

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 2016 to August 2, 2017

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
NOVEMBER 1, 2017

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

Augusta, Maine
2017

health care practitioner is located that such a forensic examination has been performed and a forensic examination kit has been completed under Title 24, section 2986, subsection 5.

Sec. 5. Rulemaking; exemption from Maine Administrative Procedure Act. The Department of Public Safety shall amend its rules implementing the Maine Revised Statutes, Title 25, sections 2915 and 3821 to reflect the changes set forth in this Act; and, notwithstanding Title 5, Part 18, or any other provision of law to the contrary, rule amendments adopted in accordance with this section are not subject to the requirements of the Maine Administrative Procedure Act.

Sec. 6. Rulemaking. The Victims' Compensation Board shall amend the rules on reimbursement by the Victims' Compensation Fund for use of forensic examination test kits in certain instances of sexual assault as provided in this Act by January 1, 2018. Rules adopted pursuant to this section are routine technical rules as defined by the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. 7. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 25, chapter 407, in the chapter headnote, the words "transportation and storage of forensic examination kits for alleged victims of gross sexual assault" are amended to read "transportation and storage of forensic examination kits for alleged victims of sexual assault" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

CHAPTER 157

S.P. 474 - L.D. 1387

An Act Regarding the Threatened Use of Force in the Crime of Robbery

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

Sec. 1. 17-A MRSA §651, sub-§1, ¶B, as amended by PL 2001, c. 383, §73 and affected by §156, is further amended to read:

B. The actor threatens to use force against any person present or otherwise intentionally or knowingly places any person present in fear of the imminent use of force with the intent:

(1) To prevent or overcome resistance to the taking of the property, or to the retention of the property immediately after the taking; or

(2) To compel the person in control of the property to give it up or to engage in other conduct that aids in the taking or carrying away of the property.

Violation of this paragraph is a Class B crime;

See title page for effective date.

CHAPTER 158

H.P. 986 - L.D. 1432

An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Advance Payment of Costs for Public Records Requests

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

Sec. 1. 1 MRSA §408-A, sub-§8, ¶F is enacted to read:

F. An agency or official may require payment of all costs before the public record is provided to the requester.

See title page for effective date.

CHAPTER 159

H.P. 993 - L.D. 1438

An Act To Improve the Aquaculture Leasing and Licensing Laws

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

Sec. 1. 12 MRSA §6052, sub-§3, as amended by PL 2003, c. 660, Pt. A, §2, is further amended to read:

3. Marketing. ~~Except for aquaculture, serve~~ Serve as the primary state agency providing promotional and marketing assistance to the commercial fishing industries, including assisting in marketing seafood, stimulating of consumer interest in and consumption of seafood, increasing the sales of seafood domestically and abroad, supporting and expanding existing markets and developing new markets for traditional and underutilized species;

Sec. 2. 12 MRSA §6072, sub-§2, ¶A, as enacted by PL 1977, c. 661, §5, is amended to read:

A. A lease ~~shall~~ may not exceed a term of ~~40~~ 20 years;