

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**September 5, 1996 to September 7, 1996**

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 1996 to March 27, 1997**

**FIRST SPECIAL SESSION**  
**March 27, 1997 to June 20, 1997**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 26, 1997**

**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 1997**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1997**

**Sec. 8. 12 MRSA §6422, sub-§4, ¶D**, as enacted by PL 1995, c. 568, §2, is repealed.

**Sec. 9. Report.** The Commissioner of Marine Resources shall, by January 15, 1998, report to the joint standing committee of the Legislature having jurisdiction over marine resource matters on the feasibility of basing categories of lobster and crab fishing licenses on the percentage of income an applicant derives from commercial fishing. The report may include legislation proposed by the commissioner. The report must include an evaluation of methods of determining and reporting the percentage of an applicant's income that is derived from commercial fishing. The joint standing committee of the Legislature having jurisdiction over marine resource matters may report out legislation during the Second Regular Session of the 118th Legislature regarding lobster and crab fishing licenses.

**Sec. 10. Effective date.** Those sections of this Act that affect the Maine Revised Statutes, Title 12, section 6421 take effect January 1, 1998.

See title page for effective date, unless otherwise indicated.

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**CHAPTER 251**

**H.P. 382 - L.D. 527**

**An Act to Strengthen the Mandatory Child Abuse Reporting Laws**

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

**Sec. 1. 22 MRSA §4011, sub-§1**, as amended by PL 1989, c. 819, §2, is further amended to read:

**1. Reasonable cause to suspect.** When, while acting in a professional capacity, an adult who is a medical or osteopathic physician, resident, intern, emergency medical services person, medical examiner, physician's assistant, dentist, dental hygienist, dental assistant, chiropractor, podiatrist, registered or licensed practical nurse, teacher, guidance counselor, school official, social worker, court appointed special advocate or guardian ad litem for the child, homemaker, home health aide, medical or social service worker, psychologist, child care personnel, mental health professional, law enforcement official, state fire inspector, municipal code enforcement official, municipal fire inspector, commercial film and photographic print processor, clergy member acquiring the information as a result of clerical professional work except for information received during confidential communications or chair of a professional

licensing board that has jurisdiction over mandated reporters knows or has reasonable cause to suspect that a child has been or is likely to be abused or neglected, that person shall immediately report or cause a report to be made to the department.

A. Whenever a person is required to report in a capacity as a member of the staff of a medical or public or private institution, agency or facility, that person shall immediately notify either the person in charge of the institution, agency or facility, or a designated agent, who shall then cause a report to be made. The staff may also make a report directly to the department.

B. Any person may make a report if that person knows or has reasonable cause to suspect that a child has been or is likely to be abused or neglected.

D. When, while acting in a professional capacity, any person required to report under this section knows or has reasonable cause to suspect that a child has been abused or neglected by a person not responsible for the child, the person shall immediately report or cause a report to be made to the appropriate district attorney's office.

See title page for effective date.

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**CHAPTER 252**

**H.P. 967 - L.D. 1347**

**An Act Regarding Residency and Motor Vehicle Registration**

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

**Sec. 1. 29-A MRSA §514**, as amended by PL 1995, c. 454, §3, is further amended by adding a new 3rd paragraph to read:

In enforcing this section, the Secretary of State may determine whether a minor child of a person required to register a motor vehicle in the State is enrolled in a public school within the State or a person required to register a motor vehicle in this State has declared Maine residency on a form, document or application.

See title page for effective date.