

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

3-A. In connection with collecting a debt, a delinquency charge under subsection 1, paragraph A may not be collected on a payment if the only delinquency is attributable to late fees or delinquency charges assessed on earlier installments, and the payment is otherwise a full payment for the applicable period and is paid on its due date, or within the applicable grace period. For the purposes of this subsection, "collecting a debt" means any activity, other than the use of judicial process, that is intended to bring about or does bring about repayment of all or part of the money due or alleged to be due from a consumer.

See title page for effective date.

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**CHAPTER 136**

**S.P. 245 - L.D. 707**

**An Act Regarding the Development and Implementation of an Eradication Plan for Invasive Aquatic Plants**

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

**Sec. 1. 38 MRSA §410-N, sub-§3, ¶C** is enacted to read:

C. The department may study and develop a plan that includes the use of water level draw-down for the eradication of invasive aquatic plants. If determined feasible by the department, the department may implement a plan developed pursuant to this paragraph. The department may seek funding from private sources to support the activities described in this paragraph.

See title page for effective date.

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**CHAPTER 137**

**S.P. 205 - L.D. 596**

**An Act To Improve the Effectiveness of the Maine Coastal and Inland Surface Oil Clean-up Fund**

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

**Sec. 1. 38 MRSA §551, sub-§1-B,** as enacted by PL 1993, c. 720, §3, is amended to read:

**1-B. Research and development.** The Legislature may allocate not more than ~~\$100,000~~ **\$250,000** per annum of the amount currently in the fund to be

devoted to research and development in the causes, effects and removal of pollution caused by oil, petroleum products and their by-products on the marine environment. Researchers receiving funds under this subsection shall use vessels based in this State as platforms when practicable. Such allocations must be made in accordance with section 555. This subsection takes effect July 1, 1996.

See title page for effective date.

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**CHAPTER 138**

**H.P. 528 - L.D. 722**

**An Act to Protect Against Unlawful Sexual Touching**

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

**Sec. 1. 17-A MRSA §251, sub-§1, ¶G** is enacted to read:

G. "Sexual touching" means any touching of the breasts, buttocks, groin or inner thigh, directly or through clothing, for the purpose of arousing or gratifying sexual desire.

**Sec. 2. 17-A MRSA §254, sub-§1, ¶¶D and E,** as enacted by PL 2001, c. 383, §21 and affected by §156, are amended to read:

D. The person violates paragraph C and the actor knows that the student is related to the actor within the 2nd degree of consanguinity. Violation of this paragraph is a Class D crime; or

E. The person violates paragraph C and the actor is at least 10 years older than the student. Violation of this paragraph is a Class D crime; or

**Sec. 3. 17-A MRSA §254, sub-§1, ¶F** is enacted to read:

F. The person intentionally subjects another person, not the actor's spouse, who is either 14 or 15 years of age to any sexual contact and the actor is at least 10 years older than the other person. Violation of this paragraph is a Class D crime.

**Sec. 4. 17-A MRSA §254, sub-§2,** as amended by PL 2001, c. 383, §21 and affected by §156, is further amended to read:

**2.** It is a defense to a prosecution under subsection 1, paragraphs A, A-1 ~~and~~, A-2 ~~and~~ F, that the actor reasonably believed the other person is at least 16 years of age.

**Sec. 5. 17-A MRSA §260** is enacted to read: