

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

CHAPTER 496
H.P. 794 - L.D. 1189

**An Act to Allow an Attorney
for the State to Determine
Whether to Charge Certain
Class E Crimes as Civil
Violations**

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

Sec. 1. 17-A MRSA §19-A is enacted to read:

§19-A. Election to charge Class E crime as civil violation

1. For purposes of this section, "eligible Class E crime" means any Class E crime, except a Class E crime:

A. In Title 21-A; or

B. For which the defendant, if convicted, would be eligible for probation or subject to a mandatory driver's license suspension.

2. The attorney for the State may elect to charge a defendant alleged to have committed an eligible Class E crime with a civil violation instead of the eligible Class E crime unless the defendant was arrested and objects to the substitution of a civil violation charge. In deciding whether to make this election, the attorney for the State shall consider the severity of the defendant's conduct, the impact of the conduct on the victim, any prior convictions or adjudications entered against the defendant and any other factor relevant to whether a criminal or civil sanction will best accomplish the purposes of the general sentencing provisions in that particular case.

3. The determination by the attorney for the State under this section is not subject to judicial review. For a person who is charged with and adjudicated as having committed a civil violation under this section, a penalty of not more than \$1,000 may be adjudged. The court shall inform the Secretary of State of any Class E crime under Title 29-A, including the relevant statutory section, that was reduced to a civil violation when a person is adjudicated of a civil violation under this section.

4. If the attorney for the State elects to charge a defendant with a civil violation instead of a Class E crime under Title 29-A and the defendant is adjudicated as having committed the civil violation, the court shall include in the abstract transmitted pursuant to Title 29-A, section 2607 information on the Class E crime, including the statutory citation, that the attorney for the State elected not to charge.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District 0063

Initiative: Provides one-time funding associated with programming costs.

GENERAL FUND	2025-26	2026-27
All Other	\$3,900	\$0
GENERAL FUND TOTAL	\$3,900	\$0

Sec. 3. Effective date. This Act takes effect January 1, 2026.

Effective January 1, 2026.

CHAPTER 497

S.P. 506 - L.D. 1217

**An Act Regarding the New
Markets Tax Credit and the
Maine New Markets Capital
Investment Program**

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

Sec. 1. 10 MRSA §1100-Z, sub-§3, ¶B-1 is enacted to read:

B-1. A qualified community development entity that is a Maine fund that seeks an allocation of tax credit authority shall submit an application to the authority on a form that the authority provides.

(1) In addition to the requirements specified in paragraph B, subparagraphs (1) and (4), the applicant shall include in the application evidence that the applicant is a qualified community development entity with its principal business operation in the State for at least 60 months.

(2) As used in this paragraph, "Maine fund" means a qualified community development entity as defined in Section 45D(c) of the United States Internal Revenue Code of 1986, as amended, that has its principal place of business in the State.

A Maine fund that meets the requirements of this paragraph is qualified as a community development entity.

Sec. 2. 10 MRSA §1100-Z, sub-§3, ¶F, as enacted by PL 2011, c. 380, Pt. Q, §1 and affected by §7, is amended to read:

F. Within 24 months with respect to program 1 tax credit authority and 12 months with respect to program 2 tax credit authority, after receipt of the notice of the allocation of tax credit authority, the qualified community development entity shall issue the qualified equity investments or long-term debt securities and receive cash in the amount of