

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
the Revised Statutes of 1964, Title 3 Section 164, Subsection 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1971

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Fifth Legislature  
1971

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§ 3855. Size

It is unlawful for any person, firm or corporation to take, ~~from the coastal waters of Maine~~ to sell, to offer for sale, to purchase, to process, to ship, to transport, or to have in possession herring which are less than  $\neq 4\frac{1}{2}$  inches long, overall length measured from one extreme to the other, except as provided in this section.

1. **Tolerance of 25%; how determined.** Any person, firm or corporation may take, sell, purchase, process, ship, transport or have possession of herring which are less than  $\neq 4\frac{1}{2}$  inches in length when they are mixed with herring of greater length, provided the herring of less than  $\neq 4\frac{1}{2}$  inches in length comprise less than 25% of the entire lot.

A. The tolerance of 25% is determined by volume of  $\frac{1}{2}$  bushel of herring for each 30 hogsheads of herring, or fraction thereof, taken at random from various parts of the lot.

2. **Exception for bait purposes.** Any person, firm or corporation may have possession of herring which are less than  $\neq 4\frac{1}{2}$  inches in length, provided the same are possessed for the purpose of bait for fishing.

3. **Commissioners to cooperate in enforcement.** The Commissioner of Sea and Shore Fisheries and the Commissioner of Agriculture shall cooperate in the enforcement of this section.

Effective September 23, 1971

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## Chapter 290

### AN ACT to Amend the Law on Sale or Packing of Herring.

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

**R. S., T. 32, § 4159, amended.** Section 4159 of Title 32 of the Revised Statutes, as amended by chapter 274 of the public laws of 1967, is further amended to read as follows:

**§ 4159. Sale or packing of herring**

It shall be unlawful for any person, firm or corporation to sell, offer for sale or transfer in any manner herring ~~taken in the coastal waters of Maine~~ which are between  $4\frac{1}{2}$  and 7 inches in length when measured from one extreme to the other to any person, firm or corporation, other than for human consumption or bait purposes, unless such herring are not desirable for processing for human consumption; provided there is a buyer of herring for processing for human consumption within a reasonable distance of the place where such herring are caught and available at the time they are offered for sale, ready and willing to purchase at a price acceptable to the seller. No person, firm or corporation shall can, pack or otherwise process such herring except for human consumption **except as provided in this section.**

1. Tolerance of 25%; how determined. Any person, firm or corporation may take, sell, purchase, process, ship, transport or have possession of herring which are between 4½ and 7 inches in length when they are mixed with herring of greater length, provided the herring between 4½ and 7 inches in length comprise less than 25% of the entire lot.

A. The tolerance of 25% is determined by volume of ½ bushel of herring for each 30 hogsheads of herring, or fraction thereof, taken at random from various parts of the lot.

Effective September 23, 1971

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## Chapter 291

### AN ACT Relating to Bail or Personal Recognizance for Misdemeanors.

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

R. S., T. 14, § 5544, amended. Section 5544 of Title 14 of the Revised Statutes is amended by adding at the end the following new paragraphs:

Any arresting officer may either take any person under arrest for a misdemeanor, excepting persons arrested for violation of Title 17, section 2001, before a bail commissioner, who shall inquire into the charge and pertinent circumstances and admit him to bail if proper, or without fee may take the personal recognizance of any person for his appearance on a misdemeanor charge.

Any person who has been arrested and bailed shall be issued a written summons to appear in court and such person shall give a written promise to the arresting officer or bail commissioner to so appear. It shall be unlawful for any person to violate his written promise to appear in court, either by himself or his attorney. Any person who violates this section shall be punished by a fine of not more than \$500 or by imprisonment for not more than 6 months, or by both.

Effective September 23, 1971

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## Chapter 292

### AN ACT Relating to Suspension of Motor Vehicle Operator's License and Registration.

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

Sec. 1. R. S., T. 29, § 2241, amended. The first paragraph of section 2241 of Title 29 of the Revised Statutes is repealed and the following enacted in place thereof: