

# 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**

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.** ~~Automobiles 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
<b>HIGHWAY FUND TOTAL</b>	<b>\$7,271</b>	<b>\$0</b>

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~~

~~must include a process for notifying the voter that if the voter moves out of the municipality, that voter's status as an ongoing absentee voter in that municipality terminates.~~ A voter may obtain assistance in completing an application for ongoing absentee voter status pursuant to subsection 5.

B. The clerk or Secretary of State shall terminate a voter's ongoing absentee voter status only upon:

- (1) The written request of the voter;
- (2) The death or disqualification of the voter;
- (3) The cancellation of the voter's registration record in the central voter registration system;
- (4) The return of an absentee ballot as undeliverable; or
- ~~(5) The failure of the voter to vote by absentee ballot for a general election; or~~
- (6) The designation of the voter's status as inactive in the central voter registration system.

This subsection does not apply to uniformed service voters or overseas voters who are covered by the federal Uniformed and Overseas Citizens Absentee Voting Act, 52 United States Code, Section 20302 (2019).

**Sec. 2. Effective date.** This Act takes effect December 31, 2025.

Effective December 31, 2025.

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**CHAPTER 405  
H.P. 1289 - L.D. 2010**

**An Act to Correct  
Inconsistencies, Conflicts and  
Errors in the Laws of Maine**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** acts of this and previous Legislatures have resulted in certain technical inconsistencies, conflicts and errors in the laws of Maine; and

**Whereas,** these inconsistencies, conflicts and errors create uncertainties and confusion in interpreting legislative intent; and

**Whereas,** it is vitally necessary that these uncertainties and this confusion be resolved in order to prevent any injustice or hardship to the citizens of Maine; 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:**

**PART A**

**Sec. A-1. 3 MRSA §995, sub-§5,** as enacted by PL 2005, c. 682, §1, is amended to read:

**5. Coordination with State Auditor; complaints alleging fraud, waste, inefficiency or abuse.** The director may access confidential information disclosed by the State Auditor under Title 5, section ~~244-D~~ 244-E, subsection 3 in order to ensure appropriate agency referral or coordination between agencies to respond appropriately to all complaints made under Title 5, section ~~244-D~~ 244-E.

**Sec. A-2. 4 MRSA §116, first ¶,** as amended by PL 2021, c. 676, Pt. B, §1, is further amended to read:

All revenue received by the Supreme Judicial Court or Superior Court, whether directly or pursuant to an agreement entered into with the Department of Administrative and Financial Services, Bureau of Revenue Services, from fines, forfeitures, penalties, fees and costs accrues to the State, except as otherwise provided under section 1057; Title 7, section 3910-A; Title 12, section 10203; Title 17, section 1015; Title 23, section 1653; Title 29-A, section 2602; and Title 34-A, section ~~1210-D~~ 1210-E, subsection ~~§ 8~~.

**Sec. A-3. Effective date.** That section of this Part that amends the Maine Revised Statutes, Title 4, section 116 takes effect July 1, 2023.

**Sec. A-4. 4 MRSA §163, sub-§1,** as amended by PL 2021, c. 676, Pt. B, §2, is further amended to read:

**1. District Court funds.** Except as otherwise provided by law, all fines, forfeitures, surcharges, assessments and fees collected in any division of the District Court or by the violations bureau must be paid to the clerk of that District Court, who shall deposit them in a special account in a timely manner. Once each month, the clerk shall remit the sums to the Treasurer of State, who shall credit them to the General Fund. At the same time, the clerk shall remit the sums that have been collected in accordance with section 1057; Title 5, chapter 316-A; Title 7, section 3910-A; Title 17, section 1015; Title 29-A, section 2411, subsection 7; and Title 34-A, section ~~1210-D~~ 1210-E, subsection ~~§ 8~~. Funds received by the clerk as bail in criminal cases must be deposited daily in a special account. The clerk shall deposit the funds in an interest-bearing account unless the clerk determines that it is not cost-effective to do so. Interest accrued in the account is the property of and accrues to the State. The forfeiture and setoff of bail is governed as otherwise provided by law.