

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

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

Penmor Lithographers
Lewiston, Maine
2007

CHAPTER 282
H.P. 31 - L.D. 29

**An Act To Amend the Laws
Governing Welfare**

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

Sec. 1. 22 MRSA §3762, sub-§13, as enacted by PL 1997, c. 530, Pt. A, §16, is amended to read:

13. Reports to Legislature. The department shall provide information annually to the joint standing committee of the Legislature having jurisdiction over health and human services matters in order to allow the Legislature to evaluate the TANF program. Such information must include but is not limited to the number of TANF households and family members, a comparison of TANF eligibility levels with the federal poverty level, the number of TANF participants in training, education and work activity components and the rates at which individuals who have found employment through ASPIRE-TANF return to the TANF program. The information must include a summary of any federal laws enacted in the previous fiscal year that may require changes in the ASPIRE-TANF program. The information of the federal law changes must include a summary of any potential positive or negative impact on the TANF program and the ASPIRE-TANF program.

Sec. 2. 22 MRSA §3769, sub-§2, as enacted by PL 1997, c. 530, Pt. A, §16, is repealed.

See title page for effective date.

CHAPTER 283
H.P. 18 - L.D. 16

**An Act To Make Lobster Trap
Molesting a Civil Offense**

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

Sec. 1. 12 MRSA §6434, sub-§3, as amended by PL 2003, c. 520, §5, is further amended to read:

3. Using another's lobster gear; prohibition. Traps, warps, buoys or cars may not be used for fishing by any person other than the licensed owner unless ~~with~~ that person has written permission from the commissioner.

Sec. 2. 12 MRSA §6434, sub-§3-A is enacted to read:

3-A. Penalty. A person who violates this section commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

Sec. 3. 12 MRSA §6434, sub-§4, as amended by PL 2003, c. 520, §5, is further amended to read:

4. Restitution. If the holder of a lobster and crab fishing license violates this section by cutting a lobster trap line, the court shall:

A. Order that person to pay to the owner of the trap line that was cut an amount equal to twice the replacement value of all traps lost as a result of that cutting; and

B. Direct that person to provide proof of payment of that restitution to the commissioner as required by section 6402, subsection 1.

~~A penalty~~ Restitution imposed under this subsection is in addition to any penalty imposed under ~~section 6204 subsection 3-A.~~

See title page for effective date.

CHAPTER 284
S.P. 170 - L.D. 515

**An Act To Amend Laws
Relating to Persons Serving as
Permanent Guardians or
Receiving Permanency
Guardianship Subsidies**

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

Sec. 1. 18-A MRSA §5-311, sub-§(b), ¶(3-A) is enacted to read:

(3-A). A person who served as guardian, permanency guardian or legal custodian of the incapacitated person when the incapacitated person was a child, if the person was actively serving in that capacity immediately before the incapacitated person's 18th birthday;

Sec. 2. 18-A MRSA §5-311, sub-§(b), ¶(5), as enacted by PL 1979, c. 540, §1, is amended to read:

(5). Any relative of the incapacitated person with whom ~~he~~ the incapacitated person resided for more than 6 months prior to the filing of the petition; or

Sec. 3. 18-A MRSA §5-311, sub-§(b), ¶(6), as enacted by PL 1979, c. 540, §1, is amended to read:

(6). A person nominated by the person who is caring for ~~him~~ the incapacitated person or paying benefits to ~~him~~ the incapacitated person.

Sec. 4. 18-A MRSA §5-311, sub-§(c), as amended by PL 2003, c. 672, §12, is further amended to read: