

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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

Augusta, Maine
2019

**CHAPTER 162
H.P. 999 - L.D. 1378**

**An Act To Ensure the
Provision of Medical
Assessments for Youth in
Foster Care**

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

Sec. 1. 22 MRSA §4063-A, as enacted by PL 1991, c. 194, is amended to read:

**§4063-A. Medical and psychological examination;
provision of medical information**

1. Physical examination required. The department shall ensure that a child ordered into its custody receives ~~an appointment for~~ a medical examination by a licensed physician or nurse practitioner within 10 working days after the department's custody of the child commences.

2. Psychological assessment. If the physician or nurse practitioner who performs a physical examination pursuant to subsection 1 determines that a psychological assessment of the child is appropriate, the department shall ensure that an appointment is obtained for such an assessment within 30 days of the physical examination.

3. Medical, dental, educational and behavioral assessment reimbursable. The department shall provide for reimbursement under MaineCare for a comprehensive medical, dental, educational and behavioral assessment, which includes obtaining relevant records, when a child enters the custody of the department. The department shall adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A to implement this subsection.

See title page for effective date.

**CHAPTER 163
H.P. 1107 - L.D. 1514**

**An Act To Improve
Enforcement in the Elver
Fishery**

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

Sec. 1. 12 MRSA §6207, first ¶, as amended by PL 1989, c. 742, §3, is further amended to read:

Any marine organism; that is taken, bought, sold, shipped, transported or found in the possession of any person in violation of any provision of marine ~~resources'~~ resources laws; and all currency that is used in

violation of any provision of marine resources laws is contraband and is subject to forfeiture in accordance with this section and section 6206. All equipment and vehicles used or possessed in violation of any provision of marine ~~resources'~~ resources laws are contraband and are subject to forfeiture.

Sec. 2. 12 MRSA §6374, sub-§3-A, ¶¶D and E, as enacted by PL 2017, c. 197, §4, are amended to read:

D. Not less than 4 years from the date of a finding of a violation of section 6438-A; ~~and~~

E. Permanent for conduct that is grounds for suspension under section 6371, subsection 3, paragraph C; ~~and~~

Sec. 3. 12 MRSA §6374, sub-§3-A, ¶F is enacted to read:

F. Permanent for a first finding of a violation of section 6505-A, subsection 1-D.

Sec. 4. 12 MRSA §6404-N is enacted to read:

§6404-N. Revocation based on conviction of failing to record the sale of elvers with an elver transaction card

The commissioner shall permanently revoke the elver fishing license, elver dealer's license or elver exporter's license of any license holder convicted of violating section 6505-A, subsection 1-D.

Sec. 5. 12 MRSA §6505-A, sub-§1-D, as enacted by PL 2013, c. 468, §24, is amended to read:

1-D. Use of elver transaction card required. The holder of an elver fishing license issued under this section or section 6302-A, subsection 3, paragraph E, E-1, F or G may not sell or transfer elvers the license holder has taken to an elver dealer licensed under section 6864 unless the holder of the elver fishing license presents to the elver dealer the elver transaction card issued to that person under subsection 1-C ~~and that card is used to record the transaction between the license holder and the dealer so that the amount of elvers transferred or sold is deducted from the license holder's quota.~~

Sec. 6. 12 MRSA §6575-J, as amended by PL 2017, c. 250, §8, is further amended to read:

§6575-J. Seizure of illegal elvers

In addition to any other penalty imposed, elvers that are ~~taken, sold, purchased or possessed that were taken~~ in violation of any law or rule pertaining to elvers are subject to seizure by any officer authorized to enforce this Part. The entire bulk pile containing ~~illegally harvested~~ illegal elvers may be seized. For the purposes of this section, "bulk pile" means all elvers in the possession of a ~~holder of an elver fishing license, an elver dealer's license or an elver exporter's license~~ person who fished for, took, possesses or bought el-