

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

SECOND REGULAR SESSION
January 2, 2008 to March 31, 2008

FIRST SPECIAL SESSION
April 1, 2008 to April 18, 2008

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 2008

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 18, 2008

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

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Lewiston, Maine
2008

life and safety of the victim and persons close to the victim.

By enacting these amendments, the Legislature intends to better protect victims from being intentionally harassed, terrified, threatened or intimidated by individuals who use a wide variety of methods to track, threaten and harass their victims. The goal is to authorize effective criminal intervention before stalking behavior results in serious physical and emotional harm and to increase penalties for escalating stalking behavior. One amendment is intended to make clear that stalking is criminal whether or not the victim knows about the stalking conduct.

The new provisions are drafted broadly to capture all stalking activity, including a stalker's use of new technologies. Presently, some stalkers use Global Positioning Satellite technology to monitor actions, disposable cell phones to make untraceable calls and keyloggers to capture private information from computers. In the future, new technologies not currently imagined will be used to the same ends. The Legislature intends that the use of such new technology be covered by this legislation.

See title page for effective date.

CHAPTER 686

S.P. 691 - L.D. 1897

An Act To Allow Blended Sentencing for Certain Juveniles

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

Sec. 1. 17-A MRSA §1259 is enacted to read:

§1259. Commitments to the Department of Corrections of bound-over juveniles who have not attained 16 years of age at the time of sentence imposition

A juvenile who has been bound over, pursuant to Title 15, section 3101, subsection 4, for a juvenile crime for which the juvenile had the burden of proof with respect to the finding of appropriateness, who is subsequently, as to the juvenile crime's adult counterpart, convicted and sentenced to a sentence alternative involving imprisonment and who has not attained 16 years of age at the time of sentence imposition must be committed to a Department of Corrections juvenile correctional facility for an indeterminate period not to extend beyond the juvenile's 18th birthday to serve the term of imprisonment or any unsuspended portion until discharge from the juvenile correctional facility and once discharged must be transferred to a Department of Corrections adult correctional facility to serve

out the remainder of the imprisonment term or unsuspended portion, if any.

Sec. 2. 34-A MRSA §3802, sub-§1, ¶G, as amended by PL 2007, c. 196, §7, is further amended to read:

G. To confine juveniles ordered confined pursuant to Title 12, sections 6004, 8004 and 10608 and Title 29-A, section 115; ~~and~~

Sec. 3. 34-A MRSA §3802, sub-§1, ¶H, as enacted by PL 2007, c. 196, §7, is amended to read:

H. To confine juveniles ordered confined pursuant to Title 15, section 3314, subsection 7; ~~and~~

Sec. 4. 34-A MRSA §3802, sub-§1, ¶I is enacted to read:

I. To confine juveniles committed to a juvenile correctional facility pursuant to Title 17-A, section 1259.

Sec. 5. 34-A MRSA §4102-A, sub-§1, ¶G, as amended by PL 2007, c. 196, §8, is further amended to read:

G. To confine juveniles ordered confined pursuant to Title 12, sections 6004, 8004 and 10608 and Title 29-A, section 115; ~~and~~

Sec. 6. 34-A MRSA §4102-A, sub-§1, ¶H, as enacted by PL 2007, c. 196, §8, is amended to read:

H. To confine juveniles ordered confined pursuant to Title 15, section 3314, subsection 7; ~~and~~

Sec. 7. 34-A MRSA §4102-A, sub-§1, ¶I is enacted to read:

I. To confine juveniles committed to a juvenile correctional facility pursuant to Title 17-A, section 1259.

See title page for effective date.

CHAPTER 687

H.P. 1520 - L.D. 2140

An Act To Protect Parties to Real Estate Transactions

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

Sec. 1. 36 MRSA §558-A is enacted to read:

§558-A. Liability for failure to pay prorated property taxes

1. Civil action authorized. If after a real estate closing in which the parties have prorated property taxes pursuant to section 558, any party knowingly fails to pay that party's share of the taxes, which results in a lien being filed, any other party to the trans-