended by PL 1997, c. 624, §14 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

5. Exemption. A person who is 18 years of age or older need not obtain licensing and certification to perform lead abatement activities within a residential dwelling unit that the person owns and personally occupies, as long as a child residing in the dwelling unit has not been identified as lead-poisoned. ~~A person 18 years of age or older who owns and personally occupies a dwelling unit in which a resident child has been identified as lead-poisoned need not obtain licensing and certification to perform abatement activities within that dwelling unit, as long as the person completes any training required by the Department of Health and Human Services.~~

See title page for effective date.

**CHAPTER 29
H.P. 50 - L.D. 80**

**An Act to Improve Family
Economic Security Under the
Temporary Assistance for
Needy Families Program**

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

Sec. 1. 22 MRSA §3762, sub-§3, ¶B, as corrected by RR 2021, c. 2, Pt. B, §176, is amended by repealing subparagraph (7-D), division (a) and enacting the following in its place:

(a) One hundred percent of:

(i) All earned income received for the first 3 months of employment that began while participating in TANF; or

(ii) The first 3 months of any increase in earned income received while participating in TANF.

Any month in which the disregard under this division does not increase the recipient's benefit above that which the benefit would be if the disregard in division (c) is applied does not count as a month in which earned income is disregarded under this division;

Sec. 2. 22 MRSA §3762, sub-§3, ¶B, as corrected by RR 2021, c. 2, Pt. B, §176, is amended by repealing subparagraph (7-D), division (b) and enacting the following in its place:

(b) Seventy-five percent of:

(i) All earned income received for the 4th to 6th months of employment that began while participating in TANF; or

(ii) The 4th to 6th months of any increase in earned income received while participating in TANF.

Any month in which the disregard under this division does not increase the recipient's benefit above that which the benefit would be if the disregard in division (c) is applied does not count as a month in which earned income is disregarded under this division;

See title page for effective date.

**CHAPTER 30
S.P. 53 - L.D. 114**

**An Act to Make Technical
Amendments to Banking Laws**

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

Sec. 1. 9-B MRSA §214, sub-§2, ¶A, as amended by PL 2003, c. 322, §6, is further amended to read: