

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 1994 to June 30, 1995

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 29, 1995

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

J.S. McCarthy Company
Augusta, Maine
1995

§19204-C. Restrictions upon revealing HIV antibody test results

~~No~~ An insurer, nonprofit hospital or medical services organization ~~or~~, nonprofit health care plan or health maintenance organization may not request any person to reveal whether the person has obtained a test for the presence of antibodies to HIV or a test to measure the virus or to reveal the results of such tests taken prior to an application for insurance coverage.

Sec. 18. 5 MRSA §19205, sub-§1, as amended by PL 1989, c. 700, Pt. A, §28, is further amended to read:

1. Policy; services. It ~~shall be~~ is the policy of the State to provide to persons who test positive for HIV or have been diagnosed as having AIDS ~~or AIDS Related Complex~~ the services of departments and agencies, including, but not limited to, the Department of Education, the Department of Mental Health and Mental Retardation, the Department of Human Services and the Department of Corrections.

Sec. 19. 5 MRSA §19205, sub-§2, as amended by PL 1989, c. 502, Pt. A, §22, is further amended to read:

2. Coordination of services. A person designated by the Commissioner of Human Services shall ~~insure~~ ensure coordination of new and existing services so as to meet the needs of persons with ~~AIDS, AIDS Related Complex and viral positivity~~ HIV or AIDS and identify gaps in programs.

The committee established in section 12004-I, subsection 42, shall work with the person designated in this chapter to ~~insure~~ ensure the coordination of services to meet the needs of persons with ~~AIDS, AIDS Related Complex and viral positivity~~ HIV or AIDS.

See title page for effective date.

CHAPTER 405

H.P. 808 - L.D. 1125

**An Act to Implement the
Recommendations Resulting from
the Study Concerning Parental
Rights and Responsibilities When
Domestic Abuse is Involved**

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

Sec. 1. 17-A MRSA §1204, sub-§2-A, ¶D, as enacted by PL 1975, c. 740, §110-A, is amended to read:

D. To undergo, as an out-patient, available medical or psychiatric treatment, or to enter and remain, as a voluntary patient, in a specified institution when required for that purpose. Failure to comply with this condition ~~shall be~~ is considered only as a violation of probation and ~~shall~~ may not, in itself, authorize involuntary treatment or hospitalization. The court may not order and the State may not pay for the defendant to attend a batterers' intervention program unless the program is certified under Title 19, section 770-C;

Sec. 2. 19 MRSA §214, sub-§6, as amended by PL 1995, c. 172, §1, is further amended to read:

6. Order. The order of the court must award allocated parental rights and responsibilities, shared parental rights and responsibilities or sole parental rights and responsibilities, according to the best interest of the child. When the parents have agreed to an award of shared parental rights and responsibilities or so agree in open court, the court shall make that award unless there is substantial evidence that it should not be ordered. The court shall state in its decision the reasons for not ordering a shared parental rights and responsibilities award agreed to by the parents.

The court may award reasonable rights of contact with a minor child to any 3rd persons.

The court may award parental rights and responsibilities to a 3rd person, a society or institution for the care and protection of children, or to the Department of Human Services upon a finding that awarding parental rights and responsibilities to either or both parents will place the child in jeopardy as defined in Title 22, section 4002, subsection 6.

The court may not order and the State may not pay for the defendant to attend a batterers' intervention program unless the program is certified under Title 19, section 770-C.

Every final order issued under this section must contain:

A. A provision for child support or a statement of the reasons for not ordering child support;

B. A statement that each parent must have access to records and information pertaining to a minor child, including but not limited to, medical, dental and school records, whether or not the child resides with the parent, unless that access is found not to be in the best interest of the child or that access is found to be sought for the purpose of causing detriment to the other parent. If that access is not ordered, the court shall state in the order its reasons for denying that access; and

C. A statement that violation of the order may result in a finding of contempt and imposition of sanctions as provided in subsection 6-A.

