

# 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.**

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**Augusta, Maine**  
**2023**

CHAPTER 41  
H.P. 476 - L.D. 707

An Act to Update the Maine  
Human Rights Act with  
Respect to Gender Identity

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

Sec. 1. 5 MRSA §4553, sub-§9-C, as enacted  
by PL 2005, c. 10, §3, is amended to read:

9-C. **Sexual orientation.** "Sexual orientation"  
means a person's actual or perceived heterosexuality,  
bisexuality, or homosexuality or gender identity or ex-  
pression.

See title page for effective date.

CHAPTER 42  
S.P. 310 - L.D. 752

An Act to Expand Access to  
Banking Services for Minors

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

Sec. 1. 9-B MRSA §427, sub-§1, as enacted by  
PL 1975, c. 500, §1, is amended to read:

1. **Minor's deposits or accounts.** Money may be  
deposited by or in the name of a minor ~~is his and is the~~  
minor's property, and a financial institution may, in the  
discretion of the officer making or authorizing the pay-  
ment, shall pay the same to such minor, to his the mi-  
nor's order or to his guardian a joint owner of the ac-  
count. The receipt of such minor, or his guardian, for  
any such payment by the minor is a valid release and  
shall discharge discharges the institution. A minor may  
endorse and deposit to the credit of the minor's account  
checks and other instruments for the payment of money.  
Notwithstanding any provision of law to the contrary,  
in all transactions with respect to a minor's account that  
does not have a joint owner of majority age, a minor is  
deemed to be the owner of the account and of legal age  
and capacity.

See title page for effective date.

CHAPTER 43  
S.P. 313 - L.D. 755

An Act to Promote Higher  
Blends of Biofuel by Regulating  
the Sale or Transfer of Biofuels

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

Sec. 1. 10 MRSA §1663, as enacted by PL  
2013, c. 124, §1, is amended to read:

§1663. Sale of biodiesel, biomass-based diesel,  
biomass-based diesel blends and biodiesel  
blends

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

A. "Biodiesel" means ~~the a renewable, biodegrada-~~  
ble mono-alkyl esters of long chain fatty acids de-  
derived from plant oils or animal matter fats that  
meets the requirements of the American Society of  
Testing and Materials Standard most recent ASTM  
International standard D6751. "Biodiesel" in-  
cludes fuel that otherwise meets the requirements  
of this paragraph and also contains up to 1% diesel  
fuel.

A-1. "Biodiesel blend" means a blend of diesel fuel  
that contains greater than 5% by volume of bio-  
diesel and meets the requirements of the most re-  
cent ASTM International standard D7467.

B. "Biomass-based diesel" means a diesel fuel sub-  
stitute produced from nonpetroleum renewable re-  
sources that meets the registration requirements for  
fuels and fuel additives established by the United  
States Environmental Protection Agency under 42  
United States Code, Section 7545 (2012).

C. "Biomass-based diesel blend" ~~and "biodiesel~~  
~~blend" mean means~~ a blend of diesel fuel that con-  
tains greater than 5% by volume of biomass-based  
diesel ~~or biodiesel and petroleum based diesel fuel.~~

2. **Number 2 heating oil.** For purposes of this sec-  
tion, all references to diesel include #2 heating oil.

3. **Transfer document.** A person that sells or oth-  
erwise transfers title to a fuel containing biodiesel,  
biomass-based diesel blend or, biomass-based diesel  
blend or biodiesel blend to any other person for resale  
of the product shall prepare a document evidencing the  
transfer. This transfer document may be in the form of  
an invoice, bill of lading, bill of sale or other written  
instrument meeting the requirements of this subsection.  
This transfer document must include the name of the  
transferor, the name of the transferee, the date of the  
transfer, the volume in gallons of the product trans-  
ferred and either the volume in gallons or the percentage  
of biomass-based diesel or biodiesel that is contained in  
the blended product. A person making such a transfer  
shall maintain the transfer document required by this  
subsection for a period of 4 years from the transfer date.  
As used in this subsection, the term "resale" does not  
include a sale of product purchased at a retail outlet.

