

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 313
S.P. 504 - L.D. 1223**

**An Act to Clarify Insurance in
the Joint Use of Public Utility
Equipment**

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

Sec. 1. 35-A MRSA §2524, sub-§3 is enacted to read:

3. Insurance requirements. The owner of a shared-use pole may require a municipality, as a condition of the municipality's attachment to the owner's shared-use pole, to purchase and maintain a general liability insurance policy meeting the pole owner's insurance requirements. The pole owner may not require that the general liability insurance have a coverage limit in excess of \$5,000,000 per occurrence. In accordance with Title 14, section 8116, if the limits provided in the insurance policy are in excess of the limit imposed by Title 14, section 8105, the limits in the policy will replace the limit imposed by Title 14, section 8105 and if the insurance policy provides coverage in areas where the municipality is immune, the municipality is liable in those substantive areas but only to the limits of the insurance coverage.

This subsection is repealed October 1, 2028.

See title page for effective date.

**CHAPTER 314
H.P. 850 - L.D. 1336**

**An Act to Increase
Transparency in Municipal
Ballot Referenda Expenditures**

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

Sec. 1. 21-A MRSA §1053-A, as amended by PL 2021, c. 217, §5, is further amended to read:

§1053-A. Municipal elections

If an organization qualifies as a committee under section 1052, subsection 2 and that organization receives contributions or makes expenditures to influence a municipal campaign in towns or cities with a population of 15,000 or more, that organization must register and file reports with the municipal clerk as required by Title 30-A, section 2502. If an organization qualifies as a ballot question committee under section 1052, subsection 2-A and that organization makes expenditures exceeding \$5,000 to influence a municipal referendum campaign in a town or city with a population of less than 15,000, that organization must register and file reports with the commission using the electronic filing system

pursuant to section 1059, subsection 5. The reports must be filed in accordance with the reporting schedule in section 1059 and must contain the information listed in section 1060. A committee registered with the commission and that receives contributions or makes expenditures relating to a municipal election shall file a copy of the report containing such contributions or expenditures with the clerk in the subject municipality. The commission retains the sole authority to prescribe the content of all reporting forms. The commission does not have responsibility to oversee the filing of registrations or campaign finance reports relating to municipal campaigns in towns or cities with a population of 15,000 or more. If a municipal clerk becomes aware of a potential violation of this subchapter that the clerk considers to be substantial, the clerk may refer the matter to the commission for enforcement. The commission may conduct an investigation if the information referred by the municipal clerk shows sufficient grounds for believing that a violation may have occurred. After conducting the investigation, if the commission determines that a violation of this subchapter has occurred, the commission may assess penalties provided in this subchapter.

Sec. 2. 30-A MRSA §2502, sub-§2, as amended by PL 2011, c. 389, §60 and affected by §62, is further amended to read:

2. Municipal referenda campaigns. Municipal referenda campaigns in towns or cities with a population of 15,000 or more are campaign finance reporting is governed by Title 21-A, chapter 13, subchapter 4. The registrations and reports of political action committees and ballot question committees must be filed with the municipal clerk. A town or city with a population of less than 15,000 may choose to be governed by Title 21-A, chapter 13, subchapter 4 by vote of its legislative body at least 90 days before a referendum election. A town or city that votes to adopt those provisions may revoke that decision, but it must do so at least 90 days before an election subject to that subchapter.

See title page for effective date.

**CHAPTER 315
H.P. 895 - L.D. 1400**

**An Act to Allow Certain Social
Workers to Diagnose Organic
Mental Illnesses**

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

Sec. 1. 32 MRSA §7001-A, sub-§10, as enacted by PL 1985, c. 736, §2, is amended to read:

10. Psychosocial evaluation. "Psychosocial evaluation" includes the determination and examination by social workers of the psychosocial situation of an indi-