

# 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. 19. 22 MRSA §9054, sub-§12**, as enacted by PL 2015, c. 299, §25, is amended to read:

**12. Appeal by individual.** The department shall establish procedures in accordance with the provisions of the Maine Administrative Procedure Act to ensure that each individual submitted for a background check in compliance with this chapter has the opportunity to challenge and correct errors in records created and generated by the Background Check Center. The subject of a state criminal record check may inspect and review criminal history record information pursuant to Title 16, section 709. The subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of a criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33.

**Sec. 20. 22 MRSA §9054, sub-§14**, as enacted by PL 2015, c. 299, §25, is amended to read:

**14. Approval of waiver.** The department shall specify in rule the criteria for issuing a waiver for a disqualifying offense. The waiver determination is based on a consideration of the facts and circumstances of the specific individual's ~~conviction~~ criminal history that include the passage of time, extenuating circumstances, a demonstration of rehabilitation and the relevancy of the particular disqualifying offense with respect to the current or prospective employment with a sponsoring employer. All waivers are contingent on a final determination by the department that the employer has reasonably determined that the health and safety of a protected individual is not in jeopardy and a denial of a waiver request is not otherwise warranted in accordance with federal or state law. A waiver is applicable only to the requesting employer and is not transferable between employers.

**Sec. 21. 22 MRSA §9056, sub-§2**, as amended by PL 2023, c. 241, §71, is further amended to read:

**2. Rap back monitoring program.** The bureau is authorized to initiate and provide services pursuant to ~~federal or state rap back monitoring~~ to report new criminal record events to the Background Check Center for noncriminal justice purposes. ~~The bureau is authorized as the State's noncriminal justice submitting entity for federal rap back monitoring.~~ Requests under the rap back monitoring program include the following procedures:

- A. The noncriminal justice submitting entity submits to an electronic repository the biometric identifier data of a direct access worker;
- B. The electronic repository retains the biometric identifier data for a period of time specified in the State's subscription with the electronic repository; and
- C. The electronic repository notifies the noncriminal justice submitting entity of any new criminal

record events tied to the biometric identifier data that may disqualify an individual from continued employment as a direct access worker.

**Sec. 22. 22 MRSA §9058-A, sub-§1**, as enacted by PL 2023, c. 241, §78, is amended to read:

**1. Background check.** Beginning ~~October 1, 2024~~, ~~an employer when biometric-based background check capability becomes available for a specified type of provider, a provider of that type~~ employing direct access workers ~~subject to this section~~ shall use the Background Check Center to secure a background check and a background check report using biometric identifier data for each direct access worker.

See title page for effective date.

---



---

## CHAPTER 244

### H.P. 781 - L.D. 1176

#### An Act to Provide for the Sustainable Management of Marine Resources and Create a Noncommercial Northern Shrimp License

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

**Sec. 1. 12 MRSA §6171-B, sub-§1**, as amended by PL 2003, c. 248, §2, is further amended to read:

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

A. "Emerging fishery" means the commercial fishing for any marine organism, except herring and groundfish species, that requires a commercial fishing license issued under section 6501 or a commercial pelagic and anadromous fishing license issued under section 6502-A.

B. "Endorsement" means an authorization, identified on a commercial fishing license issued under section 6501 or a commercial pelagic and anadromous fishing license issued under section 6502-A, to harvest, possess, transport and sell a specific marine organism for which there is an emerging fishery.

**Sec. 2. 12 MRSA §6171-B, sub-§2**, as enacted by PL 1999, c. 297, §1, is amended to read:

**2. Determination of sustainability.** The commissioner may investigate conditions affecting marine resources and, with the advice and consent of the Marine Resources Advisory Council, may require a person to hold an endorsement to participate in an emerging fishery if the commissioner determines that a marine organism or its habitat is under increasing pressure that could

impact its sustainability or if the commissioner determines that a marine organism is becoming established in the waters of this State and that access to that marine organism must be limited to ensure its sustainable management. The commissioner shall ensure that emerging fisheries do not develop at a rate that is not sustainable on a long-term basis.

Harvesters involved in an emerging fishery may petition the commissioner to investigate the sustainability of that emerging fishery.

**Sec. 3. 12 MRSA §6171-B, sub-§4,** as enacted by PL 1999, c. 297, §1, is amended to read:

**4. Endorsement required.** Notwithstanding ~~sections~~ sections 6501 and 6502-A, a person may not fish for, take, possess, ship, transport or sell a marine organism for which an endorsement is required pursuant to subsection 2 unless that person holds a current commercial fishing license or a commercial pelagic and anadromous fishing license with an endorsement for that organism, except that a license with an endorsement is not required for that person to fish for, take, possess or transport the organism only for personal use.

A fee may not be charged for an endorsement required pursuant to this section.

**Sec. 4. 12 MRSA §6804,** as amended by PL 2017, c. 346, §§1 and 2, is further amended to read:

**§6804. ~~Commercial northern~~ Northern shrimp license**

**1. License required.** A person may not engage in the activities authorized under this section without a current:

- A. Resident commercial northern shrimp license;
- B. Resident with crew commercial northern shrimp license; ~~or~~
- C. Nonresident with crew commercial northern shrimp license; or
- D. Resident noncommercial northern shrimp license.

