

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

13. **Data tracking.** The department shall track data for all prisoners who apply for supervised community confinement and approval, denial and, if approved, completion of the program. Such data must include, but is not limited to, demographic data regarding race and ethnicity, gender, age and convictions leading to the prisoner's current incarceration. The department shall publish on its publicly accessible website the data tracked pursuant to this subsection in a manner that does not violate the confidentiality requirements of section 1216 or any other provision of state or federal law.

See title page for effective date.

CHAPTER 400
S.P. 328 - L.D. 769

An Act to Reduce the Enrollment Requirement for Minor Political Parties That Seek Official Party Status

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

Sec. 1. 21-A MRSA §301, sub-§1, ¶E, as amended by PL 2021, c. 335, §1, is further amended to read:

E. The party's candidate for Governor or for President received at least 5% of the total votes cast in the State for Governor or for President in the last preceding gubernatorial or presidential election or at least ~~10,000~~ 5,000 voters were enrolled in the party as of the last general election, except that a qualified party does not have to meet the requirements of this paragraph until the 2nd general election after it has qualified and thereafter.

See title page for effective date.

CHAPTER 401
S.P. 323 - L.D. 764

An Act to Ensure That Effective Dates of First Special Session Direct Initiatives of Legislation Will Occur After the November 2023 Election

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 Constitution of Maine, Article IV, Part Third, Section 18 provides that the electors may propose to the Legislature, for its consideration, any bill, resolve or resolution by written petition, and the Maine Revised Statutes, Title 21-A, chapter 11 sets out

the procedure for such a people's direct initiative of legislation; and

Whereas, 4 direct initiatives were introduced during the First Special Session of the 131st Legislature; and

Whereas, 3 of those direct initiatives concern participation in the political process; and

Whereas, unless enacted by the Legislature without change, those direct initiatives will be presented to voters on the general election to be held on November 7, 2023; and

Whereas, participation in elections may entail "core political speech" protected by the First Amendment to the United States Constitution; and

Whereas, the Legislature desires to consider enacting one or more of the direct initiatives without change during the First Special Session of the 131st Legislature without affecting participation in the November general election; and

Whereas, the effective date of any direct initiative enacted during the First Special Session of the 131st Legislature, which is 90 days after adjournment, may occur during the November election cycle, which may result in a change to the election rules in the middle of an election and thereby affect participation in the November general election; and

Whereas, this Act seeks to delay the effective date of any direct initiative enacted during the First Special Session until after the November 2023 election in order to not affect participation in this election, but not to otherwise change the direct initiatives as proposed to the Legislature by the electors; 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. Effective date. Notwithstanding any provision of law to the contrary, bills enacted during the First Special Session of the 131st Legislature that are direct initiatives of legislation pursuant to the Constitution of Maine, Article IV, Part Third, Section 18 and are identified as L.D. 1610, "An Act to Prohibit Campaign Spending by Foreign Governments and Promote an Anticorruption Amendment to the United States Constitution," L.D. 1611, "An Act to Create the Pine Tree Power Company, a Nonprofit, Customer-owned Utility," and L.D. 1772, "An Act to Require Voter Approval of Certain Borrowing by Government-controlled Entities and Utilities and to Provide Voters More Information Regarding That Borrowing," have an effective date of January 1, 2024, unless the direct initiative provides for an

effective date later than January 1, 2024, in which case the effective date in that direct initiative applies.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective July 9, 2023.

**CHAPTER 402
H.P. 613 - L.D. 966**

An Act to Align the Automobile Title Requirements with Those of Antique Automobiles

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

Sec. 1. 29-A MRSA §652, sub-§13, as amended by PL 2009, c. 435, §10, is further amended to read:

~~13. Certain automobiles, commercial vehicles and vehicles~~ **Vehicles more than 25 years old.** ~~Automo-~~ **biles and all over-the-road commercial vehicles with a model year prior to 1995** ~~Vehicles more than 25 years old,~~ **except when the Secretary of State determines it is in the best interest of the State and the applicant to issue a title to a vehicle with a model year prior to 1995 more than 25 years old;**

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF Administration - Motor Vehicles 0077

Initiative: Provides one-time funding for computer programming updates.

HIGHWAY FUND	2023-24	2024-25
All Other	\$7,271	\$0
HIGHWAY FUND TOTAL	\$7,271	\$0

See title page for effective date.

**CHAPTER 403
S.P. 581 - L.D. 1463**

An Act to Amend the Definition of "Farming" Under the Motor Vehicle Laws to Include Equines Not Raised for Racing

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

Sec. 1. 29-A MRSA §101, sub-§17-A is enacted to read:

17-A. Commercial track. "Commercial track" has the same meaning as in Title 8, section 275-A, subsection 1.

Sec. 2. 29-A MRSA §101, sub-§23, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

23. Farming. "Farming" means engaging in farming in all its branches and the cultivation and tillage of the soil as a livelihood and includes dairying; raising livestock, equines not raised for racing at a commercial track, freshwater fish, fur-bearing animals or poultry; producing, cultivating, growing and harvesting fruit, produce or floricultural or horticultural commodities; or any practices on a farm that are incident to or in conjunction with these farming operations. For the purposes of this Title, "farming" does not include forestry, or the growing of timber or the operation of a farm for recreational activity.

Sec. 3. Report. By November 6, 2024, the Secretary of State shall provide a report to the joint standing committee of the Legislature having jurisdiction over transportation matters that describes the financial impact to the Bureau of Motor Vehicles from including "equines not raised for racing at a commercial track" in the definition of "farming" in the Maine Revised Statutes, Title 29-A, section 101, subsection 23. After reviewing the report, the joint standing committee may submit legislation relating to the report to the 132nd Legislature in 2025.

See title page for effective date.

**CHAPTER 404
S.P. 677 - L.D. 1690**

An Act Regarding Ongoing Absentee Voting and Tracking of Absentee Ballots

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

Sec. 1. 21-A MRSA §753-A, sub-§8, as enacted by PL 2021, c. 398, Pt. UUUU, §3 and affected by §7, is amended to read:

8. Application for ongoing absentee voter status. ~~A voter who will be at least 65 years of age by the next election or who self-identifies as having a disability~~ **may apply for status as an ongoing absentee voter. Each qualified applicant must automatically receive an absentee ballot for each ensuing statewide election, municipal election and any other election for which the voter is entitled to vote and need not submit a separate request for each election.**

A. An application for status as an ongoing absentee voter must be made by a voter using procedures designed by the Secretary of State. ~~These procedures~~