

MAINE STATE LEGISLATURE

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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

commits a Class E crime, except that, notwithstanding Title 17-A, section 1704, the fine may not be less than \$1,000 nor more than \$10,000.

2. Issuance. The commissioner may issue a permit to a person permitting that person to ~~take and~~ transport within the limits of the State fish taken in the State ~~for breeding or advertising purposes.~~

Sec. 11. 12 MRSA §12557 is enacted to read:
§12557. Disposal of live baitfish or smelts

1. Prohibition. A person may not dispose of any live baitfish or smelts into inland waters of the State.

2. Penalty. The following penalties apply to violations of this section.

A. A person who violates subsection 1 commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

B. A person who violates subsection 1 after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

See title page for effective date.

CHAPTER 344

H.P. 1130 - L.D. 1695

An Act to Require Law Enforcement Agencies to Adopt Written Policies Regarding Sex Trafficking and Commercial Sexual Exploitation

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

Sec. 1. 25 MRSA §2803-B, sub-§1, ¶N, as amended by PL 2023, c. 394, Pt. A, §8, is further amended to read:

N. Unannounced execution of search warrants; ~~and~~

Sec. 2. 25 MRSA §2803-B, sub-§1, ¶O, as enacted by PL 2023, c. 394, Pt. A, §9, is amended to read:

O. By January 1, 2024, the confidentiality of attorney-client communications, which must include, at a minimum, processes to protect and ensure confidentiality of attorney-client communications and processes to be followed in the event that there is a breach of attorney-client confidentiality; ~~and~~

Sec. 3. 25 MRSA §2803-B, sub-§1, ¶P is enacted to read:

P. Persons who are believed to be experiencing sex trafficking or commercial sexual exploitation.

See title page for effective date.

CHAPTER 345

H.P. 1152 - L.D. 1725

An Act to Require Reporting Regarding County Jail Boards of Visitors

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

Sec. 1. 30-A MRSA §1651, sub-§4, ¶F, as enacted by PL 2023, c. 383, §1, is amended to read:

F. Each board of visitors shall share copies of that board's annual report with ~~the other boards of visitors of that sheriff's office~~ each other board of visitors appointed pursuant to this section.

Sec. 2. Board of visitors report. By December 3, 2025, the sheriff for each county shall submit a report to the Joint Standing Committee on Criminal Justice and Public Safety regarding the status of board of visitors vacancies for each jail or other county correctional facility under the sheriff's supervision. The report must include, at a minimum, for each jail or other county correctional facility, what actions the sheriff is taking to ensure that the board of visitors of the jail or facility is meeting its statutory membership requirements; what current difficulties the jail or facility is facing in meeting board of visitors membership requirements; how many members are currently appointed to the board of visitors; and whether the board of visitors is inactive and, if so, for how long it has been inactive. The committee may submit legislation based on the report to the Second Regular Session of the 132nd Legislature.

See title page for effective date.

CHAPTER 346

S.P. 687 - L.D. 1769

An Act to Ensure Data Reporting for Temporary Nurse Agencies

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

Sec. 1. 22 MRSA §2131, sub-§1, as amended by PL 2023, c. 434, §1, is further amended to read:

1. Registration; renewal. A temporary nurse agency shall register with the department and renew the registration annually. In the event of a change of ownership, operation or location of the temporary nurse

agency, the temporary nurse agency shall update the registration in accordance with rules adopted by the department. For purposes of this chapter, unless the context otherwise indicates, "temporary nurse agency" means a business entity or subdivision of a business entity that primarily provides or procures nurses, certified nursing assistants and other qualified staff to another organization on a temporary basis within this State. "Temporary nurse agency" includes an online platform or marketplace that advertises for and assists or facilitates placement of temporary nurses, certified nursing assistants or other qualified staffing in an organization within the State. ~~A temporary~~ "Temporary nurse agency" does not include an agency licensed in this State as a home health care services provider.

Sec. 2. 22 MRSA §2131, sub-§1-B, as enacted by PL 2023, c. 434, §2, is amended to read:

1-B. Employee quality assurance. A temporary nurse agency shall ensure that each employee the agency assigns or refers to a health care facility for a position meets the state and federal qualification requirements for that position and has the appropriate work experience for that position. A temporary nurse agency shall use the Background Check Center, established in section 9052, for direct access workers, as defined in section 9053, subsection 14. A temporary nurse agency shall maintain a record for each employee that must include documented evidence of credentials and required immunizations and documentation of any orientation, in-service education and completion of training or an educational program required by law. On request, a temporary nurse agency shall make available a record described in this subsection to the department. On request by a health care facility and with justification according to rules adopted by the department, a temporary nurse agency shall provide a record described in this subsection for an employee of that health care facility to that health care facility.

Sec. 3. 22 MRSA §2131, sub-§4, ¶D is enacted to read:

D. The department may enter into a consent agreement with an applicant or registrant to resolve any matter arising under this chapter, chapter 417-A, chapter 1691 or a rule adopted by the department without further proceedings. A consent agreement may be entered into pursuant to this paragraph only with the consent of the applicant or registrant, the department and the Office of the Attorney General. Any remedy, penalty or fine that is otherwise available by law, even if only in the jurisdiction of the courts of this State, may be achieved by a consent agreement entered into pursuant to this paragraph.

See title page for effective date.

CHAPTER 347 S.P. 714 - L.D. 1832

An Act to Clarify Available Relief for the Protection of At-risk Children

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

Sec. 1. 4 MRSA §152, sub-§16, as enacted by PL 2019, c. 366, §3, is amended to read:

16. At-risk noncitizen ~~children~~; petitions and motions. Jurisdiction over petitions and motions regarding the protection, well-being, care and custody of unmarried noncitizens ~~18 years of age or older and~~ under 21 years of age pursuant to Title 19-A, section 1511 and Title 22, chapter 1071, subchapter 17.

Sec. 2. 18-C MRSA §5-104, sub-§1-A, as enacted by PL 2019, c. 366, §4, is amended to read:

1-A. At-risk noncitizen ~~petitions children~~; motions. The court has ~~original~~ jurisdiction over a ~~petition~~ motion regarding the protection, well-being, care and custody of an unmarried noncitizen pursuant to Title 22, chapter 1071, subchapter 17 who has not attained 18 years of age.

Sec. 3. 19-A MRSA §1511 is enacted to read:

§1511. At-risk noncitizen children

In a court action under this Title involving parental rights and responsibilities, a court may adjudicate a motion under Title 22, section 4099-I, subsection 9 for special findings for at-risk noncitizen children.

Sec. 4. 22 MRSA §4099-I, as enacted by PL 2019, c. 366, §5, is amended to read:

§4099-I. At-risk noncitizen children

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

A. "At-risk" means there is reasonable cause to suspect that a child's health, safety and welfare ~~is in jeopardy~~ has been affected due to abuse, neglect, abandonment or similar circumstances and that return to the child's or the child's parent's country of ~~origin~~ nationality or country of last habitual residence would not be in the best interest of the child.

B. Notwithstanding section 4002, subsection 2, "child" means an unmarried person who has not attained 21 years of age.

C. "Court" ~~includes~~ or "juvenile court" means any court in the State with jurisdiction to make judicial determinations about the dependency, custody or care of children or parental rights and responsibilities with regard to children, including, but ~~is not~~