

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
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TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2023

agreements, if any, and those rates that are paid generally in the locality where the construction of the public works is to be performed.

For purposes of this subsection, "benefits" means health and welfare contributions, pension or individual retirement account contributions and vacation and annuity contributions, per diem in lieu of wages and any other form of payment, except for wages, made to or on behalf of the employee. If a defined contribution amount is not established, the most accurate estimated value of contributions must be included.

See title page for effective date.

CHAPTER 334

S.P. 210 - L.D. 456

An Act to Support the Safe Use of Bicycles and Roller Skis

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

Sec. 1. 29-A MRSA §2060, sub-§2, as amended by PL 2013, c. 241, §3, is further amended by amending the 2nd blocked paragraph to read:

An operator intending to turn to the left must yield the right-of-way to traffic and any person operating a bicycle or roller skis approaching from the opposite direction that is so close as to constitute an immediate hazard.

Sec. 2. 29-A MRSA §2060, sub-§2-A is enacted to read:

2-A. Left turns near bicyclists or roller skiers. A person operating a motor vehicle near a person operating a bicycle or roller skis and proceeding in the opposite direction may not make a left turn unless the turn can be made with reasonable safety and without interfering with the safe and legal operation of the bicycle or roller skis.

See title page for effective date.

CHAPTER 335

H.P. 446 - L.D. 677

An Act to Ensure Consumer Protection from Resale Ticket Vendors

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

Sec. 1. 8 MRSA c. 37 is enacted to read:

CHAPTER 37
RESALE OF TICKETS

§1301. Resale of tickets

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

A. "Entertainment event" means a performance, concert, exhibit, game or contest.

B. "Place of entertainment" means a facility used to host an entertainment event including, but not limited to, a theater, stadium, arena, racetrack, museum or amusement park.

C. "Ticket" means documentation of a right to attend an entertainment event.

D. "Ticket reseller" means a business entity whose primary business is the sale or resale of tickets. "Ticket reseller" does not include any of the following:

(1) A nonprofit corporation as defined in Title 13-B, section 102, subsection 9; or

(2) A place of entertainment that engages in the sale or resale of tickets to entertainment events at the place of entertainment.

2. Refunds required. A ticket reseller that engages in the resale of a ticket in the State to a place of entertainment shall, upon the request of the customer, refund the amount paid by the customer for the ticket in any of the following circumstances:

A. The entertainment event is cancelled;

B. The ticket is not accepted by the entity holding the event because it is counterfeit or does not conform with the requirements established by the entity holding the entertainment event;

C. The ticket is cancelled by the entity holding the entertainment event for any reason; or

D. The person who purchased the ticket does not receive the ticket in time to attend the entertainment event.

3. Penalty. Violation of this section is an unfair trade practice as prohibited by Title 5, section 207.

See title page for effective date.

CHAPTER 336

H.P. 448 - L.D. 679

An Act Regarding Animals Abandoned by Tenants

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

Sec. 1. 7 MRSA §3919-B, first ¶, as enacted by PL 2003, c. 405, §9, is amended to read:

Notwithstanding sections 3913 and 3919-A and except as provided in Title 17, section 1021, when a person brings a pet to an animal shelter because the owner of that pet is incarcerated or hospitalized or under the process described in Title 14, section 6025-A, that person shall provide the animal shelter with the name and last known address of the pet's owner and the name and address of the a facility where the person is incarcerated or hospitalized. The person bringing the pet to the shelter shall also provide the shelter with that person's name and address and that person's relationship to the owner or the official capacity in which that person is acting to enforce the animal welfare laws. The animal shelter may accept the pet unless the shelter is in quarantine. An animal shelter accepting a pet under this section shall comply with the provisions of this section.

Sec. 2. 14 MRSA §6025, sub-§2, as enacted by PL 1981, c. 428, §10, is amended to read:

2. Landlord obligations. Except in the case of emergency or if it is impracticable to do so, the landlord shall give the tenant reasonable notice of his the landlord's intent to enter and shall enter only at reasonable times. Twenty-four hours is presumed to be a reasonable notice in the absence of evidence to the contrary. An emergency when the welfare of an animal is at risk as described in section 6025-A is grounds for permitting entry without 24 hours' notice.

Sec. 3. 14 MRSA §6025-A is enacted to read:

§6025-A. Access to care for animals

A landlord may require a tenant to provide information about any animal present in a rental unit and also require the name and contact information of one or more persons the tenant authorizes to enter the rental unit to retrieve the animal if the tenant has vacated the premises and abandoned the animal or the tenant is unable to care for the animal due to death or disability. The landlord may also require, as a condition of tenancy, that the tenant allow the landlord to enter the rental unit in the case of an emergency when the welfare of the animal is at risk to determine whether the animal has been abandoned or is in need of care.

If the landlord determines that a tenant with an animal has vacated the premises or is unable to care for the animal due to death or disability, the landlord may contact a person authorized by the tenant, a humane agent, an animal control officer or an animal shelter to pick up and care for the animal. If the landlord contacts a person identified under this paragraph to pick up and care for the animal and the landlord, within 5 days, sends by first-class mail to the tenant's last known address a notice containing the name, phone number and address of the person taking custody of the animal, the landlord is not liable in a civil action brought by the tenant for personal injury, death, property damage or other damages resulting from or arising out of an occurrence involving the animal.

If an animal shelter accepts an animal at the request of a person the landlord contacted to pick up and care for the animal under this section, the animal shelter shall comply with the provisions of Title 7, section 3919-B.

See title page for effective date.

CHAPTER 337

H.P. 871 - L.D. 1357

An Act to Impose an Expanded Prohibition on Lobbying for Former Executive Branch Employees

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

Sec. 1. 3 MRSA §318-A, as enacted by PL 2013, c. 288, §1, is amended by enacting at the end a new paragraph to read:

This section is repealed December 4, 2024.

Sec. 2. 3 MRSA §318-B is enacted to read:

§318-B. Former executive branch employee lobbying prohibited

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

A. "Classified service" has the same meaning as in Title 5, section 7032, subsection 3.

B. "Compensated lobbying" means lobbying conducted by an individual who is specifically employed by another person other than the State or an agency of the State for that purpose or lobbying conducted by an individual as a regular employee of another person other than the State or an agency of the State. "Compensated lobbying" does not include activities for which the individual receives no compensation other than reimbursement for lobbying-related travel within the State and reimbursement for other out-of-pocket expenditures made by the individual for printing, postage and food and lodging connected with lobbying activities paid for by the individual. For the purposes of this paragraph, "reimbursement for other out-of-pocket expenditures" does not include reimbursement for the individual's time spent lobbying that would have been otherwise compensated by an employer or in the course of the individual's employment.

C. "Employee from the executive branch in the unclassified service" has the same meaning as in Title 5, section 7032, subsection 6-A.

D. "Lobbying" has the same meaning as in section 312-A, subsection 9.