

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.

Augusta, Maine
2023

- (1) Described as stalking in Title 17-A, section 210-A;
- (2) Constituting any crime described in Title 17-A, chapter 11;
- (3) Described as unauthorized dissemination of certain private images in Title 17-A, section 511-A; ~~or~~
- (4) Described as aggravated sex trafficking or sex trafficking in Title 17-A, section 852 or 853, respectively; or
- (5) Constituting a civil cause of action under Title 14, section 8305.

For purposes of this paragraph, the conduct need not have been perpetrated by a family or household member, a dating partner or an individual related by consanguinity or affinity;

Sec. 4. 19-A MRSA §4103, sub-§2, ¶B, as corrected by RR 2021, c. 2, Pt. A, §40, is amended by amending subparagraph (5) to read:

- (5) Described as sexual exploitation of a minor or dissemination of sexually explicit material in Title 17-A, section 282 or 283, respectively; ~~or~~

Sec. 5. 19-A MRSA §4103, sub-§2, ¶B, as corrected by RR 2021, c. 2, Pt. A, §40, is amended by amending subparagraph (6) to read:

- (6) Described as harassment by telephone or by electronic communication device in Title 17-A, section 506, subsection 1, paragraph A-1 or A-2; or

Sec. 6. 19-A MRSA §4103, sub-§2, ¶B, as corrected by RR 2021, c. 2, Pt. A, §40, is amended by enacting a new subparagraph (7) to read:

- (7) Constituting a civil cause of action under Title 14, section 8305.

See title page for effective date.

CHAPTER 299

H.P. 836 - L.D. 1311

An Act Regarding the Legal Use or Possession of Cannabis or Marijuana Under Conditions of Bail, Pretrial Release or Probation

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

Sec. 1. 15 MRSA §1023, sub-§4, ¶G, as enacted by PL 2015, c. 436, §3, is amended to read:

G. Notwithstanding section 1026, subsection 3, paragraph A, subparagraph (9-A), impose a condition of preconviction bail that a defendant submit to random search with respect to a prohibition on the possession, use or excessive use of alcohol, cannabis or illegal drugs.

Sec. 2. 15 MRSA §1026, sub-§3, ¶A, as amended by PL 2021, c. 397, §§2 and 3, is further amended by amending subparagraph (9) to read:

- (9) Refrain from the possession, use or excessive use of alcohol or cannabis and from any use of illegal drugs. A condition under this subparagraph may be imposed only upon the presentation to the judicial officer of specific facts demonstrating the need for such condition;

Sec. 3. 17-A MRSA §1807, sub-§2, ¶I, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

- I. Refrain from drug use and use or excessive use of alcohol or marijuana;

See title page for effective date.

CHAPTER 300

H.P. 515 - L.D. 826

An Act to Provide for the Management of the Waste Components of a Solar Energy Development upon Decommissioning

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

Sec. 1. 35-A MRSA §3491, sub-§1, as enacted by PL 2021, c. 151, §1, is amended by amending the last blocked paragraph to read:

"Decommissioning" includes the grading to postconstruction grade and revegetation of all earth disturbed during construction and decommissioning, except for areas already restored, providing for the recycling of the waste components of the solar energy development that are recyclable, including, but not limited to, the solar panels, by a facility authorized to accept such materials for recycling and providing for the disposal of the waste components of the solar energy development that are not recyclable by a facility authorized to accept such materials for disposal.

See title page for effective date.