

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

SECOND REGULAR SESSION
January 3, 2024 to May 10, 2024

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 9, 2024

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

Augusta, Maine
2024

(2) For active duty service in the active or reserve components of the United States Army, Navy, Air Force, Marines ~~or~~, Coast Guard or Space Force or in the Maine National Guard by a service member in support of a federal operational mission or a declared state or federal disaster response when the orders are either at federal direction or at the direction of the Governor of this State;

Sec. B-4. 36 MRSA §5219-KK, sub-§1, ¶A-1, as amended by PL 2023, c. 360, Pt. B, §13 and c. 412, Pt. S, §§1 to 3, is further amended by amending subparagraph (4) to read:

(4) For tax years beginning on or after January 1, 2024, notwithstanding subparagraphs (1) ~~and~~, (2) ~~and~~ (3), for individuals 65 years of age or older, \$4,000.

Sec. B-5. 36 MRSA §5228, sub-§7, as amended by PL 2001, c. 583, §18, is further amended to read:

7. Short taxable year. Payment of taxes for a short taxable year must be made as provided in this subsection. For payment dates falling within the short taxable year, payment must be made as provided in subsection 4.

A. For an individual, a trust or an estate with a taxable year of less than 12 months, the estimated tax must be paid in full by the 15th day of the month following the end of the taxable year.

B. For a corporation or financial institution with a taxable year of less than 12 months, the estimated tax must be paid in full by the 15th day of the last month of the taxable year.

Sec. B-6. 36 MRSA §5242, 2nd ¶, as enacted by PL 2021, c. 181, Pt. A, §14, is amended to read:

A person who is required by the assessor to ~~furnish~~ file a return of information in accordance with this section on or after January 31, 2022 and who fails to do so, or who willfully ~~furnishes~~ files a false or fraudulent return of information, is subject to a penalty of \$50 for each such failure.

See title page for effective date.

CHAPTER 524

S.P. 864 - L.D. 2036

An Act to Remove the Exemption for Certain Roadside Springs from Regulation as Public Water Systems in the Laws Regarding Water for Human Consumption

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

Sec. 1. 22 MRSA §2604-A, as enacted by PL 1997, c. 45, §2, is amended to read:

§2604-A. Roadside springs

~~A roadside spring is not a public water system if the owner of the roadside spring does not collect, charge or accept donations, fees or money for the water or for testing or maintenance of the water and does not post signs or construct other structures that invite persons to use the spring it does not serve an average of at least 25 individuals daily at least 60 days out of the year.~~

See title page for effective date.

CHAPTER 525

H.P. 1307 - L.D. 2045

An Act to Establish Training and Certification Standards for Probation and Parole Officers

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

Sec. 1. 25 MRSA §2801-A, sub-§5, as amended by PL 2013, c. 147, §5, is further amended to read:

5. Law enforcement officer. "Law enforcement officer" means a person who by virtue of public employment is vested by law with the power to make arrests for crimes or serve criminal process, whether that power extends to all crimes or is limited to specific crimes, and who possesses a current and valid certificate issued by the board pursuant to section 2803-A. As used in this chapter, "law enforcement officer" does not include federal law enforcement officers ~~or~~, attorneys prosecuting for the State or persons who perform probation functions or are adult probation supervisors as defined in Title 17-A, section 2, subsection 3-C.

Sec. 2. 25 MRSA §2801-A, sub-§7-A is enacted to read:

7-A. Probation and parole officer. "Probation and parole officer" means an employee of the Department of Corrections with duties described in Title 34-A,

section 5404 who possesses a current and valid certificate issued by the board pursuant to section 2803-A, subsection 5-C or a provisional certification as determined by the board for certain employees employed prior to July 1, 2025.

Sec. 3. 25 MRSA §2801-B, sub-§1, ¶A, as repealed and replaced by PL 2013, c. 588, Pt. A, §33, is amended to read:

A. An employee of the Department of Corrections with a duty to perform probation functions or who is an adult probation supervisor as defined in Title 17-A, section 2, subsection 3-C or who is an investigative officer or other employee of the Department of Corrections authorized to exercise law enforcement powers as described in Title 34-A, section 3011;

Sec. 4. 25 MRSA §2803-A, sub-§5-C is enacted to read:

5-C. Training and certification of probation and parole officers. To establish training and certification standards for probation and parole officers, set requirements for board-approved courses, prescribe curricula and certify graduates of board-approved courses. Certification must be based on the officer's demonstration of having acquired specific knowledge and skills directly related to job performance;

Sec. 5. 25 MRSA §2804-M is enacted to read:
§2804-M. Probation and parole officer basic training and certification

1. Training and certification required. Beginning July 1, 2025, as a condition to the continued employment of a person hired as a probation and parole officer, that person shall successfully complete, within the first 12 months of employment, a basic training course approved by the board and meet the certification standards established by the board pursuant to section 2803-A, subsection 5-C. Thereafter, as a condition to continued employment as a probation and parole officer, the officer shall satisfactorily maintain the basic certification. The board, under extenuating and emergency circumstances in individual cases, may extend the 12-month period for not more than 180 days. The board, in individual cases, may waive basic training requirements when the facts indicate that an equivalent course has been successfully completed in another state or federal jurisdiction.

Sec. 6. 25 MRSA §2804-N is enacted to read:
§2804-N. In-service probation and parole officer training

1. Required. Beginning July 1, 2025, as a condition to the continued employment of any person as a probation and parole officer, that person shall successfully complete in-service training as prescribed by the

board. Failure to successfully complete in-service training by a probation and parole officer as prescribed by the board constitutes grounds to suspend or revoke a certificate issued by the board pursuant to section 2803-A.

2. Role of board. The board shall establish in-service training requirements, consistent with subsection 1, and coordinate delivery of in-service training. The in-service recertification training requirements must include information on new laws and court decisions. The board shall consider and encourage the use of telecommunications technology in the development and delivery of in-service training programs. In establishing the recertification training requirements, the board shall cooperate with the Department of Corrections to ensure that the standards are appropriate. In-service training may not be applied to satisfy in-service recertification training requirements unless it is approved by the board.

3. Provision of in-service training. In-service training programs that meet the requirements established under subsection 2 or other in-service training may be provided by the Maine Criminal Justice Academy or the Department of Corrections.

4. Credit for continuing education. The board may grant in-service training credits to be applied to in-service recertification training requirements for courses completed at accredited colleges and universities.

Sec. 7. Probation and parole officer certification transfer.

1. Provisional certification. A probation and parole officer working for the Department of Corrections who has satisfied employment and training requirements established pursuant to the Maine Revised Statutes, Title 34-A, section 5402, subsection 2 prior to July 1, 2025 is provisionally certified until October 1, 2025.

2. Transfer application. No later than October 1, 2025, for each probation and parole officer who is provisionally certified pursuant to subsection 1 and is employed by the Department of Corrections, the department shall submit documentation required by the Board of Trustees of the Maine Criminal Justice Academy to establish current and valid certification as a probation and parole officer.

Sec. 8. Board of Trustees of the Maine Criminal Justice Academy to establish training and certification standards. The Board of Trustees of the Maine Criminal Justice Academy shall establish training and certification standards for probation and parole officers pursuant to the Maine Revised Statutes, Title 25, section 2803-A, subsection 5-C no later than July 1, 2025.

See title page for effective date.