4. **Transferee not liable.** A transferee of fuel con-  
taining a biodiesel, biomass-based diesel, biomass-  
based diesel blend or biodiesel blend is not liable for

failing to verify the accuracy of the information included in ~~any~~ a transfer document conforming to the requirements of subsection 3 or for ~~any~~ other liability arising from the transferee's reliance on ~~such that~~ information.

**5. Supplement other requirements.** The requirements of this section are in addition to any other requirements or standards in ~~state~~ law.

See title page for effective date.

**CHAPTER 44**

**H.P. 87 - L.D. 141**

**An Act to Simplify the Sale of Food Requirement for Certain Licenses for the Sale of Liquor to Be Consumed on the Licensed Premises**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the spread of the novel coronavirus disease referred to as COVID-19 created a public health emergency and prompted subsequent public health measures, which resulted in economic hardship and insecurity for restaurants, bars and recreational facilities; and

**Whereas,** the lingering effects of the public health emergency and subsequent public health measures continue to impact the economic health of Maine restaurants, bars and recreational facilities; and

**Whereas,** the busy summer season is quickly approaching, during which time a significant portion of income is generated for restaurants, bars and recreational facilities; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 28-A MRSA §2, sub-§15, ¶D-1,** as amended by PL 2021, c. 658, §17, is further amended to read:

D-1. "Curling center" means a facility that offers curling facilities to the public for a fee, ~~that offers food for sale to the public~~ and that has adequate facilities for the sale and consumption of liquor.

**Sec. 2. 28-A MRSA §2, sub-§15, ¶F-1,** as amended by PL 2021, c. 658, §17, is further amended to read:

F-1. "Disc golf course" means a commercially operated facility that offers disc golfing facilities to the public for a fee, ~~that offers food for sale to the public~~ and that has adequate facilities for the sale and consumption of liquor. A disc golf course must have no fewer than 18 disc golfing holes with a total distance of no less than 5,000 feet per 18 disc golfing holes and must have a value of not less than \$50,000.

**Sec. 3. 28-A MRSA §2, sub-§15, ¶G,** as amended by PL 2021, c. 658, §17, is further amended to read:

G. "Golf course" means a commercially operated facility, whether publicly or privately owned, that offers golfing facilities to the public for a fee, including a regulation-size golf course of no fewer than 9 holes and an average total of not less than 1,200 yards per 9 holes, that has a value of not less than \$100,000, ~~that offers food for sale to the public~~ and that has adequate facilities for the sale and consumption of liquor.

**Sec. 4. 28-A MRSA §2, sub-§15, ¶I-1** is enacted to read:

I-1. "Indoor golf center" means a commercially operated indoor facility that offers golf simulator facilities to the public for a fee and that has adequate facilities for the sale and consumption of liquor.

**Sec. 5. 28-A MRSA §2, sub-§15, ¶J,** as amended by PL 2021, c. 658, §17, is further amended to read:

J. "Indoor ice skating center" means a commercially operated indoor facility that offers ice skating facilities to the public for a fee, ~~that offers food for sale to the public~~ and that has adequate facilities for the sale and consumption of liquor.

**Sec. 6. 28-A MRSA §2, sub-§15, ¶K,** as amended by PL 2021, c. 658, §17, is further amended to read:

K. "Indoor racquet center" means a commercially operated indoor facility with 4 or more courts or areas designed or used for the playing of a racquet sport, that is open to the public for a fee, ~~that offers food for sale to the public~~ and that has adequate facilities for the sale and consumption of liquor. Racquet sports include tennis, squash, handball, paddleball, pickleball and badminton.

**Sec. 7. 28-A MRSA §2, sub-§15, ¶L,** as amended by PL 2021, c. 658, §17, is further amended to read:

L. "Class A lounge" means a place where ~~food and liquor are~~ is sold at tables, booths and counters.