

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

shall receive all copies of seizures on execution and special attachments made and attested by any officer of real property situate in their respective counties or districts and certify on them the time when they are received, and certificates of advertised stallions and copies of processes against domestic corporations filed for service by officers in the registry, keep them on file for the inspection of parties interested and enter them in suitable records properly indexed.

See title page for effective date.

**CHAPTER 379
S.P. 151 - L.D. 330**

**An Act Regarding Legal
Representation for Residents
Facing Eviction**

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

Sec. 1. 14 MRSA §6001, sub-§7 is enacted to read:

7. **Notice to quit; form notice required.** Beginning January 1, 2024, a landlord shall attach to a notice to terminate tenancy served upon a tenant the form notice posted on the publicly accessible website of the judicial branch in accordance with section 6004, subsection 2.

Sec. 2. 14 MRSA §6004, sub-§3 is enacted to read:

3. **Notice of counsel.** If the court has been advised that an attorney is available to represent tenants in actions of forcible entry and detainer on a day that the court is planning to hold hearings on actions of forcible entry and detainer, the court shall announce the availability of that attorney prior to the commencement of proceedings for actions of forcible entry and detainer on that day. Failure of the court to comply with the requirements of this subsection is not grounds for dismissal of the action or to set aside or appeal any judgment entered against the tenant.

See title page for effective date.

**CHAPTER 380
S.P. 758 - L.D. 1874**

**An Act to Support Maine
Forest Workers' Right to Work
in Maine by Improving Labor
Standards**

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

Sec. 1. 12 MRSA §8867-G is enacted to read:

§8867-G. Forest certification programs

1. Requirements for state land. The Department of Agriculture, Conservation and Forestry may obtain or maintain certification from a forest certification program for state land only if the program, in order to obtain certification under the program:

A. Contains performance-based indicators described in subsection 2 that protect forest workers, including logging and trucking contractors, that can be assessed and verified by a recognized certifying entity; and

B. Does not require payment to a trade association that is registered with the Commission on Governmental Ethics and Election Practices.

2. Performance-based indicators. Performance-based indicators required by subsection 1 include the following labor practices:

A. No use of child labor;

B. No use of forced labor;

C. No discrimination;

D. Freedom of association and collective bargaining;

E. Promotion of gender equality;

F. Implementation of legal occupational health and safety practices;

G. Payment of fair wages that meet or exceed the minimum wage;

H. Adequate and effective training; and

I. Grievance resolution and compensation for damages.

See title page for effective date.

**CHAPTER 381
H.P. 698 - L.D. 1103**

**An Act to Allow Persons Who
Lawfully Use or Possess
Cannabis to Own or Possess
Firearms or Ammunition**

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

Sec. 1. 15 MRSA §393, sub-§1, ¶G, as amended by PL 2015, c. 470, §1, is further amended to read:

G. Is an unlawful user of or is addicted to any controlled substance and as a result is prohibited from possession of a firearm under 18 United States Code, Section 922(g)(3). Notwithstanding the prohibition under 18 United States Code, Section

922(g)(3), the use, possession or transport of cannabis in accordance with Title 22, chapter 558-C or Title 28-B may not serve as the basis for the prohibition to own, possess or have under a person's control a firearm in this section. Violation of this paragraph is a Class D crime;

See title page for effective date.

CHAPTER 382

H.P. 701 - L.D. 1105

An Act to Ensure Lower Costs and Consumer Protections for Patients by Prohibiting Certain Billing Practices

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

Sec. 1. 24-A MRSA §4303, sub-§25 is enacted to read:

25. Disclosure to enrollees of cash price. A carrier may not prohibit a provider from providing an enrollee with the option of paying the provider's discounted cash price for health care services. For the purposes of this subsection, "discounted cash price" means:

A. With respect to a hospital, the discounted cash price as that term is defined in 45 Code of Federal Regulations, Section 180.20 if the hospital has a discounted cash price and does not mean the amount charged to individuals who are eligible for free care or are eligible for the amounts charged pursuant to a hospital's financial assistance policy;
or

B. With respect to a provider that is not a hospital, the charge that applies to an enrollee who is paying for a health care service without filing any claim with a carrier.

See title page for effective date.

CHAPTER 383

S.P. 643 - L.D. 1626

An Act to Standardize Requirements Between Boards of Visitors for County Jails and Department of Corrections Correctional Facilities

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

Sec. 1. 30-A MRSA §1651, as amended by PL 2021, c. 620, §3, is further amended to read:

§1651. Examination of jails; board of visitors

1. Examination. At the commencement of each session required by law, the county commissioners shall examine the jail in their county and take necessary precautions for the security of prisoners, for the prevention of infection and sickness and for the accommodations of the prisoners.

2. Appointment. The sheriff for each county shall appoint a board of 7 visitors for each jail or other county correctional facility under the sheriff's supervision.

A. Members of the boards of visitors serve for terms of ~~one year~~ 3 years.

B. Members of the boards of visitors are eligible for reappointment at the expiration of their terms. The boards of visitors must be representative of a broad range of professionals, family members and citizens interested in the well-being of prisoners, including representatives of advocacy groups for human and civil rights, medical and psychiatric professionals, persons who have served in corrections settings and other interested citizens. One member of each board of visitors must be a person with knowledge of issues related to the incarceration of women. One member of each board of visitors must be a woman who has been incarcerated in the State and who has prior child welfare experience with the Department of Health and Human Services, Office of Child and Family Services. One member of each board of visitors must have experience in the field of mental or behavioral health.

C. A member of the Legislature or an employee of a sheriff's department may not serve on a board of visitors.

D. The sheriffs of 2 or more counties, at their discretion, may appoint a joint board of visitors of 7 or more members.

~~**3. Powers.** Each board of visitors shall inspect the correctional facility to which it is assigned, subject to reasonable restrictions required by the sheriff to ensure the security of the jail, and make recommendations to the sheriff with respect to inmates who are mentally ill.~~

4. Duties. Boards of visitors have the following duties.

A. Each board of visitors shall inspect the jail or other county correctional facility to which it is assigned. Each board of visitors must be provided open access to all physical areas of the jail or other county correctional facility, including access to areas housing prisoners. Each board of visitors must be provided the opportunity to speak to prisoners and to staff. Members of the board of visitors shall comply with all sheriff's office policies and procedures and security practices regarding access to the jail or other county correctional facility, shall adhere to all federal and state laws regarding confi-