Sec. 3. 19 MRSA §581, sub-§6, as amended by PL 1995, c. 172, §3, is further amended to read:

6. Order. Upon petition under subsection 3, paragraph B, the order of the court must award allocated parental rights and responsibilities, shared parental rights and responsibilities or sole parental rights and responsibilities, according to the best interest of the child. When the parents have agreed to an award of shared parental rights and responsibilities or so agree in open court, the court shall make that award unless there is substantial evidence that it should not be ordered. The court shall state in its decision the reasons for not ordering a shared parental rights and responsibilities award agreed to by the parents.

The court may award reasonable rights of contact with a minor child to any 3rd persons.

The court may award parental rights and responsibilities to a 3rd person, a society or institution for the care and protection of children, or to the Department of Human Services upon a finding that awarding parental rights and responsibilities to either or both parents will place the child in jeopardy as defined in Title 22, section 4002, subsection 6.

The court may not order and the State may not pay for the defendant to attend a batterers' intervention program unless the program is certified under Title 19, section 770-C.

Every final order issued under this section must contain:

- A. A provision for child support or a statement of the reasons for not ordering child support;
- B. A statement that each parent must have access to records and information pertaining to a minor child, including but not limited to, medical, dental and school records, whether or not the child resides with the parent, unless that access is found not to be in the best interest of the child or that access is found to be sought for the purpose of causing detriment to the other parent. If that access is not ordered, the court shall state in the order its reasons for denying that access; and
- C. A statement that violation of the order may result in a finding of contempt and imposition of sanctions as provided in subsection 6-A.

Sec. 4. 19 MRSA §752, sub-§1, as enacted by PL 1983, c. 813, §5, is repealed and the following enacted in its place:

1. Legislative findings and purpose. The Legislature makes the following findings concerning relationships among family members in determining what is in the best interest of children.

A. The Legislature finds and declares as public policy that encouraging mediated resolutions of disputes between parents is in the best interest of minor children.

B. The Legislature finds that domestic abuse is a serious crime against the individual and society, producing an unhealthy and dangerous family environment, resulting in a pattern of escalating abuse, including violence, that frequently culminates in intrafamily homicide and creating an atmosphere that is not conducive to healthy childhood development.

Sec. 5. 19 MRSA §752, sub-§2, ¶B-1 is enacted to read:

B-1. "Domestic abuse" means abuse as defined in section 762.

Sec. 6. 19 MRSA §752, sub-§5, as amended by PL 1993, c. 453, §§9 and 10, is further amended to read:

5. Best interest of the child. The court, in making an award of parental rights and responsibilities with respect to a minor child, shall apply the standard of the best interest of the child. In making decisions regarding primary residence and parent-child contact, the court shall consider as primary the safety and well-being of the child. In applying this standard, the court shall consider the following factors:

- A. The age of the child;
- B. The relationship of the child with the child's parents and any other persons who may significantly affect the child's welfare;
- C. The preference of the child, if old enough to express a meaningful preference;
- D. The duration and adequacy of the child's current living arrangements and the desirability of maintaining continuity;
- E. The stability of any proposed living arrangements for the child;
- F. The motivation of the parties involved and their capacities to give the child love, affection and guidance;
- G. The child's adjustment to the child's present home, school and community;

H. The capacity of each parent to allow and encourage frequent and continuing contact between the child and the other parent, including physical access;

I. The capacity of each parent to cooperate or to learn to cooperate in child care;

J. Methods for assisting parental cooperation and resolving disputes and each parent's willingness to use those methods;

K. The effect on the child if one parent has sole authority over the child's upbringing;

K-1. The existence of a history of domestic abuse between the parents, in the past or currently, and how that abuse affects:

(1) The child emotionally; and

(2) The safety of the child;

K-2. The existence of any history of child abuse by a parent; and

L. All other factors having a reasonable bearing on the physical and psychological well-being of the child.

Sec. 7. 19 MRSA §752, sub-§5-A is enacted to read:

5-A. Conditions of parent-child contact in cases involving domestic abuse. The court shall establish conditions of parent-child contact in cases involving domestic abuse as follows.

