

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

(1) Require 2 separate bid proposals, one with the energy storage system and one without; and

(2) Require an energy storage system selected for a contract to remain stationary and under the same ownership throughout the contract term.

H. The commission may establish a process by rule to allow an energy storage system to apply to the commission to be paired with and added to a contract awarded to an eligible Class IA resource after that resource has been awarded a contract.

3. Contract terms. A contract entered into pursuant to this section must be for a term of no more than 20 years, unless the commission finds a contract for a longer term to be prudent.

4. Renewable energy credits. The commission shall by rule establish a process to assign renewable energy credits procured pursuant to subsection 2 to a standard-offer service provider in order to satisfy that standard-offer service provider's renewable resource portfolio requirements under section 3210.

5. Rules. The commission shall adopt rules to implement this section. Rules adopted in accordance with this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 322

S.P. 623 - L.D. 1592

**An Act to Amend the Law
Governing Special Motions to
Dismiss to Include Workplace
and Title IX Claims**

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

Sec. 1. 14 MRSA §556, 6th ¶, as enacted by PL 1995, c. 413, §1, is amended to read:

As used in this section, "a party's exercise of its right of petition" means any written or oral statement made before or submitted to a legislative, executive or judicial body, or any other governmental proceeding; any written or oral statement made in connection with an issue under consideration or review by a legislative, executive or judicial body, or any other governmental proceeding; any statement reasonably likely to encourage consideration or review of an issue by a legislative, executive or judicial body, or any other governmental proceeding; any statement reasonably likely to enlist public participation in an effort to effect such consideration; any written or oral statement made in connection with a discrimination complaint pursuant to the Maine

Human Rights Act; any written or oral statement made in connection with a complaint pursuant to Title 20-A, chapter 445 or the so-called Title IX provisions of the federal Education Amendments of 1972, Public Law 92-318; or any other statement falling within constitutional protection of the right to petition government.

See title page for effective date.

CHAPTER 323

H.P. 1049 - L.D. 1624

**An Act to Clarify the
Procedure for Amending the
Birth Certificate of an Adult to
Recognize a Parent Not Known
or Listed at the Time of Birth**

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

Sec. 1. 22 MRSA §2705, sub-§6, as amended by PL 2021, c. 49, §4, is further amended to read:

6. Amendment of birth certificate of adult. Amendment of a birth certificate of a person 18 years of age or older born in this State for the purpose of identifying ~~or replacing~~ a genetic parent who was not known or listed at the time of birth is governed by section 2767-A.

Sec. 2. 22 MRSA §2767-A, as amended by PL 2021, c. 49, §6, is further amended to read:

§2767-A. Amendment of birth certificate of adult

1. ~~Amendment~~ Addition of parent to birth certificate based on genetic testing. The State Registrar of Vital Statistics shall amend the birth certificate of a person 18 years of age or older born in this State for the purpose of identifying ~~or replacing~~ a genetic parent who was not known or listed at the time of birth when the state registrar has received the following:

A. A signed, notarized request to amend the birth certificate from the adult subject of the birth certificate ~~that the birth certificate be amended~~;

B. Either the written, notarized consent of the genetic parent to be named on the amended birth certificate or a certified copy of the death certificate of the genetic parent to be named on the amended birth certificate; and

C. Evidence of genetic parentage based on testing of deoxyribonucleic acid, DNA, that includes:

(1) A notarized report of the results of the DNA testing; and

(2) Notarized documentation of the chain of custody of the blood and tissue samples examined in the testing.

The testing must be of a type generally acknowledged as reliable by accreditation bodies designated by the federal Secretary of Health and Human Services, and it must be performed by a laboratory approved by an accreditation body designated by the federal Secretary of Health and Human Services.

The process for amending a birth certificate under this subsection may not be used to replace a parent listed on the birth certificate. A genetic parent who was not known or listed at the time of birth may be added to a birth certificate under this subsection even if more than 2 parents will be listed on the birth certificate as a result of the amendment.

2. Effect. If the request submitted pursuant to subsection 1 does not contain the written, notarized consent of the genetic parent to be named on the amended birth certificate, amendment of the birth certificate pursuant to this section does not affect the rights of inheritance and descent. ~~A birth certificate amended without the written, notarized consent of the genetic parent to be named on and the amended birth certificate must contain the following words in a conspicuous place: "This birth certificate has been amended to identify or replace a genetic parent not known or listed at the time of birth. This amendment does not affect the rights of inheritance or descent of the subject of the birth certificate."~~

3. Amendment of birth certificate based on voluntary acknowledgment of parentage. The State Registrar of Vital Statistics shall amend the birth certificate of a person 18 years of age or older born in this State for the purpose of identifying a parent who was not known or listed at the time of birth if the birth certificate lists only one parent or if a parent listed on the birth certificate will be replaced with a new parent when the state registrar has received the following:

- A. A signed, notarized request to amend the birth certificate from the adult subject of the birth certificate;
- B. A properly executed voluntary acknowledgment of parentage that complies with the requirements of Title 19-A, chapter 61, subchapter 3; and
- C. If the acknowledged parent will replace a parent listed on the birth certificate, a properly executed denial of parentage from the parent to be replaced that meets the requirements of Title 19-A, chapter 61, subchapter 3.

4. Amendment of birth certificate based on adoption or parentage action. The State Registrar of Vital Statistics shall amend the birth certificate of a person 18 years of age or older born in this State in response to a request by the adult that the adult's birth certificate reflect the adult's parentage as set forth in:

- A. A court order adjudicating parentage pursuant to Title 19-A, chapter 61; or

B. An adoption decree pursuant to Title 18-C, article 9.

See title page for effective date.

CHAPTER 324

S.P. 647 - L.D. 1630

An Act Regarding Campaign Finance and Lobbying Disclosure and Enforcement of Income Source Reporting Requirements

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

Sec. 1. 1 MRSA §1016-C, as amended by PL 2021, c. 132, §1, is further amended to read:

§1016-C. Reports by legislative candidates

A candidate, as defined in Title 21-A, section 1, subsection 5, for the Legislature who is not required to file a report under section 1016-G shall file a report containing the same information required of Legislators under section 1016-G no later than 5 p.m. on August 15th preceding the general election unless the candidate withdraws from the election in accordance with Title 21-A, section 374-A by that date. A candidate shall file statements electronically as is required of Legislators under section 1016-G, subsection 5. If the candidate fails to file the statement by the August 15th, the commission may assess penalties in accordance with section 1016-G, subsection 3.

Sec. 2. 1 MRSA §1016-G, sub-§3, as amended by PL 2019, c. 534, §5, is further amended to read:

3. Penalties. Penalties for violations of this section are as follows.

A. Failing to file a statement within 15 days of having been notified by the commission is subject to a civil violation for which a fine of not more than \$100 may be adjudged ~~penalty not to exceed \$250 for a Legislator or \$100 for a candidate payable to the commission.~~ A statement is not considered filed unless it substantially conforms to the requirements of this subchapter and is properly signed. The commission shall determine whether a statement substantially conforms to the requirements of this subchapter.

B. The intentional filing of a false statement is a Class E crime. If the commission concludes that it appears that a Legislator has willfully filed a false statement, it shall refer its findings of fact to the Attorney General. If the commission determines that a Legislator has willfully failed to file a statement required by this subchapter or has willfully