

# 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**

Initiative: Provides one-time funding for grants to support substance use disorder treatments that include family members of the person with substance use disorder, including community reinforcement and family training interventions.

<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$30,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$30,000</b>

See title page for effective date.

**CHAPTER 464**  
**S.P. 576 - L.D. 1458**

**An Act to Increase Funding for the Maine School of Science and Mathematics**

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

**Sec. 1. 20-A MRSA §8202, sub-§2**, as amended by PL 2009, c. 486, §1, is further amended to read:

**2. Tuition; room and board; funding.** Students from this State may attend the school free of tuition charges and free of the cost of room and board. Additional funding for students from this State may be provided within amounts appropriated for that purpose as follows.

A. The amount must be paid in 4 equal quarterly payments during the year of attendance. The first payment must be made by July 31st. The amount of tuition and other costs paid for all students is limited to the amount appropriated for this purpose. To be eligible for state funding under this paragraph, a student must have resided in Maine with a parent, other relative or guardian for at least 6 months immediately preceding application to the school.

B. Except as otherwise provided in this paragraph, effective July 1, 1996 and to the extent funds are not appropriated for this purpose, the student or the student's parent or guardian shall pay to the school the cost of room and board for the school year. In the case of financial need, the State shall pay to the school the difference between the cost of room and board and the student's or the student's family's ability to pay that cost. The board of trustees shall adopt rules governing the determination of financial need and the cost and schedule of payment of room and board under this paragraph. The determination of financial need must be based on a nationally recognized public or private school financial needs assessment system. A student may use scholarship funds in place of payment for all or part of the cost of room and board and any other fees or

expenses incurred as a result of that student's enrollment at the school.

**Sec. 2. 20-A MRSA §8205, sub-§16-B** is enacted to read:

**16-B. Sustainability report.** To submit to the joint standing committee of the Legislature having jurisdiction over education matters a sustainability report by February 1st of each year beginning February 1, 2024 and annually thereafter. The report must include a plan for and updates on student recruitment efforts, the rate of student attrition, graduation rate, a budget for and explanation of mental health services available to students and a discussion of the school's Limestone location;

**Sec. 3. Appropriations and allocations.** The following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF**

**General Purpose Aid for Local Schools 0308**

Initiative: Provides one-time funds to the Maine School of Science and Mathematics.

<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$500,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$500,000</b>

See title page for effective date.

**CHAPTER 465**  
**S.P. 579 - L.D. 1461**

**An Act to Prevent Dating Partner Abuse by Including Dating Partners in the Scope of Domestic Violence Crimes**

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

**Sec. 1. 17-A MRSA §15, sub-§1, ¶A**, as amended by PL 2021, c. 647, Pt. B, §§15 and 16 and affected by §65, is further amended by amending subparagraph (5-A) to read:

(5-A) Assault, criminal threatening, terrorizing, stalking, criminal mischief, obstructing the report of a crime or injury or reckless conduct if the officer reasonably believes that the person and the victim are family or household members, as defined in Title 19-A, section 4102, subsection 6 or dating partners as defined in Title 19-A, section 4102, subsection 4;

**Sec. 2. 17-A MRSA §207-A, sub-§1, ¶A**, as amended by PL 2021, c. 647, Pt. B, §17 and affected by §65, is further amended to read:

A. The person violates section 207 and the victim is a family or household member as defined in Title

19-A, section 4102, subsection 6 or a dating partner as defined in Title 19-A, section 4102, subsection 4. Violation of this paragraph is a Class D crime; or

**Sec. 3. 17-A MRSA §207-A, sub-§1, ¶B**, as amended by PL 2021, c. 647, Pt. B, §18 and affected by §65, is further amended to read:

B. The person violates paragraph A and at the time of the offense:

(1) Has one or more prior convictions for violating paragraph A or for violating section 208-D, 208-E, 208-F, 209-A, 210-B, 210-C or 211-A or one or more prior convictions for engaging in conduct substantially similar to that contained in paragraph A or in section 208-D, 208-E, 208-F, 209-A, 210-B, 210-C or 211-A in another jurisdiction;

(2) Has one or more prior convictions for violating Title 19-A, former section 4011, subsection 1 or Title 19-A, section 4113, subsection 1 or one or more prior convictions for engaging in conduct substantially similar to that contained in Title 19-A, section 4113, subsection 1 in another jurisdiction;

(3) Has one or more prior convictions for violating Title 15, section 1092, subsection 1, paragraph B when the condition of release violated is specified in Title 15, section 1026, subsection 3, paragraph A, subparagraph (5) or (8) when the alleged victim in the case for which the defendant was on bail was a family or household member as defined in Title 19-A, section 4102, subsection 6 or a dating partner as defined in Title 19-A, section 4102, subsection 4; or

(4) Has one or more prior convictions for violating section 208, 208-B or 208-C, and the State had pled and proved that the victim of the applicable prior conviction was a family or household member, as defined in Title 19-A, section 4102, subsection 6, or a dating partner, as defined in Title 19-A, section 4102, subsection 4, or has one or more prior convictions in another jurisdiction for engaging in conduct substantially similar to that contained in section 208, 208-B or 208-C and it had been pled and proved that the victim was a family or household member or a dating partner.

Violation of this paragraph is a Class C crime.

**Sec. 4. 17-A MRSA §208-D, sub-§1**, as amended by PL 2021, c. 647, Pt. B, §19 and affected by §65, is further amended to read:

1. A person is guilty of domestic violence aggravated assault if that person:

A. Violates section 208, subsection 1, paragraph A and the victim is a family or household member as defined in Title 19-A, section 4102, subsection 6 or a dating partner as defined in Title 19-A, section 4102, subsection 4. Violation of this paragraph is a Class B crime;

B. Violates section 208, subsection 1, paragraph A-1 and the victim is a family or household member as defined in Title 19-A, section 4102, subsection 6 or a dating partner as defined in Title 19-A, section 4102, subsection 4. Violation of this paragraph is a Class A crime;

C. Violates section 208, subsection 1, paragraph B and the victim is a family or household member as defined in Title 19-A, section 4102, subsection 6 or a dating partner as defined in Title 19-A, section 4102, subsection 4. Violation of this paragraph is a Class B crime; or

D. Violates section 208, subsection 1, paragraph C and the victim is a family or household member as defined in Title 19-A, section 4102, subsection 6 or a dating partner as defined in Title 19-A, section 4102, subsection 4. Violation of this paragraph is a Class B crime.

**Sec. 5. 17-A MRSA §208-E, sub-§1, ¶B**, as amended by PL 2021, c. 647, Pt. B, §20 and affected by §65, is further amended to read:

B. The victim is a family or household member as defined in Title 19-A, section 4102, subsection 6 or a dating partner as defined in Title 19-A, section 4102, subsection 4.

**Sec. 6. 17-A MRSA §208-F, sub-§1, ¶B**, as amended by PL 2021, c. 647, Pt. B, §21 and affected by §65, is further amended to read:

B. The victim is a family or household member as defined in Title 19-A, section 4102, subsection 6 or a dating partner as defined in Title 19-A, section 4102, subsection 4.

**Sec. 7. 17-A MRSA §209-A, sub-§1, ¶A**, as amended by PL 2021, c. 647, Pt. B, §22 and affected by §65, is further amended to read:

A. The person violates section 209 and the victim is a family or household member as defined in Title 19-A, section 4102, subsection 6 or a dating partner as defined in Title 19-A, section 4102, subsection 4. Violation of this paragraph is a Class D crime; or

**Sec. 8. 17-A MRSA §209-A, sub-§1, ¶B**, as amended by PL 2021, c. 647, Pt. B, §23 and affected by §65, is further amended to read:

B. The person violates paragraph A and at the time of the offense:

(1) Has one or more prior convictions for violating paragraph A or for violating section 207-A, 208-D, 208-E, 208-F, 210-B, 210-C or 211-A or one or more prior convictions for engaging in conduct substantially similar to that contained in paragraph A or in section 207-A, 208-D, 208-E, 208-F, 210-B, 210-C or 211-A in another jurisdiction;

(2) Has one or more prior convictions for violating Title 19-A, former section 4011, subsection 1 or Title 19-A, section 4113, subsection 1 or one or more prior convictions for engaging in conduct substantially similar to that contained in Title 19-A, section 4113, subsection 1 in another jurisdiction;

(3) Has one or more prior convictions for violating Title 15, section 1092, subsection 1, paragraph B when the condition of release violated is specified in Title 15, section 1026, subsection 3, paragraph A, subparagraph (5) or (8) when the alleged victim in the case for which the defendant was on bail was a family or household member as defined in Title 19-A, section 4102, subsection 6 or a dating partner as defined in Title 19-A, section 4102, subsection 4; or

(4) Has one or more prior convictions for violating section 208, 208-B or 208-C, and the State had pled and proved that the victim of the applicable prior conviction was a family or household member, as defined in Title 19-A, section 4102, subsection 6, or a dating partner, as defined in Title 19-A, section 4102, subsection 4, or has one or more prior convictions in another jurisdiction for engaging in conduct substantially similar to that contained in section 208, 208-B or 208-C and it had been pled and proved that the victim was a family or household member or a dating partner.

Violation of this paragraph is a Class C crime.

**Sec. 9. 17-A MRSA §210-B, sub-§1, ¶A**, as amended by PL 2021, c. 647, Pt. B, §25 and affected by §65, is further amended to read:

A. The person violates section 210 and the victim is a family or household member as defined in Title 19-A, section 4102, subsection 6 or a dating partner as defined in Title 19-A, section 4102, subsection 4. Violation of this paragraph is a Class D crime; or

**Sec. 10. 17-A MRSA §210-B, sub-§1, ¶B**, as amended by PL 2021, c. 647, Pt. B, §26 and affected by §65, is further amended to read:

B. The person violates paragraph A and at the time of the offense:

(1) Has one or more prior convictions for violating paragraph A or for violating section 207-A, 208-D, 208-E, 208-F, 209-A, 210-C or 211-A or one or more prior convictions for engaging in conduct substantially similar to that contained in paragraph A or in section 207-A, 208-D, 208-E, 208-F, 209-A, 210-C or 211-A in another jurisdiction;

(2) Has one or more prior convictions for violating Title 19-A, former section 4011, subsection 1 or Title 19-A, section 4113, subsection 1 or one or more prior convictions for engaging in conduct substantially similar to that contained in Title 19-A, section 4113, subsection 1 in another jurisdiction;

(3) Has one or more prior convictions for violating Title 15, section 1092, subsection 1, paragraph B when the condition of release violated is specified in Title 15, section 1026, subsection 3, paragraph A, subparagraph (5) or (8) when the alleged victim in the case for which the defendant was on bail was a family or household member as defined in Title 19-A, section 4102, subsection 6 or a dating partner as defined in Title 19-A, section 4102, subsection 4; or

(4) Has one or more prior convictions for violating section 208, 208-B or 208-C, and the State had pled and proved that the victim of the applicable prior conviction was a family or household member, as defined in Title 19-A, section 4102, subsection 6, or a dating partner, as defined in Title 19-A, section 4102, subsection 4, or has one or more prior convictions in another jurisdiction for engaging in conduct substantially similar to that contained in section 208, 208-B or 208-C and it had been pled and proved that the victim was a family or household member or a dating partner.

Violation of this paragraph is a Class C crime.

**Sec. 11. 17-A MRSA §210-C, sub-§1, ¶A**, as amended by PL 2021, c. 647, Pt. B, §27 and affected by §65, is further amended to read:

A. The person violates section 210-A and the victim is a family or household member as defined in Title 19-A, section 4102, subsection 6 or a dating partner as defined in Title 19-A, section 4102, subsection 4. Violation of this paragraph is a Class D crime; or

**Sec. 12. 17-A MRSA §210-C, sub-§1, ¶B**, as amended by PL 2021, c. 647, Pt. B, §28 and affected by §65, is further amended to read:

B. The person violates paragraph A and at the time of the offense:

(1) Has one or more prior convictions for violating paragraph A or for violating section 207-A, 208-D, 208-E, 208-F, 209-A, 210-B or 211-A or one or more prior convictions for engaging in conduct substantially similar to that contained in paragraph A or in section 207-A, 208-D, 208-E, 208-F, 209-A, 210-B or 211-A in another jurisdiction;

(2) Has one or more prior convictions for violating Title 19-A, former section 4011, subsection 1 or Title 19-A, section 4113, subsection 1 or one or more prior convictions for engaging in conduct substantially similar to that contained in Title 19-A, section 4113, subsection 1 in another jurisdiction;

(3) Has one or more prior convictions for violating Title 15, section 1092, subsection 1, paragraph B when the condition of release violated is specified in Title 15, section 1026, subsection 3, paragraph A, subparagraph (5) or (8) when the alleged victim in the case for which the defendant was on bail was a family or household member as defined in Title 19-A, section 4102, subsection 6 or a dating partner as defined in Title 19-A, section 4102, subsection 4; or

(4) Has one or more prior convictions for violating section 208, 208-B or 208-C, and the State had pled and proved that the victim of the applicable prior conviction was a family or household member, as defined in Title 19-A, section 4102, subsection 6, or a dating partner, as defined in Title 19-A, section 4102, subsection 4, or has one or more prior convictions in another jurisdiction for engaging in conduct substantially similar to that contained in section 208, 208-B or 208-C and it had been pled and proved that the victim was a family or household member or a dating partner.

Violation of this paragraph is a Class C crime.

**Sec. 13. 17-A MRSA §211-A, sub-§1, ¶A**, as amended by PL 2021, c. 647, Pt. B, §29 and affected by §65, is further amended to read:

A. The person violates section 211 and the victim is a family or household member as defined in Title 19-A, section 4102, subsection 6 or a dating partner as defined in Title 19-A, section 4102, subsection 4. Violation of this paragraph is a Class D crime; or

**Sec. 14. 17-A MRSA §211-A, sub-§1, ¶B**, as amended by PL 2021, c. 647, Pt. B, §30 and affected by §65, is further amended to read:

B. The person violates paragraph A and at the time of the offense:

(1) Has one or more prior convictions for violating paragraph A or for violating section 207-A, 208-D, 208-E, 208-F, 209-A, 210-B or 210-C or one or more prior convictions for engaging in conduct substantially similar to that contained in paragraph A or in section 207-A, 208-D, 208-E, 208-F, 209-A, 210-B or 210-C in another jurisdiction;

(2) Has one or more prior convictions for violating Title 19-A, former section 4011, subsection 1 or Title 19-A, section 4113, subsection 1 or one or more prior convictions for engaging in conduct substantially similar to that contained in Title 19-A, section 4113, subsection 1 in another jurisdiction;

(3) Has one or more prior convictions for violating Title 15, section 1092, subsection 1, paragraph B when the condition of release violated is specified in Title 15, section 1026, subsection 3, paragraph A, subparagraph (5) or (8) when the alleged victim in the case for which the defendant was on bail was a family or household member as defined in Title 19-A, section 4102, subsection 6 or a dating partner as defined in Title 19-A, section 4102, subsection 4; or

(4) Has one or more prior convictions for violating section 208, 208-B or 208-C, and the State had pled and proved that the victim of the applicable prior conviction was a family or household member, as defined in Title 19-A, section 4102, subsection 6, or a dating partner, as defined in Title 19-A, section 4102, subsection 4, or has one or more prior convictions in another jurisdiction for engaging in conduct substantially similar to that contained in section 208, 208-B or 208-C and it had been pled and proved that the victim was a family or household member or a dating partner.

Violation of this paragraph is a Class C crime.

**Sec. 15. 17-A MRSA §1603, sub-§2, ¶C**, as amended by PL 2021, c. 647, Pt. B, §34 and affected by §65, is further amended to read:

C. That the victim is a family or household member as defined in Title 19-A, section 4102, subsection 6, paragraphs A to E or a dating partner as defined in Title 19-A, section 4102, subsection 4 who is a victim of domestic violence committed by the convicted individual.

