

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

Sec. 1. 12 MRSA §10902, sub-§1, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

1. Conviction or adjudication of violation. Any conviction ~~or~~ adjudication, deferred disposition pursuant to Title 17-A, section 1902, subsection 1 or written filing agreement with the State pursuant to the Maine Rules of Unified Criminal Procedure, Rule 11B for a violation of this Part is grounds for suspension of any license or permit issued under this Part. Except ~~where~~ when provided by law, the commissioner shall determine the suspension period. To suspend a license or permit based upon a conviction or adjudication, the commissioner shall follow the procedures under section 10903. A suspension or revocation of a license by the District Court is subject to the provisions of subsection 5.

Sec. 2. 12 MRSA §10902, sub-§2, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §97 and affected by §422, is further amended to read:

2. Refusal to issue license or permit. If a person is convicted ~~or is~~ adjudicated ~~of a~~, enters into a deferred disposition pursuant to Title 17-A, section 1902, subsection 1 or enters into a written filing agreement with the State pursuant to the Maine Rules of Unified Criminal Procedure, Rule 11B in violation of any provision of this Part and is not the holder of a valid license or permit issued under this Part, the commissioner may refuse to issue a related license or permit to that person for up to 5 years following the date of conviction or adjudication, except when the killing or wounding of a human being has occurred, in which case the commissioner may refuse to issue the license or permit for a period of not less than 5 years.

See title page for effective date.

CHAPTER 266
H.P. 1092 - L.D. 1703

An Act to Amend the Maine Equal Pay Law by Prohibiting Pay Discrimination Based on Race

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

Sec. 1. 26 MRSA §628, as amended by PL 2019, c. 35, §3, is further amended to read:

§628. Equal pay

This section may be known and cited as "the Maine Equal Pay Law."

An employer may not discriminate between employees in the same establishment on the basis of sex by paying wages to any employee in any occupation in this

State at a rate less than the rate at which the employer pays any employee of the opposite sex for comparable work on jobs that have comparable requirements relating to skill, effort and responsibility. An employer may not discriminate between employees in the same establishment on the basis of race by paying wages to any employee in any occupation in this State at a rate less than the rate at which the employer pays any employee of another race for comparable work on jobs that have comparable requirements relating to skill, effort and responsibility. Differentials that are paid pursuant to established seniority systems or merit increase systems or difference in the shift or time of the day worked that do not discriminate on the basis of sex ~~or race~~ are not within ~~this prohibition~~ the prohibitions in this section. An employer may not discharge or discriminate against any employee by reason of any action taken by such employee to invoke or assist in any manner the enforcement of this section. An employer may not prohibit an employee from disclosing the employee's own wages or from inquiring about or disclosing another employee's wages if the purpose of the disclosure or inquiry is to enforce the rights granted by this section. Nothing in this section creates an obligation to disclose wages.

The Department of Labor shall annually report to the joint standing committee of the Legislature having jurisdiction over labor matters on progress made in the State to comply with this section. The report must be issued annually on Equal Pay Day as designated pursuant to Title 1, section 145.

See title page for effective date.

CHAPTER 267
H.P. 1244 - L.D. 1936

An Act to Allow Certified Nurse Practitioners to Provide In-home Care Without a Home Health Care Provider License

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

Sec. 1. 22 MRSA §2142, sub-§1-A is enacted to read:

1-A. Certified nurse practitioner. "Certified nurse practitioner" has the same meaning as in section 2422, subsection 1-B.

Sec. 2. 22 MRSA §2147, sub-§12, as amended by PL 1989, c. 119, §3, is further amended to read:

12. Municipal entities. Municipal departments or agencies or other municipal entities in their provision of nontherapeutic preventive and promotional health educational services when persons providing those services are employed by the municipality; ~~and~~