

# 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.**

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**Augusta, Maine**  
**2023**

~~claims related decision forward. Decisions of the appeals panel are subject to judicial review pursuant to Title 5, chapter 375, subchapter 7.~~

**2-D. Report; adequacy of fund.** Beginning on April 15, 2015 and every other year thereafter, the Clean-up and Response Fund Review Board, with the cooperation of the commissioner, shall report to the joint standing committee of the Legislature having jurisdiction over natural resources matters on the department's and the review board's experience administering the fund, clean-up activities and 3rd-party damage claims. The report must include an assessment of the adequacy of the fund to cover anticipated expenses and any recommendations for statutory change. To carry out its responsibility under this subsection, the review board may order an independent audit of disbursements from the fund.

**2-E. Staff support.** The commissioner shall provide the Clean-up and Response Fund Review Board with staff support.

See title page for effective date.

**Sec. 5. 37-B MRSA §792, sub-§1, ¶E,** as enacted by PL 1989, c. 464, §3, is amended to read:

E. The Commissioner of Transportation or the commissioner's ~~permanent~~ designee;

**Sec. 6. 37-B MRSA §792, sub-§1, ¶F,** as enacted by PL 1989, c. 464, §3, is amended to read:

F. The Director of the Maine Emergency Management Agency or the director's designee, who ~~shall serve~~ serves as chair;

**Sec. 7. 37-B MRSA §792, sub-§1, ¶G,** as enacted by PL 1989, c. 464, §3, is amended to read:

G. The Chief of the State Police or the chief's ~~permanant~~ designee;

**Sec. 8. 37-B MRSA §801, sub-§2, ¶A,** as enacted by PL 1989, c. 464, §3, is amended to read:

A. Registering facilities, not to exceed ~~\$50~~ \$100 per facility; and

See title page for effective date.

**CHAPTER 62  
H.P. 63 - L.D. 95**

**An Act Concerning the  
Membership of the State  
Emergency Response  
Commission and Fees for  
Registering Facilities Required  
to Report to That Commission**

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

**Sec. 1. 37-B MRSA §792, sub-§1, ¶A,** as enacted by PL 1989, c. 464, §3, is amended to read:

A. The Commissioner of Environmental Protection or the commissioner's ~~permanent~~ designee;

**Sec. 2. 37-B MRSA §792, sub-§1, ¶B,** as enacted by PL 1989, c. 464, §3 and amended by PL 2003, c. 689, Pt. B, §7, is further amended to read:

B. The Commissioner of Health and Human Services or the commissioner's ~~permanent~~ designee;

**Sec. 3. 37-B MRSA §792, sub-§1, ¶C,** as enacted by RR 1995, c. 2, §96, is amended to read:

C. The Director of Maine Emergency Medical Services, Department of Public Safety, or the director's ~~permanent~~ designee;

**Sec. 4. 37-B MRSA §792, sub-§1, ¶D,** as enacted by PL 1989, c. 464, §3, is amended to read:

D. The Commissioner of Labor or the commissioner's ~~permanent~~ designee;

**CHAPTER 63  
H.P. 82 - L.D. 136**

**An Act to Clarify Court  
Jurisdiction of Actions  
Involving Children Brought  
Under the Maine Uniform  
Probate Code**

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

**Sec. 1. 4 MRSA §152, sub-§5-A,** as amended by PL 2017, c. 402, Pt. C, §3 and affected by PL 2019, c. 417, Pt. B, §14, is further amended to read:

**5-A. Actions involving minors under Title 18-C.** ~~Exclusive~~ Except as provided in paragraph C, exclusive, continuing jurisdiction of actions for guardianship, adoption, change of name or other matters involving custody or other parental rights with respect to a minor child brought under Title 18-C under the following circumstances: if proceedings under the Maine Juvenile Code brought against the minor child are pending in the District Court; if proceedings involving custody or other parental rights with respect to a the minor child, including but not limited to adoption, divorce, parental rights and responsibilities, grandparents' rights, protective custody, change of name, guardianship, ~~paternity, parentage or termination of parental rights and protection from abuse or harassment,~~ are pending in the District Court; or if the minor child is or was the subject of an order issued by the District Court terminating parental rights, appointing a guardian, including a permanency, emergency or interim guardian, awarding parental rights to a 3rd party or granting an adoption. This