A. A court may award primary residence of a minor child or parent-child contact with a minor child to a parent who has committed domestic abuse only if the court finds that contact between the parent and child is in the best interest of the child and that adequate provision for the safety of the child and the parent who is a victim of domestic abuse can be made.

B. In an order of parental rights and responsibilities, a court may:

(1) Order an exchange of a child to occur in a protected setting;

(2) Order contact to be supervised by another person or agency;

(3) Order the parent who has committed domestic abuse to attend and complete to the satisfaction of the court a domestic abuse intervention program or other designated counseling as a condition of the contact;

(4) Order either parent to abstain from possession or consumption of alcohol or controlled substances, or both, during the visitation and for 24 hours preceding the contact;

(5) Order the parent who has committed domestic abuse to pay a fee to defray the costs of supervised contact;

(6) Prohibit overnight parent-child contact; and

(7) Impose any other condition that is determined necessary to provide for the safety of the child, the victim of domestic abuse or any other family or household member.

C. The court may require security from the parent who has committed domestic abuse for the return and safety of the child.

D. The court may order the address of the child and the victim to be kept confidential.

E. The court may not order a victim of domestic abuse to attend counseling with the parent who has committed domestic abuse.

F. If a court allows a family or household member to supervise parent-child contact, the court shall establish conditions to be followed during that contact. Conditions include but are not limited to:

(1) Minimizing circumstances when the family of the parent who has committed domestic abuse would be supervising visits;

(2) Ensuring that contact does not damage the relationship with the parent who has primary physical residence;

(3) Ensuring the safety and well-being of the child; and

(4) Requiring that supervision is provided by a person who is physically and mentally capable of supervising a visit and who does not have a criminal history or history of abuse or neglect.

G. Fees incurred by the parent who has committed domestic abuse may not be considered as a mitigating factor reducing that parent's child support obligation.

Sec. 8. 19 MRSA §752, sub-§6, as amended by PL 1995, c. 172, §5, is further amended to read:

6. Order. The order of the court must award allocated parental rights and responsibilities, shared parental rights and responsibilities or sole parental rights and responsibilities, according to the best interest of the child. When the parents have agreed to an award of shared parental rights and responsibilities or so agree in open court, the court shall make that award unless there is substantial evidence that it should not be ordered. The court shall state in its decision the reasons for not ordering a shared parental rights and responsibilities award agreed to by the parents.

The court may award reasonable rights of contact with a minor child to any 3rd persons.

The court may award parental rights and responsibilities with respect to the child to a 3rd person, some suitable society or institution for the care and protection of children or the Department of Human Services upon a finding that awarding parental rights and responsibilities to either or both parents will place the child in jeopardy as defined in Title 22, section 4002, subsection 6.

The court may not order and the State may not pay for the defendant to attend a batterers' intervention program unless the program is certified under Title 19, section 770-C.

Every final order issued under this section must contain:

- A. A provision for child support or a statement of the reasons for not ordering child support;
- B. A statement that each parent must have access to records and information pertaining to a minor child, including but not limited to, medical, dental and school records, whether or not the child resides with the parent, unless that access is found not to be in the best interest of the child or that access is found to be sought for the purpose of causing detriment to the other parent. If that access is not ordered, the court shall state in the order its reasons for denying that access; and
- C. A statement that violation of the order may result in a finding of contempt and imposition of sanctions as provided in subsection 6-A.

