

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTIETH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 2020 to March 30, 2021**

**FIRST SPECIAL SESSION**  
**April 28, 2021 to July 19, 2021**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2021**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 18, 2021**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2021**

snowmobile registered online without displaying a registration number until that person receives the registration certificate from the department or for 30 days after registering the snowmobile online, whichever occurs first.

**Sec. 4. 12 MRSA §13155, sub-§8-A,** as amended by PL 2009, c. 340, §22, is further amended to read:

**8-A. Registration inspection.** An owner or operator of an ATV shall present a registration certificate or an online registration receipt for inspection by any law enforcement officer on demand. An owner or operator of an ATV may present a registration certificate or an online registration receipt in electronic form.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

See title page for effective date.

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**CHAPTER 131**

**H.P. 932 - L.D. 1272**

**An Act To Eliminate Limits on the Number of Taste-testing Events for Beer, Wine and Spirits**

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

**Sec. 1. 28-A MRSA §460, sub-§2, ¶J,** as amended by PL 2019, c. 79, §1, is further amended to read:

J. The agency liquor store may conduct up to 15 an unlimited number of taste-testing events per month, ~~including taste-testing events conducted under sections 1205 and 1207.~~ If the agency liquor store complies with the applicable requirements of sections 1205 and 1207, the agency liquor store may offer wine and malt liquor for tasting at the same time as spirits.

**Sec. 2. 28-A MRSA §1205, sub-§2, ¶H,** as amended by PL 2019, c. 79, §2, is further amended to read:

H. The retail licensee may conduct up to 15 an unlimited number of taste-testing events per month, ~~including taste-testing events conducted under sections 460 and 1207.~~ If the retail licensee complies with the applicable requirements of sections 460 and 1207, the retail licensee may offer spirits and malt liquor for tasting at the same time as wine;

**Sec. 3. 28-A MRSA §1207, sub-§2, ¶H,** as amended by PL 2019, c. 79, §3, is further amended to read:

H. The retail licensee may conduct up to 15 an unlimited number of taste-testing events per month, ~~including taste-testing events conducted under section 460 or 1205.~~ If the retail licensee complies with the applicable requirements of sections 460 and 1205, the retail licensee may offer spirits and wine for tasting at the same time as malt liquor.

See title page for effective date.

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**CHAPTER 132**

**H.P. 1011 - L.D. 1377**

**An Act Regarding Campaign Finance Disclosure and the Filing of Statements of Sources of Income**

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

**Sec. 1. 1 MRSA §1016-C,** as amended by PL 2011, c. 634, §8, 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 ~~the first Monday~~ in 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.

**Sec. 2. 5 MRSA §19, sub-§2-A,** as amended by PL 2009, c. 524, §3, is repealed.

**Sec. 3. 5 MRSA §19, sub-§3-A,** as enacted by PL 2011, c. 634, §22, is amended to read:

**3-A. Filing upon termination of employment.**

An executive employee whose employment has terminated shall file a statement of finances as described in subsection 2 ~~and a statement of positions as described in subsection 2-A~~ within 45 days after the termination of employment relating to the final calendar year of the employment.

**Sec. 4. 21-A MRSA §1013-A, sub-§3,** as amended by PL 2019, c. 323, §4, is further amended to read:

**3. Party committees.** The district, county and municipal committees of parties shall submit to their state party committees the names, mailing addresses and e-mail addresses of all their officers and of their treasurers and the name and address of the principal paid employee, if any, within 10 days after the appointment,

election or hiring of these persons. Municipal committees shall file copies of the same information with the municipal clerk. No later than June 15th of each year ~~in which a general election is scheduled~~, the state party committee shall submit to the commission a consolidated report of the names, mailing addresses and e-mail addresses of the chair and treasurer of the district, county and municipal committees of that party or of another officer if a chair or treasurer has not been appointed.

