

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

the Revisor of Statutes that written approval for the state plan amendment has been received.

See title page for effective date, unless otherwise indicated.

**CHAPTER 455
S.P. 453 - L.D. 1119**

**An Act to Clarify the Criminal
Statutes with Regard to
Assaults on Emergency
Medical Services Persons**

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

Sec. 1. 17-A MRSA §752-C, as amended by PL 2015, c. 471, §1, is further amended to read:

§752-C. Assault on an emergency medical care provider services person

1. A person is guilty of assault on an emergency medical care provider services person if that person intentionally, knowingly or recklessly causes bodily injury to an emergency medical care provider a person licensed pursuant to Title 32, chapter 2-B while the emergency medical care provider that licensee is providing emergency medical care regardless of the location where the emergency medical care is provided.

2. As used in this section, "emergency medical care provider" includes hospital personnel assisting in an emergency and emergency medical services persons, defined in Title 32, section 83, subsection 12, but does not include a firefighter as defined in section 752-E, subsection 2.

3. Assault on an emergency medical care provider services person is a Class C crime.

Sec. 2. 17-A MRSA §752-F is enacted to read:

§752-F. Assault in an emergency room

1. A person is guilty of assault in an emergency room if that person intentionally, knowingly or recklessly causes bodily injury to a person employed or contracted by a hospital licensed under Title 22, chapter 405 if the injury occurs in the hospital's designated emergency room.

2. Assault in an emergency room is a Class C crime.

Sec. 3. 17-A MRSA §1604, sub-§5, ¶B, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

B. If the State pleads and proves that, at the time any crime, ~~excluding murder~~, under chapter 9, 11, 12, 13, 27 or 35, ~~excluding section 853-A~~; section 402-A, subsection 1, paragraph A; or section

752-A ~~or~~, 752-C or 752-F was committed, or an attempt of any such crime was committed, the individual had 2 or more prior convictions under chapter 9, 11, 12, 13, 27 or 35, excluding section 853-A; section 402-A, subsection 1, paragraph A; or section 752-A ~~or~~, 752-C or 752-F, or for an attempt of any such crime, or for engaging in substantially similar conduct in another jurisdiction, the sentencing class for the crime is one class higher than it would otherwise be.

(1) In the case of a Class A crime, the sentencing class is not elevated, but the prior record must be assigned special weight by the court when imposing a sentence.

(2) Section 9-A governs the use of prior convictions when determining a sentence, except that, for the purposes of this paragraph, for violations under chapter 11, the dates of prior convictions may have occurred at any time.

This paragraph does not apply to section 210-A if the prior convictions have already served to elevate the sentencing class under section 210-A, subsection 1, paragraph C or E or any other offense in which prior convictions have already served to elevate the sentencing class.

This paragraph does not apply to murder under section 201 or to section 853-A.

Sec. 4. 22 MRSA §832-A, sub-§1, ¶C, as enacted by PL 2017, c. 292, §1, is amended to read:

C. "Emergency medical care provider" ~~has the same meaning as in Title 17-A, section 752-C, subsection 2~~ includes hospital personnel assisting in an emergency and emergency medical services persons, defined in Title 32, section 83, subsection 12, but does not include a firefighter.

See title page for effective date.

**CHAPTER 456
H.P. 741 - L.D. 1169**

**An Act to Amend the Laws
Governing the Foreign
Credentialing and Skills
Recognition Revolving Loan
Program**

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

Sec. 1. 10 MRSA c. 110, sub-c. 13, headnote is amended to read:

SUBCHAPTER 13

FOREIGN CREDENTIALING AND SKILLS RECOGNITION ~~REVOLVING LOAN GRANT~~ PROGRAM

Sec. 2. 10 MRSA §1100-AA, as amended by PL 2021, c. 133, §§1 to 6, is further amended by amending the section headnote to read:

§1100-AA. Foreign Credentialing and Skills Recognition ~~Revolving Loan Grant~~ Program

Sec. 3. 10 MRSA §1100-AA, sub-§1, ¶B, as enacted by PL 2019, c. 447, §1, is amended to read:

B. "Fund" means the Foreign Credentialing and Skills Recognition ~~Revolving Loan Grant~~ Program Fund, established in subsection 3.

