

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

Notwithstanding sections 3913 and 3919-A and except as provided in Title 17, section 1021, when a person brings a pet to an animal shelter because the owner of that pet is incarcerated or hospitalized or under the process described in Title 14, section 6025-A, that person shall provide the animal shelter with the name and last known address of the pet's owner and the name and address of the a facility where the person is incarcerated or hospitalized. The person bringing the pet to the shelter shall also provide the shelter with that person's name and address and that person's relationship to the owner or the official capacity in which that person is acting to enforce the animal welfare laws. The animal shelter may accept the pet unless the shelter is in quarantine. An animal shelter accepting a pet under this section shall comply with the provisions of this section.

Sec. 2. 14 MRSA §6025, sub-§2, as enacted by PL 1981, c. 428, §10, is amended to read:

2. Landlord obligations. Except in the case of emergency or if it is impracticable to do so, the landlord shall give the tenant reasonable notice of his the landlord's intent to enter and shall enter only at reasonable times. Twenty-four hours is presumed to be a reasonable notice in the absence of evidence to the contrary. An emergency when the welfare of an animal is at risk as described in section 6025-A is grounds for permitting entry without 24 hours' notice.

Sec. 3. 14 MRSA §6025-A is enacted to read:

§6025-A. Access to care for animals

A landlord may require a tenant to provide information about any animal present in a rental unit and also require the name and contact information of one or more persons the tenant authorizes to enter the rental unit to retrieve the animal if the tenant has vacated the premises and abandoned the animal or the tenant is unable to care for the animal due to death or disability. The landlord may also require, as a condition of tenancy, that the tenant allow the landlord to enter the rental unit in the case of an emergency when the welfare of the animal is at risk to determine whether the animal has been abandoned or is in need of care.

If the landlord determines that a tenant with an animal has vacated the premises or is unable to care for the animal due to death or disability, the landlord may contact a person authorized by the tenant, a humane agent, an animal control officer or an animal shelter to pick up and care for the animal. If the landlord contacts a person identified under this paragraph to pick up and care for the animal and the landlord, within 5 days, sends by first-class mail to the tenant's last known address a notice containing the name, phone number and address of the person taking custody of the animal, the landlord is not liable in a civil action brought by the tenant for personal injury, death, property damage or other damages resulting from or arising out of an occurrence involving the animal.

If an animal shelter accepts an animal at the request of a person the landlord contacted to pick up and care for the animal under this section, the animal shelter shall comply with the provisions of Title 7, section 3919-B.

See title page for effective date.

CHAPTER 337

H.P. 871 - L.D. 1357

An Act to Impose an Expanded Prohibition on Lobbying for Former Executive Branch Employees

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

Sec. 1. 3 MRSA §318-A, as enacted by PL 2013, c. 288, §1, is amended by enacting at the end a new paragraph to read:

This section is repealed December 4, 2024.

Sec. 2. 3 MRSA §318-B is enacted to read:

§318-B. Former executive branch employee lobbying prohibited

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

A. "Classified service" has the same meaning as in Title 5, section 7032, subsection 3.

B. "Compensated lobbying" means lobbying conducted by an individual who is specifically employed by another person other than the State or an agency of the State for that purpose or lobbying conducted by an individual as a regular employee of another person other than the State or an agency of the State. "Compensated lobbying" does not include activities for which the individual receives no compensation other than reimbursement for lobbying-related travel within the State and reimbursement for other out-of-pocket expenditures made by the individual for printing, postage and food and lodging connected with lobbying activities paid for by the individual. For the purposes of this paragraph, "reimbursement for other out-of-pocket expenditures" does not include reimbursement for the individual's time spent lobbying that would have been otherwise compensated by an employer or in the course of the individual's employment.

C. "Employee from the executive branch in the unclassified service" has the same meaning as in Title 5, section 7032, subsection 6-A.

D. "Lobbying" has the same meaning as in section 312-A, subsection 9.

2. Lobbying prohibited. Beginning December 4, 2024, a former officer or employee in the classified service or a former employee from the executive branch in the unclassified service of this State or a person who was employed in a position for which the salary is subject to adjustment by the Governor under Title 2, section 6 or that is described as a major policy-influencing position under Title 5, chapter 71 may not engage in compensated lobbying until one year after the termination of the employee's executive branch employment.

3. Complaints and investigations. A person may file a complaint with the commission specifying an alleged violation of this section. The commission staff shall notify the person against whom the complaint has been filed and may undertake an investigation of the alleged violation if directed by the commission. The commission may direct commission staff to undertake an investigation of an alleged violation of this section on its own motion.

4. Penalty. A person who intentionally violates this section is subject to a civil penalty not to exceed \$1,000, payable to the State and recoverable in a civil action.

See title page for effective date.

CHAPTER 338

H.P. 1168 - L.D. 1836

An Act Regarding Insurance Coverage for Diagnostic and Supplemental Breast Examinations

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

Sec. 1. 24-A MRSA §2745-A, as amended by PL 2007, c. 153, §1 and affected by §5, is further amended by amending the section headnote to read:

§2745-A. Screening Coverage for screening mammograms and diagnostic and supplemental breast examinations

Sec. 2. 24-A MRSA §2745-A, sub-§1, as amended by PL 2007, c. 153, §1 and affected by §5, is repealed.

Sec. 3. 24-A MRSA §2745-A, sub-§1-A is enacted to read:

1-A. Definitions. For the purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Cost-sharing requirements" means a deductible, coinsurance, copayment or out-of-pocket expense and any maximum limitation on the deductible, coinsurance, copayment or other out-of-pocket expense.

B. "Diagnostic breast examination" means a medically necessary examination of the breast, including an examination using diagnostic mammography, magnetic resonance imaging or ultrasound, that is:

(1) Used to evaluate an abnormality seen on or suspected from a screening mammogram; or

(2) Used to evaluate an abnormality detected by another means of examination.

C. "Screening mammogram" means a radiologic procedure that is provided to an asymptomatic individual for the purpose of early detection of breast cancer and that consists of 2 radiographic views per breast. A screening mammogram also includes an additional radiologic procedure recommended by a provider when the results of an initial radiologic procedure are not definitive.

D. "Supplemental breast examination" means a medical examination of the breast, including an examination using diagnostic mammography, magnetic resonance imaging or ultrasound, to screen for breast cancer when there is no abnormality seen or suspected, but, based on personal or family medical history or other additional factors, the individual has an increased risk of breast cancer.

Sec. 4. 24-A MRSA §2745-A, sub-§2-A is enacted to read:

2-A. No cost-sharing requirements. An individual insurance policy may not impose any cost-sharing requirements on a screening mammogram, diagnostic breast examination or supplemental breast examination performed by a provider in accordance with this section. This subsection does not apply to an individual policy offered for use with a health savings account unless the federal Internal Revenue Service determines that the requirements in this subsection are permissible in a high deductible health plan as defined in the federal Internal Revenue Code, Section 223(c)(2).

Sec. 5. 24-A MRSA §2837-A, as amended by PL 2007, c. 153, §2 and affected by §5, is further amended by amending the section headnote to read:

§2837-A. Screening Coverage for screening mammograms and diagnostic and supplemental breast examinations

Sec. 6. 24-A MRSA §2837-A, sub-§1, as amended by PL 2007, c. 153, §2 and affected by §5, is repealed.

Sec. 7. 24-A MRSA §2837-A, sub-§1-A is enacted to read:

1-A. Definitions. For the purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.