

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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

Augusta, Maine
2019

an advocate as defined in Title 16, section 53-B, subsection 1, paragraph A or a victim witness advocate as defined in Title 16, section 53-C, subsection 1, paragraph C;

(2) A statement signed by a health care provider, mental health care provider or law enforcement officer, including the license number of the health care provider, mental health care provider or law enforcement officer if licensed;

(3) A copy of a protection from abuse complaint or a temporary order or final order of protection;

(4) A copy of a protection from harassment complaint or a temporary order or final order of protection from harassment;

(5) A copy of a police report prepared in response to an investigation of an incident of domestic violence, sexual assault or stalking; and

(6) A copy of a criminal complaint, indictment or conviction for a domestic violence, sexual assault or stalking charge.

Sec. 4. 19-A MRSA §4005, sub-§1, as amended by PL 2015, c. 443, §11, is further amended to read:

1. Filing. An adult who has been abused by a family or household member or a dating partner may seek relief by filing a complaint alleging that abuse.

When a minor child in the care or custody of a family or household member or a dating partner has been abused by a family or household member or a dating partner, a person responsible for the child, as defined in Title 22, section 4002, subsection 9, or a representative of the department may seek relief by filing a petition alleging that abuse.

An adult who has been a victim of conduct defined as stalking in Title 17-A, section 210-A or described as sexual assault in Title 17-A, chapter 11 or described as unauthorized dissemination of certain private images in Title 17-A, section 511-A or described as aggravated sex trafficking or sex trafficking in Title 17-A, section 852 or 853, respectively, whether or not the conduct was perpetrated by a family or household member or dating partner, may seek relief by filing a complaint alleging that conduct without regard to whether criminal prosecution has occurred. When a minor has been a victim of such conduct or conduct described in Title 17-A, section 282 or 283 or harassment as described in Title 17-A, section 506, subsection 1, paragraph A-1 or A-2, the minor's parent, other person responsible for the child or a representative of the department may seek relief by filing a petition alleging that conduct.

When an adult who is 60 years of age or older or a dependent adult, as defined in Title 22, section 3472, subsection 6, or an incapacitated adult, as defined in Title 22, section 3472, subsection 10, has been the victim of abuse as defined in section 4002, subsection 1 or Title 22, section 3472, subsection 1 by an extended family member or an unpaid care provider, the adult victim, the adult victim's legal guardian or a representative of the department may seek relief by filing a complaint alleging the abusive conduct. For the purposes of this subsection, "extended family member" includes, but is not limited to: a person who is related to the victim by blood, marriage or adoption, whether or not the person resides or has ever resided with the victim. "Unpaid care provider" includes, but is not limited to, a caretaker who voluntarily provides full, intermittent or occasional personal care to the adult victim in the victim's home similar to the way a family member would provide personal care.

See title page for effective date.

CHAPTER 456

H.P. 9 - L.D. 8

An Act To Provide Training for Forest Rangers To Carry Firearms

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

Sec. 1. 12 MRSA §8901, sub-§1, ¶A, as amended by PL 2017, c. 284, Pt. SS, §1, is further amended to read:

A. The forest protection unit of the Bureau of Forestry shall employ no fewer than 45 and no more than 50 forest rangers classified as Forest Ranger II to serve as wildfire control specialists and forestry law enforcement officers, and no fewer than 16 forest rangers classified as follows: 3 Regional Rangers, 8 District Rangers, one Forest Fire Prevention Specialist, one Ranger Pilot Supervisor and 3 Ranger Pilots. Each forest ranger and the state supervisor of the forest protection unit of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry must, at a minimum, be a graduate of the Maine Criminal Justice Academy's law enforcement pre-service program or equivalent meet the training requirements of Title 25, section 2804-L.

Sec. 2. 25 MRSA §2801-B, sub-§1, ¶C, as amended by PL 2015, c. 267, Pt. CC, §1, is further amended to read:

C. ~~An agent or a representative of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry whose law enforcement powers are~~

limited to those specified by The state supervisor of the forest protection unit of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry or a forest ranger appointed under Title 12, section 8901, subsection 3 and who does not carry a firearm;

Sec. 3. 25 MRSA §2803-A, sub-§8-D is enacted to read:

8-D. Training of forest rangers. To establish certification standards and a training program for the state supervisor of the forest protection unit of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry and forest rangers appointed under Title 12, section 8901. This program must include:

A. Preservice law enforcement training under section 2804-B;

B. An additional basic forest ranger training program developed by the state supervisor of the forest protection unit of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry and approved by the board that is specific to the duties of a forest ranger;

C. In-service law enforcement training that is specifically approved by the board as prescribed in section 2804-E; and

D. A firearms training program equivalent to a firearms training program of a full-time law enforcement officer trained at the Maine Criminal Justice Academy that is developed and approved by the board.

Forest rangers are exempt from section 2804-C, but completion of basic training under section 2804-C exempts a person from the preservice training requirement under paragraph A;

Sec. 4. 25 MRSA §2804-L is enacted to read:

§2804-L. Law enforcement training for forest rangers

Beginning July 1, 2019, all forest rangers and the state supervisor of the forest protection unit of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry must successfully complete the training requirements established under section 2803-A, subsection 8-D.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Division of Forest Protection Z232

Initiative: Provides appropriations for the purchase of firearms, ammunition, holsters and lockboxes, and for

training and overtime staffing costs associated with a firearms training program for forest rangers.

GENERAL FUND	2017-18	2018-19
Personal Services	\$0	\$25,065
All Other	\$0	\$71,872

GENERAL FUND TOTAL	\$0	\$96,937
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Forest Health and Monitoring Z233

Initiative: Provides appropriations for the purchase of firearms, ammunition, holsters and lockboxes, and for training and overtime staffing costs associated with a firearms training program for forest rangers.

GENERAL FUND	2017-18	2018-19
Personal Services	\$0	\$10,238
All Other	\$0	\$29,356

GENERAL FUND TOTAL	\$0	\$39,594
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**AGRICULTURE,
CONSERVATION AND
FORESTRY, DEPARTMENT
OF**

DEPARTMENT TOTALS	2017-18	2018-19
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GENERAL FUND	\$0	\$136,531
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$136,531
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See title page for effective date.

CHAPTER 457

H.P. 207 - L.D. 274

**An Act To Implement the
Recommendations of the
Working Group To Study
Background Checks for Child
Care Facilities and Providers**

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

Sec. 1. 22 MRSA §8302-A, sub-§1, ¶G, as amended by PL 2001, c. 645, §7, is repealed.

Sec. 2. 22 MRSA §8302-A, sub-§1, ¶J, as enacted by PL 2015, c. 497, §2, is repealed and the following enacted in its place:

J. Requiring a criminal background check that meets the requirements of 42 United States Code, Section 9858f(b) for each child care staff member.