Sec. 4. 10 MRSA §1100-AA, sub-§1, ¶D, as enacted by PL 2019, c. 447, §1, is amended to read:

D. "Program" means the Foreign Credentialing and Skills Recognition ~~Revolving Loan Grant~~ Program, established in subsection 2.

Sec. 5. 10 MRSA §1100-AA, sub-§2, as enacted by PL 2019, c. 447, §1, is amended to read:

2. Program established. The Foreign Credentialing and Skills Recognition ~~Revolving Loan Grant~~ Program is established to provide financial assistance to immigrants who need assistance in paying for eligible costs.

Sec. 6. 10 MRSA §1100-AA, sub-§3, as enacted by PL 2019, c. 447, §1, is amended to read:

3. Fund established. The Foreign Credentialing and Skills Recognition ~~Revolving Loan Grant~~ Program Fund is established as a nonlapsing ~~revolving~~ fund to be administered by the authority. All amounts appropriated to the program must be deposited into the fund as well as all amounts repaid to the program by persons receiving loans under the program. Amounts in the fund must be used by the authority for purposes authorized in this section.

Sec. 7. 10 MRSA §1100-AA, sub-§5, as enacted by PL 2019, c. 447, §1, is amended to read:

5. Disbursement from the fund. Upon approval of an immigrant, the authority shall determine the amount to be disbursed from the fund to the immigrant. Funds must be disbursed directly to and used by the immigrant pursuant to a contract entered into between the immigrant and the authority in accordance with subsection 7. Funds must be disbursed by the authority in one lump sum in the form of ~~an interest free loan~~ a grant. An immigrant may not receive more than the maximum amount established by the authority, regardless of whether the immigrant submits one or multiple applications to the fund.

Sec. 8. 10 MRSA §1100-AA, sub-§6, as enacted by PL 2019, c. 447, §1, is amended to read:

6. Treatment of loans grants. Amounts ~~loaned~~ disbursed to an individual under the program are not income for purposes of any municipal general assistance program as defined by Title 22, section 4301, subsection 7.

Sec. 9. 10 MRSA §1100-AA, sub-§7, ¶B, as enacted by PL 2019, c. 447, §1, is repealed.

Sec. 10. 10 MRSA §1100-AA, sub-§7, ¶D, as enacted by PL 2019, c. 447, §1, is amended to read:

D. A provision that, if the individual breaches the contract with the authority, the authority may require immediate repayment of the ~~loan grant~~ to the authority; and

Sec. 11. 10 MRSA §1100-AA, sub-§9, as corrected by RR 2019, c. 2, Pt. A, §§13 and 14, is amended to read:

9. ~~Financing terms~~ Terms and conditions. ~~Loans Grants~~ under the program must conform to the following requirements.

A. A ~~loan grant~~ to any individual for eligible costs may not exceed ~~\$700~~ \$1,000, but this limit may be adjusted upward at least biannually by the authority to reflect inflation or cost of living or other necessary adjustments.

~~B. Loans are not subject to interest.~~

~~C. Loans must be repaid in full by an individual within 18 months of disbursement by the authority, together with any reasonable administrative fee established by the authority not to exceed 5% of the total of the loan funds disbursed to the individual, except that:~~

~~(1) In any case of demonstrable hardship, the authority may allow extensions of time for repayment or other flexibility in repayment terms; and~~

~~(2) Repayment of a loan may not be required until at least 60 days after the recipient of the loan has obtained a work permit, except that, if the recipient of the loan has obtained a work permit but has not obtained employment, repayment may not be required until at least 30 days after the recipient has obtained employment as long as the recipient is in compliance with the provisions of Title 22, section 4316-A.~~

See title page for effective date.