Sec. 9. 19 MRSA §752, sub-§12, as amended by PL 1989, c. 337, §9, is further amended to read:

12. Modification of orders; compulsory process. Upon the motion of one or both of the parents, or any agency or person who has been granted parental rights and responsibilities or contact with respect to a child under this section, the court may alter its order concerning parental rights and respon-

sibilities or contact with respect to a minor child as circumstances require. Child support orders may be modified retroactively, but only from the date that notice of a petition for modification has been served upon the opposing party pursuant to the Maine Rules of Civil Procedure. The parties ~~shall~~ must be referred to mediation as provided under subsection 4.

The relocation, or intended relocation, of a child resident in this State to another state by a parent, when the other parent is a resident in this State and there exists an award of shared or allocated parental rights and responsibilities concerning the child, is a substantial change in circumstances. The finding that domestic or family violence has occurred since the last custody determination constitutes a finding of a change of circumstances.

In execution of the powers given it under this Title, the court may employ any compulsory process ~~which~~ it deems proper, by execution attachment or other effectual form, on which costs ~~shall~~ must be taxed as in other actions.

Sec. 10. 19 MRSA §752-A, sub-§1, as enacted by PL 1993, c. 629, §1, is amended to read:

1. Guardian ad litem; appointment. In contested proceedings under sections 214, 581, 693 and 752 in which a minor child is involved, the court may appoint a guardian ad litem for the child. The appointment ~~must~~ may be made at any time, but the court must make every effort to make the appointment as soon as possible after the commencement of the proceeding. The court may appoint a guardian ad litem when the court has reason for special concern as to the welfare of a minor child. In determining whether an appointment must be made, the court shall consider:

- A. The wishes of the parties;
- B. The age of the child;
- C. The nature of the proceeding, including the contentiousness of the hearing;
- D. The financial resources of the parties;
- E. The extent a guardian ad litem may assist in providing information concerning the best interest of the child; ~~and~~
- F. Other factors the court determines relevant;
- G. Whether the family has experienced a history of domestic abuse; and
- H. Any abuse of the child by one of the parties.

At the time of the appointment, the court shall specify the guardian ad litem's length of appointment, duties and fee arrangements.

Sec. 11. 19 MRSA §752-A, sub-§1-A is enacted to read:

1-A. Qualifications. A guardian ad litem appointed on or after September 1, 1997 must meet the qualifications established by the Supreme Judicial Court.

Sec. 12. 19 MRSA §752-A, sub-§2, as enacted by PL 1993, c. 629, §1, is repealed and the following enacted in its place:

2. Duties. The guardian ad litem has both mandatory and optional duties. If, in order to perform the duties, the guardian needs information concerning the child or parents, the court may order the parents to sign an authorization form allowing the release of the necessary information. The guardian ad litem shall interview the child with or without another person present. The guardian ad litem must be allowed access to the child by caretakers of the child, whether the caretakers are individuals, authorized agencies or child care providers. The guardian ad litem shall have face-to-face contact with the child within 7 days of appointment by the court and at least once every 3 months thereafter. The guardian ad litem shall make a written report of investigations, findings and recommendations every 6 months or as ordered by the court, with copies of the report to each party and the court.

The court shall specify the optional duties of the guardian ad litem. The duties of the guardian ad litem may include the following:

A. Interviewing the parents, teachers and other people who have knowledge of the child or family;

B. Reviewing mental health, medical and school records of the child;

C. Reviewing mental health and medical records of the parents;

D. Having qualified people perform medical and mental evaluations on the child;

E. Having qualified people perform medical and mental evaluations on the parents;

F. Procuring counseling for the child;

G. Retaining an attorney to represent the guardian ad litem in the pending proceeding, with approval of the court;

H. Subpoenaing witnesses and documents and examining and cross-examining witnesses;

I. Serving as a contact person between the parents and the child; and

J. Other duties that the court determines necessary, including, but not limited to, the authority to file pleadings.

Sec. 13. 19 MRSA §752-A, sub-§3, as enacted by PL 1993, c. 629, §1, is amended to read:

3. Best interest of the child. The guardian ad litem must be guided by the standard of the best interest of the child as set forth in section 752, subsection 5. A guardian ad litem shall make the wishes of the child known to the court if the child has expressed the child's wishes, regardless of the recommendation of the guardian ad litem. If the child and the child's guardian ad litem are not in agreement, the court shall evaluate the necessity for appointing special counsel for the child to serve as the child's legal advocate concerning the issues and during the proceedings as the court determines to be in the best interest of the child and shall appoint a legal advocate if the court determines that such an appointment is necessary.

