

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 4, 2024 to March 21, 2025

FIRST SPECIAL SESSION
March 25, 2025 to June 25, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 20, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
SEPTEMBER 24, 2025

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

Augusta, Maine
2025

Sec. 5. 12 MRSA §8885, sub-§3, as amended by PL 2003, c. 452, Pt. F, §47 and affected by Pt. X, §2 and amended by PL 2011, c. 657, Pt. W, §7 and PL 2013, c. 405, Pt. A, §23, is further amended to read:

3. Reports. Reports required under subsections 1 and 2, 2-A and 2-B are due during the month of January for the preceding year. If the period of cutting under subsection 1 or 2 or 2-A extends beyond December 31st of any calendar year, a report must be submitted during the month of January for the preceding year. A person filing a harvest notification form pursuant to section 8883-B must complete and return to the bureau a harvest report whether or not the landowner has harvested that year.

See title page for effective date.

CHAPTER 97

H.P. 21 - L.D. 57

An Act to Enable Maine National Guard Commanders to More Efficiently Effect Disciplinary Measures Through the Maine Code of Military Justice

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

Sec. 1. 4 MRSA §807, sub-§3, ¶T, as amended by PL 2019, c. 597, §2, is further amended to read:

T. A marine patrol officer who is not an attorney but is representing the Department of Marine Resources in a libel proceeding before a District Court under Title 12, section 6207; ~~or~~

Sec. 2. 4 MRSA §807, sub-§3, ¶U, as enacted by PL 2019, c. 597, §3, is amended to read:

U. Practice, pursuant to a rule of the Supreme Judicial Court, by a law student enrolled in a law school accredited by the American Bar Association; ~~or~~

Sec. 3. 4 MRSA §807, sub-§3, ¶V is enacted to read:

V. An attorney certified by the judge advocate general of that attorney's respective military branch representing Maine National Guard members in proceedings conducted pursuant to Title 37-B, section 415-A.

Sec. 4. 37-B MRSA §148, as enacted by PL 1983, c. 460, §3, is amended to read:

§148. Discharge of enlisted persons and termination of officer appointments

An enlisted person discharged from the state military forces ~~shall~~ must receive a discharge in the form

and with the classification prescribed for the federal military establishment. Discharges may be given prior to the expiration of periods of enlistment under these regulations, not inconsistent with those established by the national military establishment for the government of the National Guard, ~~as the Governor may prescribe pursuant to rules adopted by the Adjutant General.~~

An officer discharged from the state military forces must receive a discharge in the form and with the classification prescribed for the federal military establishment. An officer's state appointment may be terminated prior to the expiration of periods of military obligation pursuant to rules adopted by the Adjutant General. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 5. 37-B MRSA §403, sub-§1, as amended by PL 2001, c. 662, §42, is further amended to read:

1. Active member. All members of the state military forces are subject to the Maine Code of Military Justice at all times ~~except when in federal service pursuant to United States Code, Title 10.~~

A. This code applies to members of the state military forces serving out-of-state and while going to and returning from service out-of-state to the same extent as a person serving within the State.

B. Offenses committed outside the State may be tried and punished either inside or outside the State subject to section 418.

Sec. 6. 37-B MRSA §415-A, sub-§1, ¶A, as enacted by PL 2001, c. 662, §48, is amended to read:

A. A ~~company grade officer~~ commander with the rank of captain or warrant officer commander below may impose one or more of the following punishments:

- (1) Forfeiture of up to one day's pay;
- (2) Up to 4 hours of extra duties; ~~or~~
- (3) Prohibition of promotion of up to one year; ~~or~~
- (4) Reduction of one grade for enlisted members in pay grade E-4 and below.

Sec. 7. 37-B MRSA §415-A, sub-§1, ¶B, as enacted by PL 2001, c. 662, §48, is amended to read:

B. A ~~field grade officer~~ commander with the rank of major may impose one or more of the following punishments:

- (1) Forfeiture of up to 3 days' pay;
- (2) Up to 8 hours of extra duties; ~~or~~
- (3) Prohibition of promotion of up to one year; ~~or~~

(4) Reduction of one grade for enlisted members in pay grade E-6 and below.

Sec. 8. 37-B MRSA §415-A, sub-§1, ¶C, as amended by PL 2013, c. 251, §5, is further amended to read:

~~C. An officer with~~ A commander with the rank of lieutenant colonel in the chain of command of an individual being considered for nonjudicial punishment and above may impose one or more of the following punishments:

- (1) Forfeiture of up to 5 days' pay;
- (2) Up to 16 hours of extra duties;
- (3) Prohibition of promotion of up to one year; or
- (4) Reduction of one grade for enlisted members.

Sec. 9. 37-B MRSA §460, as enacted by PL 2009, c. 406, §7, is amended to read:

§460. Behavior Conduct that is prejudicial to good order and discipline of military forces or that discredits is of a nature to discredit military forces

Any person subject to this Code who ~~behaves in a manner engages in conduct~~ that is prejudicial to the good order and discipline of the military forces or that discredits is of a nature to discredit the military forces must be punished as a court-martial may direct.

Sec. 10. 37-B MRSA §462, as enacted by PL 2019, c. 341, §15, is amended to read:

§462. Operating under the influence and driving to endanger

1. Prohibition; operating under the influence and driving to endanger. Any person subject to this Code who commits an offense prohibited under Title 29-A, section 2411 or 2413 is guilty of that offense under this Code.

2. Punishment. Any person subject to this Code who is found guilty of an offense prohibited under Title 29-A, section 2411 or 2413 may be punished as a court-martial may direct.

See title page for effective date.

CHAPTER 98

H.P. 22 - L.D. 58

An Act to Establish Certain Positions Within the Maine Bureau of Veterans' Services

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

Sec. 1. 37-B MRSA §503, sub-§1, as amended by PL 2009, c. 406, §8, is further amended to read:

1. Employment of personnel. The director may employ, subject to approval of the appointing authority and the Civil Service Law, the personnel necessary to administer this chapter. The director may employ a deputy director, a superintendent of the cemetery system, ~~a veteran claims specialist and veteran service officers~~ a deputy superintendent of the cemetery system, a supervisor of veterans' services, a deputy supervisor of veterans' services and veterans' services officers. The director and other employees referred to in this subsection must be veterans as defined by 38 United States Code, Section ~~401(2)~~ 101(2) who were separated with an honorable discharge.

See title page for effective date.

CHAPTER 99

S.P. 118 - L.D. 251

An Act to Protect the Confidentiality of Information of Individual Customers of a Public Utility

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

Sec. 1. 1 MRSA §402, sub-§3, ¶U, as amended by PL 2023, c. 618, §1, is further amended to read:

U. Records provided by a railroad company pursuant to Title 23, section 7311, subsection 5 and records describing hazardous materials transported by the railroad company in this State, the routes of hazardous materials shipments and the frequency of hazardous materials operations on those routes that are in the possession of a state or local emergency management entity or law enforcement agency, fire department or other first responder, except that records related to a train carrying hazardous materials that has derailed at any point from a main line train track or related to a discharge of hazardous materials transported by a railroad company that poses a threat to public health, safety and welfare are subject to public disclosure after that discharge. For the purposes of this paragraph, "hazardous material" has the same meaning as set forth in 49 Code of Federal Regulations, Section 105.5; ~~and~~

Sec. 2. 1 MRSA §402, sub-§3, ¶V, as enacted by PL 2017, c. 118, §3, is amended to read:

V. Participant application materials and other personal information obtained or maintained by a municipality or other public entity in administering a community well-being check program, except that a participant's personal information, including