

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 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.

Augusta, Maine
2023

CHAPTER 226
S.P. 538 - L.D. 1319

An Act to Exempt Certain Boat Operators from Having to Become Maine Guides

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the economy of the State is reliant on many seasonal businesses that are open only a limited number of months during the calendar year; and

Whereas, if the business of a seasonal business is disrupted, even for a brief period of time, it can be financially disastrous for the business due to the condensed period of time for the business to garner revenue; and

Whereas, the business season for a summer seasonal business will be over before the expiration of the 90-day period; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 12 MRSA §12853, sub-§7, ¶D is enacted to read:

D. A person who has satisfactorily completed a boater safety education course under section 13063 and is certified in first aid under subsection 4, paragraph C may, without a guide license, operate a watercraft in the course of employment with a seasonal business engaged in recreational tow-sport activities if that seasonal business was engaged in recreational tow-sport activities during the 2022 season. This paragraph is repealed January 15, 2024.

Sec. 2. Review. The Department of Inland Fisheries and Wildlife shall establish a stakeholder group to examine the guide requirements for recreational sports.

Sec. 3. Stakeholder group. The Department of Inland Fisheries and Wildlife shall ensure that the stakeholder group established under section 2 is as broadly representative of interested parties and groups as possible and shall invite participation from at least the following: the Maine Professional Guides Association, the Maine Marine Trades Association and governmental and nongovernmental organizations related to recreational tow sports in this State.

Sec. 4. Report. The Department of Inland Fisheries and Wildlife shall report the findings and recommendations of the stakeholder group established under section 2 to the Joint Standing Committee on Inland Fisheries and Wildlife no later than January 15, 2024. The committee may report out a bill related to recreational guide requirements to the Second Regular Session of the 131st Legislature.

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

Effective June 20, 2023.

CHAPTER 227
S.P. 54 - L.D. 115

An Act to Protect Minors from Exploitation by Adults for Violation of Privacy

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

Sec. 1. 17-A MRSA §511, sub-§1, ¶C, as amended by PL 2021, c. 373, §1, is further amended to read:

C. Installs or uses outside a private place without the consent of the person or persons entitled to privacy therein any device for observing, photographing, hearing, recording, amplifying or broadcasting images or sounds originating in that place that would not ordinarily be visible, audible or comprehensible outside that place; or

Sec. 2. 17-A MRSA §511, sub-§1, ¶D, as enacted by PL 1997, c. 467, §1, is amended to read:

D. Engages in visual surveillance in a public place by means of mechanical or electronic equipment with the intent to observe or photograph, or record, amplify or broadcast an image of any portion of the body of another person present in that place when that portion of the body is in fact concealed from public view under clothing and a reasonable person would expect it to be safe from surveillance;

Sec. 3. 17-A MRSA §511, sub-§1, ¶E is enacted to read:

E. Violates paragraph A, B, C or D and the other person subject to a violation of privacy has not in fact attained 16 years of age; or

Sec. 4. 17-A MRSA §511, sub-§1, ¶F is enacted to read:

F. Violates paragraph A, B, C or D for the purpose of arousing or gratifying the sexual desire of that person or another person, and the person subject to