**2. Licensed activities.** Except as limited pursuant to subsection 2-A, ~~the holder of a commercial northern shrimp license may fish for or take shrimp or possess, ship, transport or sell northern shrimp that the license holder has taken. A license issued under subsection 7, paragraph B or C also authorizes unlicensed crew members aboard the vessel declared by the license holder to engage in these activities;~~

A. A holder of a commercial northern shrimp license may fish for or take northern shrimp or possess, ship, transport or sell northern shrimp that the license holder has taken. A license issued under subsection 7, paragraph B or C also authorizes unlicensed crew members aboard the vessel declared

by the license holder to engage in these activities; and

B. A holder of a resident noncommercial northern shrimp license may fish for or take northern shrimp or possess, ship or transport northern shrimp that the license holder has taken.

**2-A. Licenses Commercial licenses limited.** The commissioner may establish by rule a system to limit the number of commercial northern shrimp licenses issued under this section when the total allowable catch for northern shrimp established for Maine by the Atlantic States Marine Fisheries Commission is less than 2,000 metric tons. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Prior to initiating rulemaking, the commissioner shall consult with members of the northern shrimp industry, including individuals who are eligible to obtain a license that allows fishing for or taking northern shrimp and holders of a license or permit issued under chapter 625 that allows wholesale or retail activity involving northern shrimp.

The commissioner shall provide a report regarding management of the northern shrimp resource and the northern shrimp fishing industry to the joint standing committee of the Legislature having jurisdiction over marine resources matters by January 15th of the year following a year in which the commissioner limited the number of licenses issued under this section. The joint standing committee may report out legislation to the session of the Legislature in which the report was received regarding management of the northern shrimp resource or the northern shrimp fishing industry.

**3. Boat Commercial license holder boat declaration.** The commercial license holder shall declare the name of the vessel to be used for fishing under the commercial northern shrimp license at the time of application for the license and may not change that declaration during the license year unless the original vessel is sold and replaced, has been damaged and will be under repair for not less than one month or has been destroyed or lost.

~~**5. Exemption.** Notwithstanding subsection 1, a license is not required to fish for, take, possess or transport up to one standard fish tote of northern shrimp only for personal use. This exemption does not apply to an individual whose ability to obtain a commercial northern shrimp license has been suspended by the commissioner.~~

**6. Eligibility.** A commercial northern shrimp license may be issued only to an individual.

**7. Fees.** Fees for the ~~commercial~~ northern shrimp license are as follows:

- A. Thirty-eight dollars for a resident commercial license that authorizes the license holder to engage

in the licensed activities under subsection 2, paragraph A;

B. One hundred three dollars for a resident commercial license that authorizes the license holder and crew members to engage in the licensed activities under subsection 2, paragraph A; ~~and~~

C. Three hundred eighty-five dollars for a nonresident commercial license that authorizes the license holder and crew members to engage in the licensed activities under subsection 2, paragraph A; and

D. Twenty dollars for a resident noncommercial license that authorizes the license holder to engage in the licensed activities under subsection 2, paragraph B.

**8. Disposition of fees.** Fees for ~~commercial~~ northern shrimp licenses must be deposited in the Shrimp Management Fund established in section 6805 as follows:

A. Thirty-three dollars for a resident commercial license that authorizes the license holder to engage in the licensed activities under subsection 2, paragraph A;

B. Eighty-nine dollars for a resident commercial license that authorizes the license holder and crew members to engage in the licensed activities under subsection 2, paragraph A; ~~and~~

C. Three hundred thirty-four dollars for a nonresident commercial license that authorizes the license holder and crew members to engage in the licensed activities under subsection 2, paragraph A; and

D. Twenty dollars for a resident noncommercial license that authorizes the license holder to engage in the licensed activities under subsection 2, paragraph B.

**9. Violation.** A person who violates this section commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

**Sec. 5. 12 MRSA §6805, sub-§3,** as enacted by PL 1999, c. 491, §5, is amended to read:

**3. Source of revenue.** In addition to the fees derived from the commercial and noncommercial northern shrimp license licenses, the fund may receive money from any source for the purposes described in subsection 2.

See title page for effective date.

---

**CHAPTER 245  
H.P. 784 - L.D. 1179**

**An Act Regarding Safety from  
Fire for Recreational Vehicles**

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

**Sec. 1. 25 MRSA §2452, first ¶,** as repealed and replaced by PL 2011, c. 691, Pt. A, §25, is amended to read:

The Commissioner of Public Safety shall adopt and may amend rules governing the safety to life from fire in or around all buildings or other structures, recreational vehicles as defined in National Fire Protection Association standard 1192 and mass outdoor gatherings, as defined in Title 22, section 1601, subsection 2, within the commissioner's jurisdiction. Automatic sprinkler systems may not be required in existing noncommercial places of assembly. Noncommercial places of assembly include those facilities used for such purposes as deliberation, worship, entertainment, amusement or awaiting transportation that have a capacity of 100 to 300 persons. Automatic sprinkler systems may not be required in existing commercial places of assembly that are open for no more than 50 days per calendar year. "Commercial places of assembly" includes bars with live entertainment, dance halls, nightclubs, assembly halls with large open areas in which patrons stand or sit, commonly referred to as "festival seating," and restaurants. Rules adopted pursuant to this section are routine technical rules, except that rules pertaining to fire sprinklers are major substantive rules, both of which are defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. 25 MRSA §2452, sub-§3,** as amended by PL 2003, c. 535, §3, is further amended to read:

**3. Violation.** A person who violates a rule issued by the commissioner under this section commits a Class E crime. Violation of this section is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.

**Sec. 3. Report.** The Department of Public Safety, Office of the State Fire Marshal, shall notify the joint standing committee of the Legislature having jurisdiction over housing matters if the department proposes to adopt through rulemaking the National Fire Protection Association standard 1192 on recreational vehicles.

See title page for effective date.

---