Sec. 14. 19 MRSA §752-A, sub-§7 is enacted to read:

7. Notice. A guardian ad litem must be given notice of all hearings and proceedings, civil or criminal, including, but not limited to, grand juries, in which the child is a party or a witness and shall protect the best interests of the child in those hearings and proceedings, unless otherwise ordered by the court.

Sec. 15. 19 MRSA §766, sub-§1, ¶F, as amended by PL 1989, c. 862, §17, is further amended to read:

F. Requiring the defendant to receive counseling from a social worker, family service agency, mental health center, psychiatrist or any other guidance service that the court considers appropriate. The court may not order and the State may not pay for the defendant to attend a batterers' intervention program unless the program is certified under Title 19, section 770-C;

Sec. 16. 19 MRSA §770-B, sub-§3, as enacted by PL 1989, c. 862, §22, is amended to read:

3. Powers and duties. The commission shall advise and assist the executive, legislative and judicial branches of State Government on issues related to domestic abuse. The commission may make recommendations on legislative and policy actions, including training of the various law enforcement officers, prosecutors and judicial officers responsible for enforcing and carrying out the provisions of this chapter, and may undertake research development and

program initiatives consistent with this section. The entire commission shall meet at least 2 times a year. Subcommittees of the commission may meet as necessary. The commission may accept funds from the Federal Government, from any political subdivision of the State or from any individual, foundation or corporation and may expend these funds for purposes that are consistent with this section.

Sec. 17. 19 MRSA §770-C is enacted to read:

§770-C. Certification of batterers' intervention programs

1. Rules establishing standards and procedures for certification. The Department of Public Safety, referred to in this section as the "department," shall adopt rules pursuant to the Maine Administrative Procedure Act, in consultation with the Maine Commission on Domestic Abuse, that establish standards and procedures for certification of batterers' intervention programs. The department, in consultation with the commission, shall review and certify programs that meet the standards.

2. Temporary certification of batterers' intervention programs. The department may certify programs on a temporary basis until final standards are adopted. To receive temporary certification, a batterers' intervention program must submit to the department evidence of the following:

A. The program has established a relationship with an agency in the program's area that is a member of the statewide coalition for family crisis services funded by the Department of Human Services;

B. The program is a minimum of 26 weeks in length;

C. The program includes treatment modalities that are appropriate to each gender;

D. The primary purpose of the program is to provide safety to victims; and

E. The training received by facilitators and the curriculum used are based upon models developed by a nationally recognized program.

Sec. 18. 22 MRSA §4005, sub-§1, ¶A, as amended by PL 1983, c. 783, §1, is further amended to read:

A. The court, in every child protection proceeding except a request for a preliminary protection order under section 4034 or a petition for a medical treatment order under section 4071, but including hearings on those orders, shall appoint a guardian ad litem for the child. ~~His~~ The

guardian ad litem's reasonable costs and expenses shall must be paid by the District Court. The appointment shall must be made as soon as possible after the proceeding is initiated. Guardians ad litem appointed on or after September 1, 1997 must meet the qualifications established by the Supreme Judicial Court.

Sec. 19. 22 MRSA §4005, sub-§1, ¶B, as repealed and replaced by PL 1983, c. 183, is amended to read:

B. The guardian ad litem shall act in pursuit of the best interests of the child. ~~He shall~~ The guardian ad litem must be given access to all reports and records relevant to the case. ~~He shall~~ and investigate to ascertain the facts. His The investigation shall must include, where when possible and appropriate, the following:

- (1) Review of relevant mental health records and materials;
- (2) Review of relevant medical records;
- (3) Review of relevant school records and other pertinent materials;
- (4) Interviews with the child with or without other persons present; and
- (5) Interviews with parents, foster parents, teachers, caseworkers and other persons who have been involved in caring for or treating the child.

The guardian ad litem shall have face-to-face contact with the child in the child's home or foster home within 7 days of appointment by the court and at least once every 3 months thereafter. The guardian ad litem shall report to the court and all parties in writing at 6-month intervals, or as is otherwise ordered by the court, regarding the guardian ad litem's activities on the behalf of the child and recommendations concerning the manner in which the court should proceed in the best interest of the child. The court may provide an opportunity for the child to address the court personally if the child requests to do so or if the guardian ad litem believes it is in the child's best interest.

Sec. 20. 22 MRSA §4005, sub-§1, ¶F, as enacted by PL 1985, c. 581, §2, is amended to read:

F. The guardian ad litem or the child may request the court to appoint legal counsel for ~~him~~ the child. The District Court shall pay reasonable costs and expenses of ~~his~~ the child's legal counsel.

Sec. 21. 22 MRSA §4036, sub-§1, ¶G-1, as enacted by PL 1985, c. 739, §9, is amended to read:

G-1. The department has no further responsibility under section 4041 and, when the child has been placed in the custody of the department, shall move forward in a timely fashion to make permanent plans for the child; ~~or~~

Sec. 22. 22 MRSA §4036, sub-§1, ¶H, as enacted by PL 1979, c. 733, §18, is amended to read:

H. Other specific conditions governing custody; or

Sec. 23. 22 MRSA §4036, sub-§1, ¶I is enacted to read:

I. The court may not order and the State may not pay for the defendant to attend a batterers' intervention program unless the program is certified under Title 19, section 770-C.

Sec. 24. Ad hoc working group established. An ad hoc working group of the Maine Commission on Domestic Abuse is established to create standards for visitation centers by January 1, 1996. The working group includes, but is not limited to, representatives from:

1. The Maine Commission on Domestic Abuse;
2. The Maine Coalition for Family Crisis Services;
3. The Department of Human Services, Bureau of Child and Family Services;
4. Law enforcement;
5. The judiciary;
6. Legislators;
7. Child advocates;
8. Two attorneys, one with specific experience in handling domestic abuse cases and one who represents the family law section of the bar association;
9. A mental health professional with experience in child and family issues; and
10. Parents or guardians who have had previous contact and experience with the system.

In establishing standards for supervised visitation centers, the standards must provide for the following:

1. The neutral exchange of children for visitation purposes and on-site visits, both supervised and unsupervised;

2. Specific procedures for screening and intake;
3. Guidelines regarding fees for service;
4. Specific staffing requirements, including, but not limited to, staff and volunteer qualification and training;
5. Security;
6. Confidentiality;
7. Specific site requirements;
8. Any other program or service that ensures that visitation is conducted in a manner consistent with the best interest of the child;
9. What types of programs should be regulated by the standards; and
10. Any other issues the working group determines appropriate.

The Maine Commission on Domestic Abuse may submit legislation recommended by the ad hoc working group to establish standards for visitation centers.

Sec. 25. Training, certification, assignment and supervision of guardians ad litem.

The Legislature recognizes the need for a program that comprehensively addresses training, certification, supervision and assignment of guardians ad litem. The Legislature also recognizes that not all parties in cases in which appointment of a guardian ad litem may be appropriate have sufficient financial resources to pay for the appointment. The Legislature requests that the Supreme Judicial Court develop a program to provide training, certification, supervision and assignment of guardians ad litem. The program must be implemented by September 1, 1997. The program must also address appointment of and funding for guardians ad litem when one or more parties are indigent.

