

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.

Augusta, Maine
2021

Sec. UUUU-4. 21-A MRSA §753-A, sub-§9 is enacted to read:

9. Telephone and e-mail contact information. In addition to any required information, a voter applying for an absentee ballot or an ongoing absentee ballot must be asked to provide that voter's telephone number and e-mail address, if available.

Sec. UUUU-5. 21-A MRSA §753-B, sub-§1, as amended by PL 2021, c. 273, §16, is further amended to read:

1. Application or written request received Issuance of absentee ballots. Upon receipt of an application or written request for an absentee ballot that is accepted pursuant to section 753-A, and after the official ballots become available, the clerk shall immediately issue an absentee ballot and return envelope by mail or in person to the applicant or to the immediate family member or to a 3rd person designated in a written application or request made by the voter, except as provided in subsection 2. Upon receipt of the official ballots, the clerk shall immediately issue an absentee ballot and return envelope by mail to any voter who has qualified for ongoing absentee voter status under section 753-A, subsection 7. The clerk shall type or write in ink the name and the residence address of the voter in the designated section of the return envelope. The clerk may not make any mark visible on the outside of the return envelope for use in a general election that indicates the political party of the voter to whom an absentee ballot is issued.

Sec. UUUU-6. **Membership agreement with Electronic Registration Information Center, Inc.** By January 1, 2023, the Secretary of State shall enter into a membership agreement with the Electronic Registration Information Center, Inc. on behalf of the State pursuant to the Maine Revised Statutes, Title 21-A, section 161, subsection 2-B. The agreement must include terms providing for the periodic sharing of information, including, but not limited to, voter names and addresses, between the Electronic Registration Information Center, Inc. and the central voter registration system of the Department of the Secretary of State.

Sec. UUUU-7. **Effective date.** That section of this Part that enacts the Maine Revised Statutes, Title 21-A, section 161, subsection 2-B takes effect January 1, 2023. Those sections of this Part that enact Title 21-A, section 753-A, subsections 8 and 9 and those sections of this Part that amend Title 21-A, section 752, subsection 3 and section 753-B, subsection 1 take effect November 1, 2023.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved, except as otherwise indicated.

Effective July 1, 2021, unless otherwise indicated.

**CHAPTER 399
H.P. 52 - L.D. 86**

An Act To Make Sales to Area Agencies on Aging Tax-exempt

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

Sec. 1. 36 MRSA §1760, sub-§107 is enacted to read:

107. Area agency on aging. Beginning January 1, 2022, sales to an area agency on aging designated under Title 22, section 5116, subsection 1, paragraph B, or sales to a public or nonprofit private agency that is operating under grants authorized by Title 22, chapter 1457, that is providing social services in order to secure and maintain maximum independence and dignity in a home environment for older people capable of self-care with appropriate supportive services.

See title page for effective date.

**CHAPTER 400
S.P. 51 - L.D. 121**

An Act To Require a Background Check for High-risk Health Care Providers under the MaineCare Program

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

Sec. 1. 22 MRSA §5307 is enacted to read:

§5307. Background check for high-risk provider applicants under the MaineCare program

1. Definition. As used in this section, unless the context otherwise indicates, "State Police" means the Department of Public Safety, Bureau of State Police.

2. Background check. The department shall request a background check for MaineCare provider applicants who are high-risk providers or in high-risk provider categories as those terms are defined by department rule. The background check must include criminal history record information obtained from the Maine Criminal Justice Information System and the Federal Bureau of Investigation.

A. The criminal history record information obtained from the Maine Criminal Justice Information System must include a record of public criminal history record information as defined in Title 16, section 703, subsection 8.

B. The criminal history record information obtained from the Federal Bureau of Investigation must include other state and national criminal history record information.