

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

the result of a real estate brokerage service provided by the provider.

3. Unfair trade practice. A violation of subsection 2 is a violation of the Maine Unfair Trade Practices Act.

4. Unenforceable; recording prohibited. A long-term agreement in violation of subsection 2 is unenforceable. A person may not record or cause to be recorded a long-term agreement in violation of subsection 2. A long-term agreement in violation of subsection 2 recorded in the State does not provide actual or constructive notice against an otherwise bona fide purchaser or creditor. If a long-term agreement is recorded in violation of this subsection, a party with an interest in the residential real estate that is the subject of that long-term agreement may apply to a District Court or Superior Court in the county where the recording occurred for an order declaring the long-term agreement void and of no effect.

5. Rights of recovery. If a long-term agreement is recorded in violation of subsection 4, a party with an interest in the residential real estate that is the subject of the long-term agreement may recover actual damages, costs and attorney's fees as may be proven against the party who recorded that long-term agreement.

6. Mechanic's lien. Nothing in this section affects a lien on residential real estate established under Title 10, section 3251.

See title page for effective date.

CHAPTER 291

H.P. 858 - L.D. 1344

**An Act to Improve the State's
Election Laws by Amending
the Laws Relating to
Automatic Voter Registration**

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

Sec. 1. 21-A MRSA §121, sub-§1-A, as amended by PL 2021, c. 439, §2 and affected by §15, is further amended to read:

1-A. Identification and proof. Registration applications taken by outside agencies must be transferred to the Secretary of State within 5 days of receipt. An applicant who attempts to register within 30 days of an election must be advised that the registrar might not receive the application before the deadline for online, mail or 3rd-person registration or for automatic voter registration set forth in section 121-A, but that the applicant may register in person no later than the deadline for in-person registration set forth in section 121-A.

Registration applications received by the Secretary of State from outside agencies 30 days or more before an election must be transferred to the appropriate registrar's office within 7 business days of receipt. Registration applications received by the Secretary of State from outside agencies less than 30 days before an election must be transferred to the appropriate registrar's office within 5 business days of receipt. Registration applications submitted online must be received by the Secretary of State by ~~midnight on the 21st day before election day~~ the deadline for registration set forth in section 121-A and must be transmitted to the appropriate registrar's office ~~daily~~ the next business day following receipt. Registration applications transmitted by the Department of the Secretary of State, Bureau of Motor Vehicles pursuant to section 232 or by a source agency other than the Bureau of Motor Vehicles pursuant to section 233 must be received by the Secretary of State by the deadline for registration set forth in section 121-A and must be transmitted to the appropriate registrar's office the next business day following receipt. Registration applications by mail or by a 3rd person must be received in the registrar's office by the close of business on the 21st day before election day in order for persons' names to appear on the incoming voting list for that election. The 20-day period before the election is the closed period for outside registrations, except for those registration applications transmitted by the deadline for registration set forth in section 121-A by the Department of the Secretary of State, Bureau of Motor Vehicles pursuant to section 232 or by a source agency other than the Bureau of Motor Vehicles pursuant to section 233. The registrar shall send the notice required by section 122 no later than the 18th day before election day to all voters whose applications were submitted online, submitted by mail or submitted by a 3rd person as long as the registrar received the application by the 21st day before election day.

A person who registers in person shall show proof of identity and residency. If satisfactory proof of identity and residency ~~can not~~ cannot be provided to the registrar or deputy, the person's name is entered into the central voter registration system and placed on the incoming voting list and the person casts a challenged ballot. If the person shows satisfactory proof of identity and residency prior to voting on election day, the person's ballot is not challenged.

Sec. 2. 21-A MRSA §121-A, as amended by PL 2021, c. 439, §3 and affected by §15, is further amended to read:

§121-A. Deadline for registration

The deadline for receipt of voter registration applications submitted by mail or by a 3rd person is the close of business on the 21st day before election day. The deadline for receipt of voter registration applications submitted online is midnight on the 21st day before

election day. The deadline for receipt of voter registration applications transmitted by the Department of the Secretary of State, Bureau of Motor Vehicles pursuant to section 232 or by a source agency other than the Bureau of Motor Vehicles pursuant to section 233 is midnight on the 7th day before election day. The deadline for in-person registration is the close of the polls on election day.

Sec. 3. 21-A MRSA §130, as amended by PL 2021, c. 439, §5 and affected by §15, is further amended to read:

§130. Applications for voter registration

A person who completes a written or online voter registration application, as provided in section 152, may submit the application online, mail the application or have the application delivered to the registrar in the person's municipality of residence before the deadline for online, mail or 3rd-person registrations in section 121-A, to be entered into the central voter registration system and placed on the incoming voting list prior to the next election; except that applications completed under section 122, subsection 5 may be delivered during the closed period for immediate placement on the incoming voting list. A voter registration application transmitted by the Department of the Secretary of State, Bureau of Motor Vehicles pursuant to section 232 or by a source agency other than the Bureau of Motor Vehicles pursuant to section 233 to the appropriate registrar's office before the deadline in section 121-A must be entered into the central voter registration system and placed on the incoming voting list prior to the next election.

Sec. 4. Effective date. This Act takes effect February 1, 2024.

Effective February 1, 2024.

CHAPTER 292

H.P. 867 - L.D. 1353

An Act to Require the Technical Building Codes and Standards Board to Adopt the Canadian Standards Association Standard for Residential Mechanical Ventilation Systems as an Alternative Standard Under the Maine Uniform Building and Energy Code

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

Sec. 1. 10 MRSA §9722, sub-§6, ¶O, as amended by PL 2021, c. 524, §2, is further amended to read:

O. No later than July 1, 2020, adopt, amend and maintain an appendix to the Maine Uniform Building and Energy Code as an optional part of the code that contains energy conservation and efficiency requirements that are based on established national voluntary efficiency standards that exceed the energy code requirements established in the Maine Uniform Building and Energy Code. As the code is updated, the board shall ensure that the energy conservation and efficiency requirements in the appendix continue to exceed the requirements established in the Maine Uniform Building and Energy Code. The appendix must be made available for voluntary adoption by any municipality. The board shall maintain a list of municipalities that have voluntarily adopted the appendix to the Maine Uniform Building and Energy Code on its publicly accessible website; ~~and~~

Sec. 2. 10 MRSA §9722, sub-§6, ¶P, as enacted by PL 2021, c. 524, §3, is amended to read:

P. Ensure, through the adoption of necessary amendments, that the Maine Uniform Building and Energy Code expressly allows the installation and use of acceptable refrigeration or air conditioning products or equipment as defined in section 9724, subsection 7; ~~and~~

Sec. 3. 10 MRSA §9722, sub-§6, ¶Q is enacted to read:

Q. No later than December 1, 2023, adopt the standards set forth in the Canadian Standards Association Standard for Residential Mechanical Ventilation Systems, CAN/CSA-F326-M91, as an alternative path for compliance with the ASHRAE Standard 62.2 Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings under the Maine Uniform Building and Energy Code. For purposes of this paragraph, "ASHRAE" has the same meaning as in section 1413, subsection 1.

See title page for effective date.

CHAPTER 293

S.P. 567 - L.D. 1449

An Act to Amend the Laws Regarding Violations of Condition of Release

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

Sec. 1. 15 MRSA §1092, sub-§1, ¶B, as amended by PL 2005, c. 449, §2, is further amended to read:

B. A Class C crime if the underlying crime was punishable by a maximum period of imprisonment