

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2016 to April 29, 2016

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 29, 2016

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

Augusta, Maine
2016

subsection 1 for the purposes of the Criminal History Record Information Act or as defined in Title 16, section 803, subsection 2 for the purposes of the Intelligence and Investigative Record Information Act, the administration of juvenile criminal justice as defined in Title 15, section 3308, subsection 7, paragraph A, subparagraph (2) or the administration of juvenile justice and who is certified by the Board of Trustees of the Maine Criminal Justice Academy as a full-time law enforcement officer.

Sec. 15. 34-A MRSA §1001, sub-§19, as amended by PL 2013, c. 267, Pt. B, §26, is repealed.

Sec. 16. 34-A MRSA §1001, sub-§22 is enacted to read:

22. Administration of juvenile justice. "Administration of juvenile justice" has the same meaning as in Title 15, section 3308-A, subsection 1, paragraph A.

Sec. 17. 34-A MRSA §1214, sub-§4, as enacted by PL 2001, c. 439, Pt. G, §1, is amended to read:

4. Confidentiality. Requests for action by the office must be treated confidentially and may be disclosed only to a state agency if necessary to carry out the statutory functions of that agency or to a criminal justice agency if necessary to carry out the administration of criminal justice as defined in Title 16, section 703, subsection 1 or the administration of juvenile criminal justice. In no case may a victim's request for notice of release be disclosed outside the department and the office of the attorney for the State with which the request was filed.

Sec. 18. 34-A MRSA §1216, sub-§1, ¶D, as repealed and replaced by PL 2013, c. 588, Pt. A, §44, is amended to read:

D. To any criminal justice agency if necessary to carry out the administration of criminal justice as defined in Title 16, section 703, subsection 1 or the administration of juvenile criminal justice or for criminal justice agency employment;

Sec. 19. 34-A MRSA §3011, sub-§1, as amended by PL 2013, c. 80, §6, is further amended to read:

1. Exercise of law enforcement powers. Investigative officers and other employees of the department who are certified by the Board of Trustees of the Maine Criminal Justice Academy as law enforcement officers may exercise the powers of other law enforcement officers with respect to crimes or juvenile crimes relating to the security or orderly management of a facility and engage in any other activity that is related to the administration of criminal justice or as defined in Title 16, section 703, subsection 1 for the purposes of the Criminal History Record Information Act or as defined in Title 16, section 803, subsection 2

for the purposes of the Intelligence and Investigative Record Information Act, the administration of juvenile criminal justice as defined in Title 15, section 3308, subsection 7, paragraph A, subparagraph (2) or the administration of juvenile justice, if authorized to exercise these powers by the commissioner. These employees may issue administrative subpoenas, if authorized to exercise these powers by the commissioner and by the Attorney General or the Attorney General's designee. These powers are in addition to any powers the employees may otherwise have as employees of the department. Internal investigations of employees of the department must be conducted pursuant to any applicable collective bargaining agreement.

See title page for effective date.

CHAPTER 471

S.P. 692 - L.D. 1683

An Act To Increase Penalties for the Use of Violence against Firefighters

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

Sec. 1. 17-A MRSA §752-C, sub-§2, as enacted by PL 1997, c. 470, §1, is amended to read:

2. As used in this section, "emergency medical care provider" includes hospital personnel assisting in an emergency and emergency medical services persons, defined in Title 32, section 83, subsection 12, but does not include a firefighter as defined in section 752-E, subsection 2.

Sec. 2. 17-A MRSA §752-E is enacted to read:

§752-E. Assault on a firefighter

1. A person is guilty of assault on a firefighter if that person intentionally, knowingly or recklessly causes bodily injury to a firefighter while the firefighter is providing emergency services.

2. As used in this section, "firefighter" means a municipal firefighter or volunteer firefighter as defined in Title 30-A, section 3151, subsections 2 and 4, respectively. As used in this section, "provide emergency services" has the same meaning as in Title 30-A, section 3151, subsection 1-A.

3. Assault on a firefighter is a Class C crime.

See title page for effective date.
