

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**  
**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST SPECIAL SESSION**  
**August 21, 2003 to August 22, 2003**

**The General Effective Date For**  
**First Special Session**  
**Non-Emergency Laws Is**  
**November 22, 2003**

**SECOND REGULAR SESSION**  
**January 7, 2004 to January 30, 2004**

**The General Effective Date For**  
**Second Regular Session**  
**Non-Emergency Laws Is**  
**April 30, 2004**

**SECOND SPECIAL SESSION**  
**February 3, 2004 to April 30, 2004**

**The General Effective Date For**  
**Second Special Session**  
**Non-Emergency Laws Is**  
**July 30, 2004**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2004**

tween persons or gambling by a person involving the playing of a machine, including equipment used in the playing phases of lottery schemes. "Electronic video machine" has the same meaning as in Title 17, section 330, subsection 1-A.

**Sec. 3. Application.** This Act applies to property tax years beginning on or after April 1, 2004.

See title page for effective date.

## CHAPTER 626

S.P. 638 - L.D. 1706

### An Act To Ensure Appropriate Care and Custody of Children

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

**Sec. 1. 22 MRSA §4023, sub-§2, ¶C,** as amended by PL 1989, c. 270, §8, is further amended to read:

C. Without any person responsible for the child;  
~~or~~

**Sec. 2. 22 MRSA §4023, sub-§2, ¶D,** as enacted by PL 1989, c. 270, §8, is amended to read:

D. Taken into interim care under Title 15, section 3501, by a law enforcement officer; or

**Sec. 3. 22 MRSA §4023, sub-§2, ¶E** is enacted to read:

E. In a situation in which the child has lost both parents as a result of a homicide or has lost one parent and the other parent has been arrested, detained or sentenced and committed to a state correctional facility, state mental health institute or county jail for an offense related to the homicide.

**Sec. 4. 22 MRSA §4023, sub-§8** is enacted to read:

**8. Emergency assessment.** In the event of a homicide as described in subsection 2, paragraph E, the department shall perform an emergency assessment for the purposes of temporary placement with a relative or other responsible person. The department shall provide a copy of the assessment performed under this subsection to the law enforcement personnel involved with the family of the child.

**Sec. 5. Development of protocols.** The Office of the Attorney General shall develop protocols for law enforcement in the event of a homicide as described in the Maine Revised Statutes, Title 22,

section 4023, subsection 2, paragraph E. The protocols must require prompt notification to the Department of Human Services, Bureau of Child and Family Services and the provision to the bureau of the names of members of the family that is involved in the situation.

**Sec. 6. Development of plan.** The Department of Public Safety shall develop a plan for the provision of criminal history record information and protection from abuse order information to the Department of Human Services, Bureau of Child and Family Services about persons being evaluated by the bureau in the process of performing an emergency assessment under the Maine Revised Statutes, Title 22, section 4023, subsection 8.

See title page for effective date.

## CHAPTER 627

S.P. 656 - L.D. 1723

### An Act To Amend the Laws Regarding Invasive Aquatic Species

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

**Sec. 1. 12 MRSA §13058, sub-§§1 and 2,** as enacted by PL 2003, c. 414, Pt. A, §2 and affected by Pt. D, §7, are amended to read:

**1. Prohibition.** A person may not place or operate a motorboat or personal watercraft on the inland waters of the State unless a lake and river protection sticker issued under subsection 3 is affixed to both sides of the bow above the water line and approximately 3 inches behind the validation sticker required under section 13056.

**2. Violation.** A person who places or operates a motorboat or personal watercraft upon the inland waters of the State without displaying a lake and river protection sticker as required by subsection 1 commits a civil violation for which a ~~forfeiture fine~~ of not less than \$100 and not more than \$250 per violation may be adjudged, ~~except that a citation for a violation of this subsection may not be issued to a person who is also issued a citation at the same time for a violation of any other provision of this chapter regulating watercraft, other than section 13073.~~ A ~~forfeiture fine~~ imposed under this subsection may not be ~~waived~~ suspended by the court.

**Sec. 2. 12 MRSA §13058, sub-§2-A** is enacted to read:

**2-A. Class E crime.** A person who violates subsection 1 after having been adjudicated of having