1. Components of the training program must include at least 16 hours of training. Training must cover at least the following:
 - A. Dynamics of domestic abuse and its effect on children;
 - B. Dynamics of divorce and its effect on children;
 - C. Child development;
 - D. The effects of trauma on children;
 - E. Substance abuse;
 - F. Legal issues and processes; and

G. Interviewing techniques.

2. The Supreme Judicial Court is requested to determine whether professional education, licensing or certification is an appropriate requirement for guardians ad litem in addition to the training established under subsection 1.

3. The Supreme Judicial Court may seek the assistance and cooperation of any interested person or organizations, including the following organizations who cooperated in presenting legislation pursuant to Resolve 1993, chapter 61:

- A. Maine Coalition for Family Crisis Services;
- B. Family Law Section, Maine State Bar Association;
- C. Maine Children's Alliance;
- D. Maine Association of Mental Health Services;
- E. Pine Tree Legal Assistance;
- F. Maine Women's Lobby; and
- G. Maine Commission on Domestic Abuse.

The Maine Coalition for Family Crisis Services shall provide staffing assistance at the request of the Supreme Judicial Court.

4. The Supreme Judicial Court is requested to report its findings and recommendations, including any recommended legislation, to the First Regular Session of the 118th Legislature and the joint standing committee of the Legislature having jurisdiction over judiciary matters no later than January 15, 1997.

See title page for effective date.

CHAPTER 406

H.P. 922 - L.D. 1298

An Act to Change the Atlantic Sea Run Salmon Commission

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

Sec. 1. 3 MRSA §927, sub-§7, ¶B, as amended by PL 1993, c. 585, §1, is further amended to read:

- B. Independent agencies:
 - (2) ~~Atlantic Sea Run Salmon Commission;~~
 - (3) Public Utilities Commission;

(4) Atlantic States Marine Fisheries Commission;

(5) Maine Development Foundation;

(6) Board of Directors, Maine Municipal and Rural Electrification Cooperative Agency;

(7) Lobster Advisory Council;

(8) Board of Environmental Protection;

(9) Board of Underground Oil Storage Tank Installers;

(10) Telecommunications Relay Services Advisory Council; ~~and~~

(11) Public Advocate; and

(12) Atlantic Salmon Authority;

Sec. 2. 5 MRSA §12004-G, sub-§20-A is enacted to read:

<u>20-A.</u>	<u>Atlantic</u>	<u>\$25/Day</u>	<u>12</u>
<u>Inland Fish-</u>	<u>Salmon</u>	<u>Plus</u>	<u>MRSA</u>
<u>eries and</u>	<u>Authority</u>	<u>Expenses</u>	<u>\$9901</u>
<u>Wildlife</u>			

Sec. 3. 5 MRSA §12004-G, sub-§26-B, as renumbered by RR 1993, c. 1, §10, is repealed.

Sec. 4. 12 MRSA §6071, sub-§1, as enacted by PL 1977, c. 661, §5, is amended to read:

1. Live importing prohibited. ~~It shall be~~ Except for Atlantic salmon imported by the Atlantic Salmon Authority under Part 12, it is unlawful to introduce or import for introduction into any coastal waters any live marine organism or to possess any of those introduced or imported organisms without a permit issued by the commissioner.

Sec. 5. 12 MRSA §6071, sub-§4, as amended by PL 1993, c. 562, §1, is further amended to read:

4. Salmon imports prohibited. ~~It~~ Except as provided in this subsection and section 9906, it is unlawful to import for introduction into any waters of the State any Atlantic salmon, live or as eggs, that originate in any Icelandic or European territorial waters or any other species of salmon, exclusive of rainbow trout, originating west of the North America continental divide. The commissioner may grant an exemption from the provisions of this subsection for a term not to exceed 2 years, renewable upon application, for legitimate ~~research~~ aquacultural projects. ~~Legitimate research does not include pilot, demon-~~