

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.

Augusta, Maine
2023

**CHAPTER 67
H.P. 282 - L.D. 465**

**An Act to Provide for an
Electronic Permit for the
Disposition of Human Remains**

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

Sec. 1. 22 MRSA §2843, 2nd ¶, as amended by PL 2009, c. 601, §27, is further amended to read:

The State Registrar of Vital Statistics, ~~or a municipal clerk or a subregistrar~~ may issue a permit for final disposition by cremation, burial at sea, use by medical science or removal from the State only upon receipt of a certificate of release by a duly appointed medical examiner as specified in Title 32, section 1405.

Sec. 2. 22 MRSA §2843, 3rd ¶, as amended by PL 2009, c. 601, §27, is repealed.

Sec. 3. 22 MRSA §2843, sub-§3, as amended by PL 2013, c. 20, §1, is further amended to read:

3. Permit for burial. ~~The person in charge of each burying ground or funeral director or authorized person present at the burial or crematory in this State shall endorse or electronically affirm, and provide the date the body was or cremated remains were disposed of on, each such permit with which that person is presented, and return it to the State Registrar of Vital Statistics or to the clerk of the municipality in which such the burying ground or crematory is located within 7 days after the date of disposition. If there is no person in charge of the burying ground, an official of the municipality in which the burying ground is located shall endorse, and provide the date the body was disposed of on, each such permit, and present it to the State Registrar of Vital Statistics or the clerk of the municipality. The funeral director or authorized person shall present a copy of each permit, after endorsement or electronic affirmation, to the State Registrar of Vital Statistics or the clerk of the municipality where death occurred and to the clerk who issued the permit to be filed in the electronic death registration system authorized pursuant to section 2847. The State Registrar of Vital Statistics shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.~~

Sec. 4. 22 MRSA §2843, sub-§3-A, as amended by PL 2019, c. 257, §1, is repealed.

Sec. 5. 22 MRSA §2843, sub-§4, as amended by PL 2019, c. 611, §1, is further amended to read:

4. Records. Each municipality shall maintain a record of any endorsed or electronically affirmed permit received pursuant to subsection 3 ~~or 3-A~~ in the electronic death registration system described in section 2847. A copy of an endorsed or electronically affirmed

permit must be made available to a member of the public upon a request made to the municipal clerk. The State Registrar of Vital Statistics may adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A to carry out the purposes of this subsection.

See title page for effective date.

**CHAPTER 68
H.P. 333 - L.D. 528**

**An Act to Improve Road Safety
for Waste and Recycling
Collection Employees**

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

Sec. 1. 29-A MRSA §2054, sub-§1, ¶I-1, as enacted by PL 2015, c. 32, §1, is amended to read:

I-1. "Public service vehicle" means a vehicle used to assist members of the public or law enforcement officers with disabled vehicles or to remove debris from a roadway, a refuse, garbage, compost, recycling or trash business vehicle used to transport refuse, garbage, compost, recycling or trash or a vehicle used to construct, maintain, inspect or repair utility infrastructure, including, but not limited to, electricity, water, sewer, cable, telephone, gas and natural gas infrastructure. "Public service vehicle" includes a wrecker.

Sec. 2. 29-A MRSA §2054, sub-§2, ¶C, as amended by PL 2021, c. 582, §1, is further amended by amending subparagraph (9) to read:

(9) A refuse, garbage, compost, recycling or trash business vehicle used by an individual to transport refuse, garbage ~~and, compost, recycling or~~ trash may be equipped with auxiliary lights that emit a flashing amber light.

See title page for effective date.

**CHAPTER 69
H.P. 358 - L.D. 553**

**An Act to Require Mortgage
Holders to Notify a
Homeowner's Insurance
Company on the Sale or
Transfer of a Mortgage**

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

Sec. 1. 9-A MRSA §9-305-A, as enacted by PL 2005, c. 206, §3, is repealed and the following enacted in its place:

§9-305-A. Timely payments from escrow and notice of sale or transfer of mortgage on real estate

1. Payments from escrow. A creditor, assignee or servicer that holds or controls funds of a consumer in an escrow account for the payment of taxes or insurance premiums shall make timely payments from that escrow account for a consumer credit transaction secured by a mortgage on real estate. A creditor, assignee or servicer is liable to the consumer for actual damages resulting from failure to make timely payments from that escrow account. The creditor, assignee or servicer shall also rectify the results of a failure to make timely payments, including causing corrections of the consumer's credit report and causing the discharge of any liens against the consumer's real estate.

2. Notice of transfer or sale of mortgage on real estate. A creditor, assignee or servicer that holds or controls funds of a consumer in an escrow account for the payment of insurance premiums for a consumer credit transaction secured by a mortgage on real estate shall notify the insurer that provides insurance coverage for the real estate subject to the mortgage upon the sale or transfer of the mortgage. A creditor, assignee or servicer may satisfy the notice requirement in this subsection by providing the insurer with a copy of the notice of the sale or transfer of the mortgage sent to the consumer.

See title page for effective date.

CHAPTER 70

H.P. 369 - L.D. 574

An Act to Amend the Laws Governing Working Waterfront Covenants

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

Sec. 1. 33 MRSA §131, sub-§2, as enacted by PL 2005, c. 574, §1, is repealed and the following enacted in its place:

2. Qualified holder. "Qualified holder" or "holder" means:

A. A governmental entity authorized to hold an interest in real property;

B. A nonprofit organization organized under state law whose purposes include the permanent protection of working waterfront or the enlargement of working waterfront opportunities for commercial fisheries businesses; or

C. A nonprofit organization organized under state law whose purposes or powers include retaining or protecting coastal community values, culture or

heritage, coastal habitat or real property that provides coastal water access.

See title page for effective date.

CHAPTER 71

H.P. 377 - L.D. 600

An Act to Expand Availability of Naloxone Hydrochloride

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

Sec. 1. 22 MRSA §2353, sub-§4, ¶C is enacted to read:

C. With the express consent of a municipality, an overdose prevention program established under this subsection may provide and maintain naloxone hydrochloride in a wall-mounted box or other visible and accessible container on publicly accessible property of the municipality, including a municipal building, public restroom, public library or public park or recreational facility, for use by a member of the public in response to an opioid-related drug overdose.

Sec. 2. 22 MRSA §2353, sub-§5, ¶C is enacted to read:

C. A municipality or overdose prevention program is immune from criminal and civil liability for providing or maintaining naloxone hydrochloride containers under subsection 4, paragraph C.

See title page for effective date.

CHAPTER 72

H.P. 456 - L.D. 687

An Act to Increase the Allowable Width of a Snowplow

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

Sec. 1. 29-A MRSA §2380, sub-§8, ¶D, as enacted by PL 2019, c. 335, §8, is amended to read:

D. Snowplows and equipment mounted on a vehicle traveling from one work location to another work location during a snow event, or traveling from the point of purchase to a storage location, as long as the vehicle does not exceed ~~408~~ 126 inches in total width. For the purposes of this paragraph, "snow event" means the period beginning 48 hours