

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**October 23, 2017 to November 6, 2017**

**SECOND REGULAR SESSION**  
**January 3, 2018 to May 2, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 5, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 1, 2018**

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

---

---

**Augusta, Maine**  
**2018**

bodies of the newly created administrative unit and must provide that the governing body may not be elected simultaneously with the vote on the article to withdraw unless the commissioner finds there are extenuating circumstances that necessitate simultaneous elections.

(12) The agreement must contain provisions to provide child nutrition services in compliance with state and federal laws at schools operated by the petitioning municipality.

(13) The agreement must include an anticipated budget for the petitioning municipality for the first year of operation of schools operated by the petitioning municipality. The budget must include an estimate of all revenues and expenditures in accordance with the cost center summary budget format pursuant to section 1485.

**Sec. 2. 20-A MRSA §1466, sub-§5, ¶A,** as enacted by PL 2009, c. 580, §9, is amended to read:

A. The commissioner shall determine the date upon which the voters of the petitioning municipality must vote upon the agreement submitted to them. The election must be held as soon as practicable, and the commissioner shall attempt to set the date of the vote to coincide with a statewide election. The commissioner shall set a date that allows determination of the vote no later than November 30th of the year prior to the intended July 1st effective operational date for the schools of the withdrawn municipality.

See title page for effective date.

---



---

## CHAPTER 386

### H.P. 1185 - L.D. 1705

#### An Act To Strengthen Crime Victims' Rights

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

**Sec. 1. 17-A MRSA §1175,** as amended by PL 2017, c. 128, §§1 to 3, is further amended to read:

**§1175. Notification of defendant's release or escape**

Upon complying with subsection 1, a victim of a crime of murder or of a Class A, Class B or Class C crime or of a Class D crime under chapters 9, 11 and 12 for which the defendant is committed to the Department of Corrections or to a county jail or is committed to the custody of the Commissioner of Health and Human Services either under Title 15, section 103 after having been found not criminally responsible by reason of insanity or under Title 15, section 101-D

after having been found incompetent to stand trial must receive notice of the defendant's unconditional release and discharge from institutional confinement upon the expiration of the sentence or upon release from commitment under Title 15, section 101-D or upon discharge under Title 15, section 104-A ~~and~~; must receive notice of any conditional release of the defendant from institutional confinement, including probation, supervised release for sex offenders, parole, furlough, work release, funeral or deathbed visit, supervised community confinement, home release monitoring or similar program, administrative release or release under Title 15, section 104-A; and must receive notice of the defendant's escape from the Department of Corrections, the custody of the Commissioner of Health and Human Services or the county jail to which the defendant is committed. For purposes of this section, "victim" also includes a person who has obtained under Title 19-A, section 4007 an active protective protection order or approved consent agreement against the defendant.

1. A victim who wishes to receive notification must file a request for notification of the defendant's release or escape with the office of the attorney for the State. The attorney for the State shall forward this request form to the Department of Corrections, to the state mental health institute or to the county jail to which that defendant is committed. Notwithstanding this subsection, a victim who wishes to receive notification regarding a defendant who is committed to the Department of Corrections may file a request for notification of the defendant's release or escape directly with the Department of Corrections.

2. The Department of Corrections, the state mental health institute or the county jail to which the defendant is committed shall keep the victim's written request in the file of the defendant and shall notify the victim by mail of any impending release as soon as the release date is set or, if the defendant has escaped, by the quickest means reasonably practicable. This notice must be mailed to the address provided in the request or any subsequent address provided by the victim.

3. ~~The~~ If the defendant is being released, the notice required by this section must contain:

A. The name of the defendant;

B. The nature of the release authorized, whether it is a conditional release, including probation, supervised release for sex offenders, parole, furlough, work release, funeral or deathbed visit, supervised community confinement, home release monitoring or a similar program, administrative release or release under Title 15, section 104-A, or an unconditional release and discharge upon release from commitment under Title 15, section 101-D or upon the expiration of a sentence or upon discharge under Title 15, section 104-A;

C. The anticipated date of the defendant's release from institutional confinement and any date on which the defendant must return to institutional confinement, if applicable;

D. The geographic area to which the defendant's release is limited, if any;

E. The address at which the defendant will reside; and

F. The address at which the defendant will work, if applicable.

3-A. If the defendant has escaped, the notice required by this section must contain the name of the defendant, the manner of the escape, the place from which the defendant escaped and the date of the escape.

4. The notice requirement under this section ends when:

A. Notice has been provided of an unconditional release or discharge upon the expiration of the sentence or upon release under Title 15, section 101-D or upon discharge under Title 15, section 104-A; or

B. The victim has filed a written request with the Department of Corrections, the state mental health institute or the county jail to which the defendant is committed asking that no further notice be given.

5. Neither the failure to perform the requirements of this chapter nor compliance with this chapter subjects the attorney for the State, the Commissioner of Corrections, the Department of Corrections, the Commissioner of Health and Human Services, the ~~state mental health institute~~ institution for the care and treatment of persons with mental illness to which the defendant is committed by the Commissioner of Health and Human Services or the residential program that provides care and treatment for persons who have intellectual disabilities or autism to which the defendant is committed by the Commissioner of Health and Human Services or the county jail or the employees or officers of the attorney for the State, the Commissioner of Corrections, the Department of Corrections, the Commissioner of Health and Human Services, the ~~state mental health institute~~ institution for the care and treatment of persons with mental illness to which the defendant is committed by the Commissioner of Health and Human Services or the residential program that provides care and treatment for persons who have intellectual disabilities or autism to which the defendant is committed by the Commissioner of Health and Human Services or the county jail to liability in a civil action.

See title page for effective date.

**CHAPTER 387  
H.P. 1223 - L.D. 1774**

**An Act To Reduce Child Poverty by Leveraging Investments in Families for Tomorrow**

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

**Sec. 1. 22 MRSA c. 1054-C** is enacted to read:

**CHAPTER 1054-C**

**HIGHER OPPORTUNITY FOR PATHWAYS TO EMPLOYMENT PROGRAM**

**§3790-A. Higher Opportunity for Pathways to Employment Program**

**1. Program established.** The department shall establish a student financial aid program based on need to be known as the Higher Opportunity for Pathways to Employment Program, referred to in this chapter as "the program," for a parent or caretaker relative of a minor child who is qualified to receive federal Temporary Assistance for Needy Families funds but does not receive Temporary Assistance for Needy Families cash assistance pursuant to chapter 1053-B and is matriculating in an education or training program, or is enrolled in a program providing remedial services necessary for the parent or caretaker relative to matriculate, that results in a high-value, industry-recognized certificate or similar credential, a postsecondary undergraduate 2-year degree or a postsecondary undergraduate 4-year degree in a health care, technology or engineering field. The department shall specify the health care, technology and engineering fields for the postsecondary undergraduate 4-year degree in department rules.

Enrollment in the program may not exceed 500 participants. To administer the program, the department may not divert funding from assistance and support services to families under the Temporary Assistance for Needy Families program pursuant to chapter 1053-B or from the operation of the Additional Support for People in Retraining and Employment - Temporary Assistance for Needy Families program pursuant to chapter 1054-A. If the commissioner reasonably anticipates that available funds will not support continued operation of the program, the commissioner shall limit or suspend enrollment or program services to the extent necessary to avoid negative effects to services provided under chapters 1053-B and 1054-A.

The program must be supported with funds provided under the Temporary Assistance for Needy Families block grant that are available under Title IV-A of the United States Social Security Act or funds transferred from that block grant to the social services block grant