

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

stated in the notice, the utility shall promptly notify the commission. If the utility demonstrates good cause, the commission may allow the utility to seek an increase greater than what was stated in the notice subject to reasonable conditions established by the commission, including, but not limited to, requiring the utility to send a new notice to its customers describing the revised proposed increase.

See title page for effective date.

CHAPTER 146

H.P. 291 - L.D. 474

**An Act to Improve
Collaboration Between
Mandatory Reporters and Law
Enforcement in the
Investigation of Alleged Child
Abuse and Neglect**

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

Sec. 1. 22 MRSA §4011-A, sub-§2-A is enacted to read:

2-A. Disclosure to law enforcement officer. Upon request of a law enforcement officer investigating a report of child abuse or neglect, a member of the staff of a public or private medical institution, agency or facility or person in charge of the institution, agency or facility or the designated agent who made a report pursuant to subsection 1 shall disclose to the law enforcement officer the same information the member or person reported to the department.

Sec. 2. 22 MRSA §4014, sub-§1, as amended by PL 1987, c. 395, Pt. A, §89, is further amended to read:

1. Reporting and proceedings. A person, including an agent of the department, participating in good faith in reporting under this subchapter or participating in a related child protection investigation or proceeding, including, but not limited to, a multidisciplinary team, out-of-home abuse investigating team or other investigating or treatment team, or a related law enforcement investigation or criminal justice proceeding is immune from any criminal or civil liability for the act of reporting or participating in the investigation or proceeding. Good faith does not include instances when a false report is made and the person knows the report is false. ~~Nothing in this~~ This section may not be construed to bar criminal or civil action regarding perjury or regarding the abuse or neglect which that led to a report, investigation or proceeding.

See title page for effective date.

**CHAPTER 147
H.P. 307 - L.D. 490**

**An Act to Designate the
Department of Health and
Human Services as the
Implementing Department of
the Lead-safe Housing Registry**

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

Sec. 1. 22 MRSA §1322-E, sub-§3, ¶G, as enacted by PL 2007, c. 628, Pt. A, §5, is amended to read:

G. Implementation of the lead-safe housing registry by the ~~Department of Environmental Protection~~ department pursuant to ~~Title 38, chapter 12-B~~ and achieving the goal of elimination of childhood lead poisoning risks in the State ~~section 1331~~.

Sec. 2. 22 MRSA §1331 is enacted to read:

§1331. Registry of leased lead-safe residential dwellings

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Lead-based paint" has the same meaning as in Title 38, section 1291, subsection 16.

B. "Residential dwelling" has the same meaning as in Title 38, section 1291, subsection 26-A.

2. Registry. The department shall maintain a registry of leased residential dwellings built before 1978 that are lead-safe as designated by the residential dwelling owners in accordance with subsection 3.

3. Designation as lead-safe. A leased residential dwelling may be designated as lead-safe for the purposes of this section if the residential dwelling owner has submitted to the department an application for the leased residential dwelling to be placed on the registry created pursuant to subsection 2. Submission of an application to the registry is voluntary on the part of the residential dwelling owner.

4. Application. The application under subsection 3 must be submitted together with a report by a lead inspector that indicates that the leased residential dwelling has been tested for the presence of lead-based paint and lead-contaminated dust or a report by a lead dust sampling technician that indicates the leased residential dwelling has been tested for lead-contaminated dust. The report must indicate that the leased residential dwelling meets the requirements for inclusion on the registry in accordance with the standards and procedures established by the department.

Sec. 3. 38 MRSA §1291, sub-§19-A, as enacted by PL 2007, c. 628, Pt. B, §1, is repealed.

Sec. 4. 38 MRSA §1291, sub-§23-A, as enacted by PL 2007, c. 628, Pt. B, §2, is repealed.

Sec. 5. 38 MRSA §1298, as amended by PL 2009, c. 501, §14, is repealed.

See title page for effective date.

**CHAPTER 148
S.P. 385 - L.D. 893**

**An Act to Amend the
Legislative Membership of the
Hancock County Budget
Advisory Committee**

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

Whereas, this legislation amends the legislative membership of the Hancock County Budget Advisory Committee and needs to take effect prior to the budget advisory committee's annual meeting in the month of October; 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 enacted by the People of the State of Maine as follows:

Sec. 1. 30-A MRSA §763, sub-§1, ¶B, as amended by PL 1999, c. 440, §1, is further amended to read:

B. ~~Budget~~ Except for the member of the Hancock County legislative delegation, budget advisory committee members serve 3-year terms and no more than one member from each municipality may serve at a time. If a budget advisory committee member who is elected as a municipal officer member ceases to be a municipal officer during the term of membership, that committee member vacates membership and the next district caucus shall elect a qualified municipal officer to serve for the remainder of the unexpired term.

Sec. 2. 30-A MRSA §763, sub-§2, as enacted by PL 1991, c. 749, §1, is amended to read:

2. Legislative member. ~~The~~ Prior to October 1, 2023, the Hancock County legislative delegation shall annually select one member of the delegation who resides in Hancock County to serve on the budget advisory committee. By October 1, 2023, and by October

1st of every odd-numbered year thereafter, the Hancock County legislative delegation shall select, by majority vote, one member of the delegation who resides in Hancock County to serve on the budget advisory committee for a 2-year term. If the selected member resigns from the Legislature or from the budget advisory committee during the member's term of office, the Hancock County legislative delegation shall select, by majority vote, another member of the delegation who resides in Hancock County to serve the remainder of the term. The Hancock County legislative delegation may replace a member selected pursuant to this subsection to serve on the budget advisory committee by a 2/3 vote of the delegation.

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

Effective June 12, 2023.

**CHAPTER 149
H.P. 622 - L.D. 975**

**An Act to Align Maine's
Elevator Safety Laws with
Maine Uniform Building and
Energy Code Standards**

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

Whereas, today's buildings often have multiple stories and are often serviced by an elevator; and

Whereas, the ability to exit these buildings, particularly from higher floors, is important, especially in cases of evacuation by medical or emergency personnel; and

Whereas, if evacuation involves carrying a person on a stretcher, an elevator's capacity to accommodate the stretcher can be essential to the person's survival; 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 enacted by the People of the State of Maine as follows:

Sec. 1. 32 MRSA §15228, sub-§1, as amended by PL 2013, c. 70, Pt. D, §35, is further amended to read:

1. Requirements. Notwithstanding section 15205-A, whenever a passenger elevator is installed in a building being newly constructed or in a new addition