**Sec. 16. 17-A MRSA §1804, sub-§3**, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

**3. Exception to limits when victim is family or household member.** If the State pleads and proves that the person was convicted of committing against a fam-

ily or household member or a dating partner a crime under chapter 9 or 13 or section 554 or if the person was convicted under chapter 11 or 12 or section 556, the period of probation may not exceed:

- A. For a Class A crime, 6 years; and
- B. For a Class B or Class C crime, 4 years.

**Sec. 17. 17-A MRSA §1804, sub-§6,** as amended by PL 2021, c. 647, Pt. B, §39 and affected by §65, is further amended to read:

**6. Exception to limits when person ordered to complete domestic violence intervention program and pay restitution.** If the State pleads and proves that the enumerated Class D or Class E crime was committed by the person against a family or household member or a dating partner and the court orders the person to complete a certified domestic violence intervention program as defined in Title 19-A, section 4116, the person may be placed on probation for a period not to exceed 2 years, except that, on motion by the person's probation officer, the person or the court, the term of probation must be terminated by the court when the court determines that the person has:

- A. Served at least one year of probation;
- B. Completed the certified domestic violence intervention program;
- C. Paid in full any victim restitution ordered; and
- D. From the time the period of probation commenced until the motion for termination is heard, met all other conditions of probation.

As used in this subsection, "enumerated Class D or Class E crime" means any Class D crime in chapter 9, any Class D or Class E crime in chapter 11, the Class D crimes described in sections 302 and 506-B and the Class D crimes described in sections 554, 555 and 758.

**Sec. 18. 17-A MRSA §2107, 2nd ¶,** as amended by PL 2021, c. 647, Pt. B, §42 and affected by §65, is further amended to read:

For purposes of this section, "crime involving domestic violence" has the same meaning as in Title 15, section 1003, subsection 3-A and includes those crimes under section 152, subsection 1, paragraph A, section 208 and section 208-B when the victim is a family or household member as defined in Title 19-A, section 4102, subsection 6, paragraphs A to E or a dating partner as defined in Title 19-A, section 4102, subsection 4.

**Sec. 19. 17-A MRSA §2301, sub-§1-A** is enacted to read:

**1-A. Dating partner.** "Dating partner" has the same meaning as in Title 19-A, section 4102, subsection 4.

**Sec. 20. 17-A MRSA §2307, sub-§1, ¶F,** as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

F. A crime against a family or household member or a dating partner listed under chapter 9 or 13 or section 506-B, 554, 555 or 758.

**Sec. 21. 17-A MRSA §2308, sub-§1, ¶F,** as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

F. A crime against a family or household member or a dating partner listed under chapter 9 or 13 or section 506-B, 554, 555 or 758.

See title page for effective date.

**CHAPTER 466**

**S.P. 615 - L.D. 1552**

**An Act to Create the Lobster Innovation Fund**

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

**Sec. 1. 12 MRSA c. 619, sub-c. 4-A, head-note** is amended to read:

**SUBCHAPTER 4-A**

**LOBSTER RESEARCH, EDUCATION AND DEVELOPMENT FUND AND LOBSTER INNOVATION FUND**

**Sec. 2. 12 MRSA §6465, first ¶,** as enacted by PL 2001, c. 623, §1, is amended to read:

The Lobster Research, Education and Development Fund, referred to in this subchapter section as "the fund," is established in the department. Balances in the fund may not lapse and must be carried forward and used for the purposes of this section.

**Sec. 3. 12 MRSA §6466** is enacted to read:

**§6466. Lobster Innovation Fund**

The Lobster Innovation Fund, referred to in this section as "the fund," is established in the department. The fund consists of money received as appropriations and contributions from public and private sources. Balances in the fund may not lapse and must be carried forward. The fund must be used to provide stipends to holders of Class I, Class II or Class III lobster fishing licenses to participate in the testing of new lobster fishing technologies.

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

**MARINE RESOURCES, DEPARTMENT OF Lobster Innovation Fund N439**