

# 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**

of and in the course of employment, or for death resulting from those injuries. These exemptions also apply to occupational diseases sustained by an employee or for death resulting from those diseases. These exemptions do not apply to an illegally employed minor as described in section 408, subsection 2.

**Sec. 2. 39-A MRSA §104-A** is enacted to read:  
**§104-A. Liability for sexual harassment, sexual assault or certain intentional torts**

**1. Liability for sexual harassment, sexual assault or certain intentional torts.** An employee, supervisor, officer or director of an employer is liable for sexual harassment, sexual assault or an intentional tort related to sexual harassment or sexual assault.

**2. Employer not liable.** This section may not be construed to impose liability on an employer for sexual harassment, sexual assault or an intentional tort related to sexual harassment or sexual assault committed by an employee, supervisor, officer or director of the employer.

**3. Actions alleging employment discrimination not prohibited or limited.** This section does not prohibit or limit an action alleging employment discrimination pursuant to the Maine Human Rights Act or Title VII of the federal Civil Rights Act of 1964, Public Law 88-352.

See title page for effective date.

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**CHAPTER 127**  
**H.P. 298 - L.D. 481**

**An Act to Allow the Deferral of a Moose Hunting Permit If More than One Permit Is Awarded Within the Same Household**

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

**Sec. 1. 12 MRSA §11154, sub-§18** is enacted to read:

**18. Moose permit deferment; multiple permits in single household.** The commissioner may authorize a person who holds a valid moose permit to defer the permit until the next moose hunting season in circumstances in which a member of that permit holder's household also holds a valid moose permit for the same hunting season. For the purposes of this subsection, members of a household are limited to a grandparent, parent, stepparent, child, stepchild, grandchild and stepgrandchild sharing the same legal address. Under this subsection, the person is ineligible to be selected for another moose permit in accordance with subsection 5

beginning in the calendar year that the person uses a permit deferred.

For the purposes of this subsection, "next moose hunting season" means the moose hunting season in the calendar year immediately following a person's selection under subsection 9.

See title page for effective date.

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**CHAPTER 128**  
**H.P. 552 - L.D. 886**

**An Act to Allow Clerks to Issue Absentee Ballots After the 3rd Business Day Before Election Day to Voters with a Physical or Mental Disability and Certain Voters' Caregivers**

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

**Sec. 1. 21-A MRSA §753-B, sub-§2, ¶D,** as amended by PL 2021, c. 273, §18, is further amended to read:

D. To any voter, immediate family member or 3rd person whose request was received in the municipal office after the 3rd business day before election day, unless the voter signs an application, designed by the Secretary of State, stating one of the following reasons for requesting an absentee ballot after the deadline:

- (1) Unexpected absence of the voter from the municipality during the entire time the polls are open on election day;
- (2) Physical Self-certification as a voter with a physical or mental disability;
- (3) Inability to travel to the polls if the voter is a resident of ~~a coastal~~ an island ward or precinct; or
- (4) An incapacity or illness that has resulted in the voter's being unable to leave home or a treatment facility or has resulted in the voter's caregiver's being unable to attend the polls during the entire time the polls are open on election day; or

See title page for effective date.