

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST SPECIAL SESSION
August 29, 2013

SECOND REGULAR SESSION
January 8, 2014 to May 2, 2014

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
EMERGENCY LAW IS
SEPTEMBER 6, 2013

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2014

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

Augusta, Maine
2014

(f) Enchanted Stream in Upper Enchanted Township and Lower Enchanted Township;

(g) Magalloway River and tributaries, including Little Magalloway River, in Bowmantown Township, Lincoln Plantation, Lynchtown Township, Magalloway Plantation, Oxbow Township, Parkertown Township and Parmachenee Township;

(h) Rapid River in the Town of Upton and Township C;

(i) Sheepscot River and tributaries, including the West Branch, in the Town of Alna, the Town of China, the Town of Freedom, the Town of Liberty, the Town of Montville, the Town of Palermo, the Town of Somerville, the Town of Whitefield and the Town of Windsor;

(j) South Bog Stream in Rangeley Plantation;

(k) Spencer Stream and Little Spencer Stream tributaries, including Kibby Stream in Kibby Township, Skinner Township, T.3, R.5 B.K.P. W.K.R., T.4, R.5 B.K.P. W.K.R., King and Bartlett Township and T.5, R.6 B.K.P. W.K.R.; and

(l) Togus Stream in the Town of Chelsea and the Town of Randolph.

Sec. 3. Department of Inland Fisheries and Wildlife; review of critical and high-value brook trout habitat. By December 1, 2015, the Department of Inland Fisheries and Wildlife shall review data, conduct site visits and collect any additional information necessary to determine whether the specific areas listed in the Maine Revised Statutes, Title 38, section 480-Q, subsection 5-A, paragraph G, subparagraph (4), as they relate to critical or high-value habitat for brook trout, continue to represent critical or high-value habitat for brook trout, and whether there are areas not listed that represent additional critical or high-value brook trout habitat that should be closed to motorized recreational gold prospecting. At a minimum and to the extent applicable to brook trout habitat, this review must include an examination of the following areas: Sandy River and tributaries above Farmington Falls; Sandy Stream and tributaries in Carrying Place Township, Highland Plantation and Lexington Plantation; Dead River and tributaries above Flagstaff Lake and between Grand Falls and The Forks Plantation; and Kennebec River tributaries between the Indian Pond Dam in Chase Stream Township and Indian Stream Township and the Williams Dam in the Town of Solon. By January 15, 2016, the department shall submit recommenda-

tions, if any, to add or remove areas of critical or high-value brook trout habitat on the list of areas closed to motorized recreational gold prospecting under Title 38, section 480-Q, subsection 5-A, paragraph G, subparagraph (4) to the joint standing committee of the Legislature having jurisdiction over environmental and natural resources matters, and the committee may report out a bill relating to these recommendations to the Second Regular Session of the 127th Legislature.

Sec. 4. Department of Marine Resources; review of critical and high-value Atlantic salmon habitat. By December 1, 2015, the Department of Marine Resources shall review data, conduct site visits and collect any additional information necessary to determine whether the specific areas listed in the Maine Revised Statutes, Title 38, section 480-Q, subsection 5-A, paragraph G, subparagraph (4), as they relate to critical or high-value habitat for Atlantic salmon, continue to represent critical or high-value habitat for Atlantic salmon, and whether there are areas not listed that represent additional critical or high-value Atlantic salmon habitat that should be closed to motorized recreational gold prospecting. At a minimum and to the extent applicable to Atlantic salmon habitat, this review must include an examination of the following areas: Sandy River and tributaries above Farmington Falls; Sandy Stream and tributaries in Carrying Place Township, Highland Plantation and Lexington Plantation; Dead River and tributaries above Flagstaff Lake and between Grand Falls and The Forks Plantation; and Kennebec River tributaries between the Indian Pond Dam in Chase Stream Township and Indian Stream Township and the Williams Dam in the Town of Solon. By January 15, 2016, the department shall submit recommendations, if any, to add or remove areas of critical or high-value Atlantic salmon habitat on the list of areas closed to motorized recreational gold prospecting under Title 38, section 480-Q, subsection 5-A, paragraph G, subparagraph (4) to the joint standing committee of the Legislature having jurisdiction over environmental and natural resources matters, and the committee may report out a bill relating to these recommendations to the Second Regular Session of the 127th Legislature.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 8, 2014.

CHAPTER 537
H.P. 1238 - L.D. 1730

**An Act To Assist Victims of
Human Trafficking**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, human trafficking is occurring in Maine; and

Whereas, victims of human trafficking need assistance as soon as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 5 MRSA §3360, sub-§3, ¶G, as amended by PL 2009, c. 336, §1, is further amended to read:

G. Leaving the scene of a motor vehicle accident involving personal injury or death, in violation of Title 29-A, section 2252; or

Sec. 2. 5 MRSA §3360, sub-§3, ¶H, as amended by PL 2009, c. 336, §2, is further amended to read:

H. Sexual exploitation of a minor as described in Title 17-A, chapter 12; or

Sec. 3. 5 MRSA §3360, sub-§3, ¶J is enacted to read:

J. Aggravated sex trafficking or sex trafficking as described in Title 17-A, sections 852 and 853, respectively.

Sec. 4. 5 MRSA §3360-I, first ¶, as amended by PL 2013, c. 368, Pt. EE, §1 and affected by §2 and c. 424, Pt. H, §§1 and 2, is further amended to read:

As part of the sentence or fine imposed, the court shall impose an assessment of \$35 on any person convicted of murder, a Class A crime, a Class B crime or a Class C crime and \$20 on any person convicted of a Class D crime or a Class E crime, except that the court shall impose an assessment of \$1,000 on any person convicted of aggravated sex trafficking as described in Title 17-A, section 852, an assessment of \$500 on any person convicted of sex trafficking as described in Title 17-A, section 853, an assessment of \$500 on any person for the first conviction and \$1,000 for each subsequent conviction of engaging in prostitution as described in Title 17-A, section 853-A and an assessment of \$500 on any person for the first conviction and \$1,000 for each subsequent conviction of patronizing prostitution of a minor or patronizing prostitution of a mentally disabled person as described in Title 17-A, section 855. Notwithstanding any other law, the

court may not waive the imposition of the assessment required by this section. For purposes of collection and collection procedures, this assessment is considered part of the fine. At the time of commitment, the court shall inform the Department of Corrections or the county sheriff of any unpaid balances on assessments owed by the offender to the Victims' Compensation Fund. All funds collected as a result of these assessments accrue to the Victims' Compensation Fund.

Sec. 5. 17-A MRSA §853-A, sub-§4 is enacted to read:

4. It is an affirmative defense to prosecution under this section that the person engaged in prostitution because the person was compelled to do so as described in section 852, subsection 2.

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

ATTORNEY GENERAL, DEPARTMENT OF THE

Victims' Compensation Board 0711

Initiative: Allocates funds generated by placing an assessment on individuals convicted of certain sex trafficking and prostitution crimes as part of the sentence imposed by the court.

OTHER SPECIAL REVENUE FUNDS	2013-14	2014-15
All Other	\$0	\$8,500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$8,500

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective April 10, 2014.

**CHAPTER 538
S.P. 662 - L.D. 1667**

An Act To Amend Certain Provisions of Inland Fisheries and Wildlife Laws

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation makes significant changes to simplify and clarify the hunting laws and contains provisions regarding the supervision of junior