

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**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**

**Sec. 3. 29-A MRSA §1256, sub-§2,** as amended by PL 2001, c. 671, §22, is further amended to read:

**2. Employment need.** A person seeking to qualify for a special restricted license based on employment need must file an application. If the applicant qualifies under paragraph A, ~~after passing an examination for operation of a motor vehicle as provided in section 1304 and has completed a minimum of 70 hours of driving, including 10 hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age,~~ a special restricted license must be issued to the applicant.

A. An application must include:

- (1) A signed, notarized statement from the applicant and the applicant's parent or guardian that:
  - (a) No readily available alternative means of transportation exists; and
  - (b) Use of a motor vehicle is necessary for transportation to, from or in connection with employment of the applicant; and
- (2) A verification of employment by the employer.

B. ~~This license~~ A special restricted license issued pursuant to this subsection only authorizes the holder to operate a motor vehicle between the holder's residence, school and place of employment and other places necessary in direct connection with that employment unless accompanied by a licensed driver who meets the requirements of section 1304, subsection 1, paragraph E, subparagraphs (1) to (4).

**Sec. 4. 29-A MRSA §1256, sub-§2-A** is enacted to read:

**2-A. Medical need.** A person seeking to qualify for a special restricted license based on medical need must file an application. The Secretary of State may grant a person who has reached 15 years of age a special restricted license under circumstances of medical necessity that are experienced by the person or a member of the person's immediate family if the Secretary of State determines the circumstances to be exigent and not inconsistent with the interest of highway safety and if that person has completed a minimum of 35 hours of driving, including 5 hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age. A person issued a special restricted license must complete a minimum of 35 additional hours of driving, including 5 additional hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age in order to qualify for a provisional license without restriction.

A. An application must include:

- (1) A signed, notarized statement from a physician attesting to the existence of circumstances of medical necessity; and
- (2) A signed, notarized statement from the applicant or the applicant's parent or guardian that:
  - (a) No readily available alternative means of transportation exists; and
  - (b) Use of a motor vehicle is necessary for transportation in connection with circumstances of medical necessity that are experienced by the person or a member of the person's immediate family.

B. A special restricted license issued pursuant to this subsection only authorizes the holder to operate a motor vehicle between the holder's residence and school and locations necessitated by the circumstances of medical necessity unless accompanied by a licensed driver who meets the requirements of section 1304, subsection 1, paragraph E, subparagraphs (1) to (4).

**Sec. 5. 29-A MRSA §1256, sub-§3, ¶B,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

B. The Secretary of State receives written notice from the holder, parent, guardian, physician, principal or employer that the holder no longer qualifies for a special restricted license.

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

Effective May 12, 2014.

**CHAPTER 607  
H.P. 1359 - L.D. 1863**

**An Act To Correct an Error in  
the Laws 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,** Public Law 2013, chapter 537 took effect April 10, 2014; and

**Whereas,** the purpose of Public Law 2013, chapter 537 is to help victims of human trafficking; and

**Whereas,** Public Law 2013, chapter 537 increases assessments on persons promoting sex trafficking, with the increased assessments made available to

victims of sex trafficking through the Victims' Compensation Fund; and

**Whereas**, Public Law 2013, chapter 537 does not correctly impose an assessment for the Victims' Compensation Fund on persons engaging a prostitute, but instead imposes the assessment on victims of sex trafficking; and

**Whereas**, this error needs to be corrected 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-I, first ¶**, as amended by PL 2013, c. 537, §4, 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 a prostitute~~ as described in Title 17-A, section ~~853-A~~ **853-B** 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.

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

Effective May 12, 2014.

**CHAPTER 608**

**H.P. 1360 - L.D. 1865**

**An Act To Clarify the Specific Purposes of Recently Enacted Legislation Authorizing the Issuance of a General Fund Bond**

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

**Sec. 1. PL 2013, c. 572, §5** is amended to read:

**Sec. 5. Disbursement of bond proceeds from General Fund bond issue.** The proceeds of the sale of the bonds authorized under this Act must be expended as designated in the following schedule under the direction and supervision of the agencies and entities set forth in this section.

**UNIVERSITY OF MAINE SYSTEM**

**University of Maine Cooperative Extension Service**

~~Provides funds to assist support~~ Provides funds to support Maine agriculture ~~and to protect Maine farms, facilitate economic growth in natural resources-based industries and monitor human health threats related to ticks, mosquitoes and bedbugs~~ through the creation of an animal and plant disease and insect control ~~facility~~ laboratory administered by the University of Maine Cooperative Extension Service.

Total \$8,000,000

**Sec. 2. PL 2013, c. 572, §9** is amended to read:

**Sec. 9. Referendum for ratification; submission at election; form of question; effective date.** This Act must be submitted to the legal voters of the State at a statewide election held in the month of November following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor an \$8,000,000 bond issue to ~~provide funds to assist support~~ provide funds to support Maine agriculture ~~and to protect Maine farms, facilitate economic growth in natural resources-based industries and monitor human health threats related to ticks, mosquitoes and bedbugs~~ through the creation of an animal and plant disease and insect control ~~facility~~ laboratory administered by the University of Maine Cooperative Extension Service?"