**Sec. 5. 21-A MRSA §1014, sub-§2-B**, as enacted by IB 2015, c. 1, §3, is amended by amending the 2nd blocked paragraph to read:

The information required by this subsection may appear simultaneously with any statement required by subsection 2 or 2-A. A communication that contains a visual aspect must include the statement in written text. A communication that does not contain a visual aspect must include an audible statement. This statement is required only for communications made through broadcast or cable television, broadcast radio, Internet audio and video programming, direct mail or newspaper or other periodical publications.

**Sec. 6. 21-A MRSA §1014, sub-§2-B**, as enacted by IB 2015, c. 1, §3, is amended by amending the 3rd blocked paragraph to read:

A cable television ~~or~~ broadcast television or Internet video communication must include both an audible and a written statement. For a cable television ~~or~~ broadcast television or Internet video communication 30 seconds or less in duration, the audible statement may be modified to include only the single top funder.

**Sec. 7. 21-A MRSA §1019-B, sub-§1**, as amended by PL 2019, c. 323, §15, is further amended to read:

**1. Independent expenditures; definition.** For the purposes of this section, an "independent expenditure" means any expenditure made by a person, party committee or political action committee that is not made in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate's authorized political committee or an agent of either and that:

A. ~~Is any expenditure made by a person, party committee or political action committee, other than by contribution to a candidate or a candidate's authorized political committee, for to design, produce or disseminate any communication that expressly advocates the election or defeat of a clearly identified candidate; and or~~

B. ~~Is presumed to be any expenditure~~ Unless the person, party committee or political action committee making the expenditure demonstrates under subsection 2 that the expenditure was not intended to influence the nomination, election or defeat of

the candidate, is made to design, produce or disseminate a communication that names or depicts a clearly identified candidate and is disseminated during the 28 days, including election day, before a primary election; during the 35 days, including election day, before a special election; or from Labor Day to a general election day.

**Sec. 8. 21-A MRSA §1019-B, sub-§2**, as amended by PL 2019, c. 323, §16, is further amended to read:

**2. Rebutting presumption Commission determination.** ~~A person presumed under this section to have made an independent expenditure, party committee or political action committee may rebut the presumption request a determination that an expenditure that otherwise meets the definition of an independent expenditure under subsection 1, paragraph B is not an independent expenditure by filing a signed written statement with the commission within 48 hours 7 days of disseminating the communication stating that the cost was not incurred with the intent to influence the nomination, election or defeat of a candidate, supported by any additional evidence the person, party committee or political action committee chooses to submit. The commission may gather any additional evidence it deems determines relevant and material and shall determine by a preponderance of the evidence whether the cost was incurred with intent to influence the nomination, election or defeat of a candidate.~~

**Sec. 9. 21-A MRSA §1019-B, sub-§5, ¶A**, as enacted by PL 2011, c. 389, §21, is repealed.

**Sec. 10. 21-A MRSA §1125, sub-§2-C** is enacted to read:

**2-C. Change in campaign financing.** If a candidate has accepted contributions as a candidate for Governor, State Senator or State Representative that are not seed money contributions as defined in section 1122, subsection 9 or do not comply with the seed money restrictions in subsections 2 and 2-A, the candidate is ineligible for certification in the same election cycle.

**Sec. 11. 21-A MRSA §1125, sub-§5-A**, as amended by PL 2009, c. 363, §6, is further amended to read:

**5-A. Revocation of certification.** The certification of a participating certified candidate may be revoked at any time if the commission determines that the candidate or an agent of the candidate:

- A. Did not submit the required number of valid qualifying contributions;
- B. Failed to qualify as a candidate by petition or other means;
- C. Submitted any fraudulent qualifying contributions or qualifying contributions that were not made by the named contributor;

D. Misrepresented to a contributor the purpose of the qualifying contribution or obtaining the contributor's signature on the receipt and acknowledgement form;

E. Failed to fully comply with the seed money restrictions;

F. Knowingly accepted any contributions, including any in-kind contributions, or used funds other than fund revenues distributed under this chapter to make campaign-related expenditures without the permission of the commission;

G. Knowingly made a false statement or material misrepresentation in any report or other document required to be filed under this chapter or chapter 13;

H. Otherwise substantially violated the provisions of this chapter or chapter 13; or

I. As a gubernatorial candidate, failed to properly report seed money contributions as required by this section.

The determination to revoke the certification of a candidate must be made by a vote of the members of the commission after an opportunity for a hearing. A candidate whose certification is revoked shall return all unspent funds to the commission within 3 days of the commission's decision and may be required to return all funds distributed to the candidate. In addition to the requirement to return funds, the candidate may be subject to a civil penalty under section 1127. The candidate may appeal the commission's decision to revoke certification in the same manner provided in subsection 14, paragraph C.

**Sec. 12. 21-A MRSA §1125, sub-§6-E**, as enacted by PL 2011, c. 389, §55, is amended to read:

**6-E. Expenditures for television advertising.** A certified candidate must include closed-captioning within any television advertisement that the candidate provides to a broadcasting or cable television station for broadcast to the public, except for an advertisement aired in the final 4 days before an election if inclusion of closed-captioning during that period is impractical or would materially affect the timing of the candidate's advertisement.

**Sec. 13. 21-A MRSA §1125, sub-§8-B**, as enacted by IB 2015, c. 1, §25, is amended to read:

**8-B. Distributions to participating certified gubernatorial candidates.** Distributions from the fund to participating certified gubernatorial candidates must be made as follows.

A. For an uncontested primary election, the total distribution of revenues is \$200,000 per candidate.

B. For a contested primary election, the amount of revenues distributed is as follows:

(1) The initial distribution of revenues is \$400,000 per candidate;

(2) For each increment of 800 additional qualifying contributions a candidate collects and submits pursuant to subsection 8-E, not to exceed a total of 3,200 additional qualifying contributions, the supplemental distribution of revenues to that candidate is \$150,000; and

(3) The total amount of revenues distributed for a contested primary election may not exceed \$1,000,000 per candidate.

C. For an uncontested general election, the total distribution of revenues is \$600,000 per candidate.

D. For a contested general election, the amount of revenues distributed is as follows:

(1) The initial distribution of revenues is \$600,000 per candidate;

(2) For each increment of 1,200 additional qualifying contributions a candidate collects and submits pursuant to subsection 8-E, not to exceed a total of 9,600 additional qualifying contributions, the supplemental distribution of revenues to that candidate is \$175,000; and

(3) The total amount of revenues distributed for a contested general election may not exceed \$2,000,000 per candidate.

**Sec. 14. 21-A MRSA §1125, sub-§8-C**, as enacted by IB 2015, c. 1, §25, is amended to read:

**8-C. Distributions to participating certified candidates for State Senate.** Distributions from the fund to participating certified candidates for the State Senate must be made as follows.

A. For an uncontested primary election, the total distribution of revenues is \$2,000 per candidate.

B. For a contested primary election, the total distribution of revenues is \$10,000 per candidate.

C. For an uncontested general election, the total distribution of revenues is \$6,000 per candidate.

D. For a contested general election, the amount of revenues distributed is as follows:

(1) The initial distribution of revenues is \$20,000 per candidate;

(2) For each increment of 45 additional qualifying contributions a candidate collects and submits pursuant to subsection 8-E, not to exceed a total of 360 additional qualifying contributions, the supplemental distribution of revenues to that candidate is \$5,000; and

(3) The total amount of revenues distributed for a contested general election may not exceed \$60,000 per candidate.

**Sec. 15. 21-A MRSA §1125, sub-§8-D**, as enacted by IB 2015, c. 1, §25, is amended to read:

**8-D. Distributions to participating certified candidates for State House of Representatives.** Distributions from the fund to participating certified candidates for the State House of Representatives must be made as follows.

