

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 2022 to March 30, 2023**

**FIRST SPECIAL SESSION**  
**April 5, 2023 to July 26, 2023**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NONEMERGENCY LAWS IS**  
**JUNE 29, 2023**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NONEMERGENCY LAWS IS**  
**OCTOBER 25, 2023**

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

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**Augusta, Maine**  
**2023**

B. Two years from the date of a 2nd finding of a violation or finding that conduct described in section 6371, subsection 4 3 has been committed; or

C. Three years from the date of a 3rd or subsequent finding of a violation or finding that conduct described in section 6371, subsection 4 3 has been committed.

The commissioner may suspend any license or certificate for a period of time not to exceed the maximum amount of time allowable for a criminal conviction or civil adjudication of the same violation.

**Sec. 14. 12 MRSA §6506, sub-§6** is enacted to read:

**6. License exemption.** Notwithstanding subsection 1, a person may fish for, take, possess or transport a halibut without a license if the person has fished for or taken the halibut by tub trawl or by hook and line and if the halibut is only for personal use.

**Sec. 15. 12 MRSA §6506, sub-§7** is enacted to read:

**7. Violation.** A person who violates this section commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

**Sec. 16. 12 MRSA §6506, sub-§8** is enacted to read:

**8. Rules.** The commissioner shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 17. 12 MRSA §6852, sub-§2-A, ¶C**, as enacted by PL 2011, c. 598, §44, is amended to read:

C. Shellstock bought from a mahogany quahog license holder licensed under section 6731; or

**Sec. 18. 12 MRSA §6852, sub-§2-A, ¶D**, as enacted by PL 2011, c. 598, §44, is amended to read:

D. Shellstock bought from a hand-raking mussel license holder licensed under section 6745 or a mussel boat license holder licensed under section 6746; and

**Sec. 19. 12 MRSA §6852, sub-§2-A, ¶E** is enacted to read:

E. Shellstock bought from an aquaculture license holder licensed under section 6810-B.

**Sec. 20. PL 2021, c. 52, §21** is amended to read:

**Sec. 21. Effective dates.** That section of this Act that amends the Maine Revised Statutes, Title 12, section 6072-C, subsection 6 takes effect January 1, 2022. Those sections of this Act that amend Title 12, section 6072-C, subsection 2 and enact Title 12, section

6072-C, subsection 2-B take effect January 1, 2024 2025.

See title page for effective date.

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**CHAPTER 208**

**H.P. 74 - L.D. 106**

**An Act to Allow Members of the Maine Public Employees Retirement System With Service in Multiple Plans to Defer Retirement Service Benefits Until Normal Retirement Age to Avoid a Reduction in Benefits**

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

**Sec. 1. 5 MRSA §17851, sub-§17** is enacted to read:

**17. Member eligible to retire from plans with different normal retirement ages.** A member who meets eligibility requirements to retire from plans with different normal retirement ages may retire and, at the election of the member, defer initiation of service retirement benefits from any plan in which the benefits would be reduced because the member has not reached normal retirement age. The deferral ends when the member reaches normal retirement age for the plan. The election to defer is irrevocable and must be made before payment of a service retirement benefit begins. Service retirement benefits deferred under this subsection must be paid by the retirement system without an early retirement reduction and without any retroactive payment for the deferral period. If the member dies before the end of the deferral period, the deferral of benefits apply to any continuing beneficiary payments for the same deferral period that would have been applicable to the member.

See title page for effective date.

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**CHAPTER 209**

**H.P. 142 - L.D. 221**

**An Act Regarding Airboat Noise**

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

**Sec. 1. 12 MRSA §13068-A, sub-§10, ¶A-2**, as amended by PL 2021, c. 585, §1, is further amended by amending the 3rd blocked paragraph to read:

This paragraph is repealed on September 30, 2023 2025.

**Sec. 2. Stakeholder group on airboat noise issues.** The Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife, referred to in this section as "the commissioners," shall reconvene the stakeholder group convened pursuant to Public Law 2021, chapter 166 and extended by Public Law 2021, chapter 585, referred to in this section as "the stakeholder group," to continue its discussions on issues related to airboat noise.

By January 15, 2025, the commissioners shall report to the joint standing committees of the Legislature having jurisdiction over marine resources and inland fisheries and wildlife matters the findings and recommendations of the stakeholder group, including any recommended legislation. After receiving the report, the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters may report out a bill relating to airboats to the 132nd Legislature in 2025.

See title page for effective date.

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**CHAPTER 210  
H.P. 153 - L.D. 232**

**An Act to Amend the Laws  
Governing Bonding  
Restrictions for School  
Administrative Units**

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

**Sec. 1. 20-A MRSA §1311, sub-§2, ¶C,** as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

C. Each issue of bonds ~~shall~~ must mature in substantially equal annual installments so that the first installment ~~shall be~~ is payable not later than 2 years and the last installment not later than ~~25~~ 30 years after the date of issue.

**Sec. 2. 20-A MRSA §1490, sub-§2, ¶C,** as enacted by PL 2007, c. 240, Pt. XXXX, §13, is amended to read:

C. Each issue of bonds must mature in substantially equal annual installments so that the first installment is payable not later than 2 years and the last installment not later than ~~25~~ 30 years after the date of issue.

See title page for effective date.

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**CHAPTER 211  
S.P. 113 - L.D. 247**

**An Act Regarding  
Replacement Candidates  
Under the Maine Clean  
Election Act**

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

**Sec. 1. 21-A MRSA §1125, sub-§1,** as amended by PL 2019, c. 323, §27, is further amended to read:

**1. Declaration of intent.** A participating candidate shall file a declaration of intent to seek certification as a Maine Clean Election Act candidate and to comply with the requirements of this chapter. The declaration of intent must be filed with the commission prior to or during the qualifying period, except as provided in subsection 11 or 11-A, according to forms and procedures developed by the commission. Qualifying contributions collected more than 5 business days before the declaration of intent has been filed will not be counted toward the eligibility requirements in subsection 3 or 3-A.

**Sec. 2. 21-A MRSA §1125, sub-§4,** as amended by PL 2009, c. 363, §4, is further amended to read:

**4. Filing with commission.** A participating candidate must submit qualifying contributions, receipt and acknowledgement forms, proof of verification of voter registration and a seed money report to the commission during the qualifying period according to procedures developed by the commission, except as provided under subsection 11 or 11-A.

**Sec. 3. 21-A MRSA §1125, sub-§11,** as enacted by IB 1995, c. 1, §17, is amended to read:

**11. Other procedures.** The commission shall establish by rule procedures for qualification, certification, disbursement of fund revenues and return of unspent fund revenues for races involving special elections; or recounts, vacancies, withdrawals or replacement candidates.

**Sec. 4. 21-A MRSA §1125, sub-§11-A** is enacted to read:

**11-A. Vacancies, withdrawals or replacement candidates.** If a candidate dies, withdraws or is disqualified before an election, the qualifying period for any replacement candidate begins when the Secretary of State receives a notice of withdrawal or declares a vacancy, whichever occurs earlier. The commission shall establish by rule the end of the qualifying period for a replacement candidate and procedures for certification, disbursement of fund revenues and return of unspent fund revenues for races involving vacancies.