

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

SECOND SPECIAL SESSION
September 29, 2021

SECOND REGULAR SESSION
January 5, 2022 to May 9, 2022

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 29, 2021

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 8, 2022

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

Augusta, Maine
2022

ters that dispatch only fire services or emergency medical services and does not include an entity operated by or under the control of a law enforcement agency.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 7, 2022.

CHAPTER 575

S.P. 660 - L.D. 1861

An Act To Establish the Safe Homes Program

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

Sec. 1. 1 MRSA §150-R is enacted to read:

§150-R. Safe Homes Awareness Month

The month of September of each year is designated as Safe Homes Awareness Month and the Governor shall annually issue a proclamation to raise awareness among the people of the State of the importance of safety in the home and of the existence of and assistance that is available from the Safe Homes Program established in Title 25, section 7001.

Sec. 2. 25 MRSA Pt. 15 is enacted to read:

PART 15

SAFE HOMES

CHAPTER 801

SAFE HOMES PROGRAM

§7001. Safe Homes Program

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Dangerous weapon" has the same meaning as in Title 17-A, section 2, subsection 9, paragraph C.

B. "Department" means the Department of Public Safety.

C. "Designated groups" means law enforcement agencies and associations, public schools, public preschool programs, foster homes, hospitals or other facilities in which newborns are delivered, veterans' programs and members of the public.

D. "Firearm" has the same meaning as in Title 17-A, section 2, subsection 12-A.

E. "Foster home" means a family foster home as defined in Title 22, section 8101, subsection 3.

F. "Prescription drug" has the same meaning as in Title 22, section 8731, subsection 3-A.

G. "Public preschool program" has the same meaning as in Title 20-A, section 1, subsection 23-A.

H. "Public school" has the same meaning as in Title 20-A, section 1, subsection 24.

I. "Safety device" means a device designed to secure a firearm, a dangerous weapon or prescription drugs, including but not limited to a firearms safety device, safe, lock or lockbox designed for securing firearms, dangerous weapons or prescription drugs.

2. Program established. The Safe Homes Program is established and is administered by the department to support the safe storage of prescription drugs, firearms and dangerous weapons in homes or public spaces by providing grants for purchasing safety devices in accordance with this section.

3. Grants. The Safe Homes Program, established under subsection 2, must provide grants to fund the purchase of safety devices.

A. Grants may be provided under this subsection to designated groups and nonprofit and community organizations serving designated groups.

B. The department shall administer the provision of grants pursuant to this subsection through an agreement with a statewide law enforcement association.

C. The department shall adopt rules to implement this subsection. The rules must include procedures for assisting applicants with the following: the application process; accepting applications; approving and disapproving applications; distributing funding, coupons or vouchers to successful applicants; and expenditures of funds. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

4. Safe Homes Program Fund. The Safe Homes Program Fund is established as a nonlapsing fund to provide funding to achieve the purposes of this section. The fund consists of any funds received from private and public sources. The fund must be held separate and apart from all other money, funds and accounts. Any balance remaining in the fund at the end of any fiscal year must be carried forward to the next fiscal year. A small portion of the funding may be used by the department to fund administration of the grant program.

Sec. 3. Report. By January 1, 2023 the Commissioner of Public Safety shall report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters on plans for an education program to implement the Safe Homes Program established pursuant to the Maine Revised Statutes, Title 25, section 7001 and Safe Homes Awareness Month established by Title 1, section 150-R.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF
Safe Homes Program Fund N949**

Initiative: Establishes the Safe Homes Program Fund to provide grants for purchasing safety devices for the safe storage of prescription drugs, firearms and dangerous weapons in homes or public spaces.

FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$0	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$500
OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$500

See title page for effective date.

CHAPTER 576

H.P. 1397 - L.D. 1887

**An Act To Establish the
Securities Restitution
Assistance Fund for Victims of
Securities Violations**

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

Sec. 1. 32 MRSA c. 135, sub-c. 5-A is enacted to read:

SUBCHAPTER 5-A

**SECURITIES RESTITUTION ASSISTANCE
FUND**

§16521. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Claimant. "Claimant" means a victim that files an application for restitution assistance under this subchapter. "Claimant" includes the named party in a restitution award in a final order, the executor of a named party in a restitution award in a final order, the heirs and assigns of a named party in a restitution award in a final order and any other person with lawful authority to act for or on behalf of a named party in a restitution award in a final order.

2. Eligible adult. "Eligible adult" means:

A. An individual 65 years of age or older; or

B. An individual protected under the Adult Protective Services Act.

3. Final order. "Final order" means a final order issued by the administrator under this chapter or a final order issued by a court in a legal action initiated by the administrator under this chapter.

4. Fund. "Fund" means the Securities Restitution Assistance Fund established under section 16522.

5. Securities violation. "Securities violation" means a violation of this chapter and any rules adopted pursuant to this chapter.

6. Victim. "Victim" means a person that suffered monetary injury as a result of a securities violation and was awarded restitution in a final order.

§16522. Securities Restitution Assistance Fund

1. Fund established. The Securities Restitution Assistance Fund is established within the Department of Professional and Financial Regulation, Office of Securities to provide funds for restitution assistance for victims that were awarded restitution in a final order issued by the administrator under this chapter or were awarded restitution in a final order in a legal action initiated by the administrator under this chapter but did not receive the full amount of restitution ordered before the application for restitution assistance under section 16523, subsection 2 was due.

2. Funding. The fund consists of the following amounts received by the administrator:

A. Five dollars of each annual agent renewal license fee paid if the operating fund balance of the Office of Securities under section 16601, subsection 6 as of October 1st of the previous calendar year exceeds 135% of the office's current annual budget;

B. Five dollars of each annual investment adviser representative renewal license fee paid if the operating fund balance of the Office of Securities under section 16601, subsection 6 as of October 1st of the previous calendar year exceeds 135% of the office's current annual budget;

C. All grants, donations and payments received or accepted by the administrator for victim restitution assistance; and

D. Any other amounts designated by the administrator for victim restitution assistance.

3. Nonlapsing fund. The amounts received for the fund may be used by the administrator only to pay awards of restitution assistance under this subchapter and to administer this subchapter and may not be placed in the General Fund. Any balance in the fund does not lapse but must be carried forward to be used for the same purposes.

§16523. Claims