- A. For an uncontested primary election, the total distribution of revenues is \$500 per candidate.
- B. For a contested primary election, the total distribution of revenues is \$2,500 per candidate.
- C. For an uncontested general election, the total distribution of revenues is \$1,500 per candidate.
- D. For a contested general election, the amount of revenues distributed is as follows:
  - (1) The initial distribution of revenues is \$5,000 per candidate;
  - (2) For each increment of 15 additional qualifying contributions a candidate collects and submits pursuant to subsection 8-E, not to exceed a total of 120 additional qualifying contributions, the supplemental distribution of revenues to that candidate is \$1,250; and
  - (3) The total amount of revenues distributed for a contested general election may not exceed \$15,000 per candidate.

See title page for effective date.

**CHAPTER 133**

**H.P. 1137 - L.D. 1533**

**An Act To Amend the Foreign Credentialing and Skills Recognition Revolving Loan Program**

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

**Sec. 1. 10 MRSA §1100-AA, sub-§1, ¶A**, as enacted by PL 2019, c. 447, §1, is amended by amending subparagraph (7) to read:

- (7) Fees related to obtaining a Maine driver's license, including but not limited to driver's education course fees, learner's permit application fees and driver's license fees; and

**Sec. 2. 10 MRSA §1100-AA, sub-§1, ¶A**, as enacted by PL 2019, c. 447, §1, is amended by amending subparagraph (8) to read:

- (8) Costs to travel to the nearest location of any exam or test needed to establish the applicant's skills or credentials or English language proficiency if there is no location within 60

miles of the Maine town in which the immigrant resides; and

**Sec. 3. 10 MRSA §1100-AA, sub-§1, ¶A**, as enacted by PL 2019, c. 447, §1, is amended by enacting a new subparagraph (9) to read:

- (9) Costs of a filing fee required by the United States Department of Homeland Security, United States Citizenship and Immigration Services, or any successor federal agency, to apply for the immigrant's initial work permit.

**Sec. 4. 10 MRSA §1100-AA, sub-§1, ¶C-1** is enacted to read:

C-1. "Initial work permit" means the first work permit that the immigrant is authorized to apply for under 8 Code of Federal Regulations, Section 274a.12(c) (2019).

**Sec. 5. 10 MRSA §1100-AA, sub-§1, ¶E**, as enacted by PL 2019, c. 447, §1, is amended to read:

E. "Work permit" means a document provided by the United States Department of Homeland Security or any other federal immigration authority confirming a federal authorization of a person who is not a United States citizen to work in the United States.

**Sec. 6. 10 MRSA §1100-AA, sub-§4, ¶B**, as enacted by PL 2019, c. 447, §1, is amended to read:

B. Must have filed an application or petition with federal immigration authorities that entitles the immigrant to request a work permit in any of the categories set forth in 8 Code of Federal Regulations, Section 274a.12(c)(2019) 274a.12(c) (2019). The immigrant shall provide electronic or paper evidence establishing that the application or petition was filed with federal immigration authorities and shall state which section of 8 Code of Federal Regulations, Section 274a.12(c)(2019) 274a.12(c) (2019) allows the immigrant to request a work permit. An immigrant is not eligible if the immigrant has been denied a work permit at the time of making the application. In the case of asylum seekers, an immigrant who, pursuant to 8 Code of Federal Regulations, Section 274a.12(c)(8) (2019) or other federal statute or regulation, is required to wait a period of time after filing an application for asylum or another immigration benefit or relief before becoming authorized to receive an initial work permit, the immigrant is eligible if the immigrant's request for asylum has been pending for fewer than 150 days since the date of its filing and the immigrant has not yet been able to apply for a work permit pursuant to 8 Code of Federal Regulations, Section 274a.12(c)(8)(2019) or, if more than 150 days have elapsed since the asylum application was filed, the immigrant has a pending application for a work permit underlying application for asylum or