

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

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

of one year or more and the condition of release violated is one specified in section 1026, subsection 3, paragraph A, subparagraph (5); ~~or (8); (10 A) or (13).~~

See title page for effective date.

**CHAPTER 294
H.P. 962 - L.D. 1507**

**An Act to Ensure the Accuracy
of Vital Records with Respect
to Gender**

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

Sec. 1. 22 MRSA §2705, sub-§7 is enacted to read:

7. Amendment of marriage certificate following gender marker change. Amendment of a marriage certificate following gender marker change is governed by section 2805.

Sec. 2. 22 MRSA §2805 is enacted to read:

§2805. New marriage certificate following gender marker change

1. New marriage certificate. Upon receipt of an application that meets the requirements established by the department by rule, the State Registrar of Vital Statistics shall issue a new marriage certificate of a person married in this State to reflect a change of gender of the person and, if requested at the same time, to reflect the new first and middle names of the person. Notwithstanding section 2705, the new certificate may not be marked "amended."

2. Original marriage certificate sealed. When a new marriage certificate is issued under subsection 1, the state registrar shall provide a copy of the new marriage certificate to each municipal clerk who is required by law to have a copy of the marriage certificate on file. All copies of the original marriage certificate in the custody of any municipal clerk must be sealed from inspection or surrendered to the state registrar as the state registrar directs.

Sec. 3. 22 MRSA §2842, sub-§1-A is enacted to read:

1-A. Designation of gender. A death certificate for an individual must reflect the desired gender identity of the individual who has died if the person signing the certificate is aware of that desire either through a valid living will, advance health care directive or other record, including a record prepared by someone other than the individual.

Sec. 4. 22 MRSA §2842, sub-§5, as enacted by PL 2019, c. 340, §16, is amended to read:

5. Correction of certificate of death. A certificate of death filed in accordance with this section may be completed or amended at any time by means described in rules adopted by the department. The health care provider who certified the death in accordance with subsection 2-A may sign the forms, submit an electronic amendment or file a certificate using the electronic death registration system in accordance with section 2847. A health care provider may amend a certificate of death with respect to the time, date, place and circumstances of death as well as the gender of the individual who died. Forms or electronic amendments may be filed at any time after death.

See title page for effective date.

**CHAPTER 295
H.P. 1231 - L.D. 1926**

**An Act to Impose a
Moratorium on New Point
Source Waste Discharge
Licenses on the Lower
Presumpscot River**

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

Sec. 1. 38 MRSA §467, sub-§9, ¶A, as amended by PL 2021, c. 551, §§43 and 44, is further amended by amending subparagraph (4) to read:

(4) From Saccarappa Falls, also known as Sacarappa Falls, to tidewater - Class C. For the period beginning October 15, 2023 and ending January 1, 2028, there may be no new direct discharges to this segment except for any new direct storm water discharges licensed under section 413, section 420-D or article 6.

See title page for effective date.

**CHAPTER 296
S.P. 816 - L.D. 1987**

**An Act to Allow the Adjutant
General to Sell the Calais
Armory**

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

Sec. 1. 37-B MRSA §264, sub-§3, ¶S, as amended by PL 2023, c. 33, §2, is further amended to read:

S. The South Portland Air National Guard Station, located on Western Avenue, South Portland, by means of a quitclaim deed as long as the purchaser agrees to indemnify and hold harmless the State