

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

deductions during the prior calendar year and report that amount to the State Controller, who shall transfer that amount from the remaining funds in the fund to the General Fund.

GENERAL FUND TOTAL \$93,918 \$123,845

See title page for effective date.

Sec. 2. 36 MRSA §5122, sub-§2, ¶PP, as enacted by PL 2017, c. 452, §31, is amended to read:

PP. For taxable years beginning on or after January 1, 2018, for business expenses related to carrying on a trade or business as a registered caregiver or a registered dispensary, as defined in Title 22, section 2422, an amount equal to the deduction that would otherwise be allowable under this Part to the extent that the deduction is disallowed under the Code, Section 280E. For taxable years beginning on or after January 1, 2023, for business expenses related to carrying on a trade or business as a registered caregiver, a registered dispensary or a manufacturing facility, as defined in Title 22, section 2422, or a cannabis establishment or testing facility, as defined in Title 28-B, section 102, an amount equal to the deduction that would otherwise be allowable under this Part to the extent that the deduction is disallowed under the Code, Section 280E.

Sec. 3. 36 MRSA §5200-A, sub-§2, ¶BB, as enacted by PL 2017, c. 452, §32, is amended to read:

BB. For taxable years beginning on or after January 1, 2018, for business expenses related to carrying on a trade or business as a registered caregiver or a registered dispensary, as defined in Title 22, section 2422, an amount equal to the deduction that would otherwise be allowable under this chapter to the extent that the deduction is disallowed under the Code, Section 280E. For taxable years beginning on or after January 1, 2023, for business expenses related to carrying on a trade or business as a registered caregiver, a registered dispensary or a manufacturing facility, as defined in Title 22, section 2422, or a cannabis establishment or testing facility, as defined in Title 28-B, section 102, an amount equal to the deduction that would otherwise be allowable under this chapter to the extent that the deduction is disallowed under the Code, Section 280E.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Revenue Services, Bureau of 0002

Initiative: Establishes one limited-period Tax Examiner position through June 7, 2025 and provides funding for related All Other costs.

GENERAL FUND	2023-24	2024-25
Personal Services	\$88,100	\$119,500
All Other	\$5,818	\$4,345

CHAPTER 445

S.P. 457 - L.D. 1123

An Act to Create a Presumption Under the Maine Workers' Compensation Act of 1992 That a Cardiovascular Injury or Disease or Pulmonary Disease Suffered by Certain Law Enforcement Officers Is in the Course of Employment

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

Sec. 1. 39-A MRSA §328-D is enacted to read:

§328-D. Cardiovascular injury or disease and pulmonary disease suffered by a law enforcement officer or resulting in a law enforcement officer's death

Cardiovascular injury or disease and pulmonary disease suffered by a law enforcement officer or resulting in a law enforcement officer's death are governed by this section.

1. Law enforcement officer defined. For the purposes of this section, "law enforcement officer" means an active member of a law enforcement agency, as defined in Title 5, section 4651, if the person is vested by law with the power to make arrests for crimes or serve criminal process, whether that power extends to all crimes or is limited to specific crimes and if the person holds a current and valid certificate issued by the Board of Trustees of the Maine Criminal Justice Academy pursuant to Title 25, section 2803-A.

2. Presumption. There is a rebuttable presumption that a law enforcement officer received the injury or contracted the disease arising out of and in the course of employment, that sufficient notice of the injury or disease has been given and that the injury or disease was not occasioned by the willful intention of the law enforcement officer to cause self-injury or injury to another if the law enforcement officer has been an active member of a law enforcement agency, as defined in Title 5, section 4651, for at least 2 years prior to a cardiovascular injury or the onset of a cardiovascular disease or pulmonary disease and if:

A. The disease has developed or the injury has occurred within 6 months of having participated in law enforcement activities or in a training or drill that involved law enforcement activities; or

B. The law enforcement officer had developed the disease or had suffered the injury that resulted in death within 6 months of having participated in law enforcement activities or in a training or drill that involved law enforcement activities.

See title page for effective date.

**CHAPTER 446
H.P. 727 - L.D. 1155**

An Act to Address Legislative Salaries

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

Sec. 1. 3 MRSA §2, first ¶, as amended by PL 2023, c. 2, §2, is further amended to read:

Each member of the Senate and House of Representatives, beginning with the first Wednesday of December 2000 ~~and thereafter~~ until the day before the first Wednesday of December 2024, is entitled to \$10,815 in the first year and \$7,725 in the 2nd year of each biennium, except that if a Legislator who is a recipient of retirement benefits from the federal Social Security Administration files a written request with the Executive Director of the Legislative Council within one week after the biennium commences, the Legislator is entitled to \$9,270 in each year of the biennium. Beginning with the first Wednesday of December 2024, each member of the Senate and House of Representatives is entitled to \$25,000 in the first year and \$20,000 in the 2nd year of each biennium, except that if a Legislator who is a recipient of retirement benefits from the federal Social Security Administration files a written request with the Executive Director of the Legislative Council within one week after the biennium commences, the Legislator is entitled to \$22,500 in each year of the biennium. Each member of the Senate and the House of Representatives must receive a cost-of-living adjustment in annual legislative salary, except that the percentage increase may not exceed 5% in any year, and except that the percentage increase may not exceed 3% beginning with the fiscal year ending June 30, 2014. Beginning December 1, 2001, the salary for each legislative session must be adjusted each December 1st by the percentage change in the Consumer Price Index for the most recently concluded fiscal year; except that a member of the Senate or the House of Representatives may not receive a cost-of-living adjustment in annual legislative salary for the Second Regular Session of the 124th Legislature, and except that a member of the Senate or the House of Representatives may not receive a cost-of-living adjustment in annual legislative salary for the Second Regular Session of the 125th Legislature and the First Regular Session and the Second Regular Session of the 126th Legislature, and any percentage change in the Consumer Price Index for the fiscal years

ending June 30, 2011, June 30, 2012 and June 30, 2013 may not be applied to the base salary. In addition, each Legislator is entitled to be paid mileage for travel at each legislative session to and from that Legislator's place of abode at a rate of 55¢ per mile or the federal standard mileage rate, whichever is lower, the mileage to be determined by the most reasonable direct route, except that Legislators may be reimbursed for tolls paid for travel on the Maine Turnpike as long as they have a receipt for payment of the tolls, such tolls to be reimbursed when Legislators use the Maine Turnpike in traveling to and from sessions of the Legislature or in performance of duly authorized committee assignments. Each Legislator is entitled to mileage on the first day of the session, and those amounts of salary and expenses at such times as the Legislature may determine during the session, and the balance at the end of the session.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

LEGISLATURE

Legislature 0081

Initiative: Provides funding for the costs of increasing Legislator salaries starting with the 132nd Legislature to \$25,000 in the first year of each biennium and to \$20,000 in the 2nd year of each biennium.

GENERAL FUND	2023-24	2024-25
Personal Services	\$0	\$1,660,000
GENERAL FUND TOTAL	\$0	\$1,660,000

See title page for effective date.

**CHAPTER 447
H.P. 777 - L.D. 1229**

An Act to Provide Information to Parents Involved in the Child Protective Services System and Ensure Funding in the Child Protective Services Contingency Fund

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

Sec. 1. 22 MRSA §4004, sub-§1, ¶D, as amended by PL 2007, c. 586, §2, is further amended to read:

D. Establishing and maintaining a Child Protective Services Contingency Fund, which is a nonlapsing fund, to provide temporary assistance to families to help them provide proper care for their children;

Sec. 2. Contract requirements. The Department of Health and Human Services shall contract with an entity to provide free virtual classes conducted in real