

# MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth 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  
1973

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

1973

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

R. S., T. 12, § 602, sub-§ 3, amended. The last paragraph of subsection 3 of section 602 of Title 12 of the Revised Statutes is amended to read as follows:

Before promulgating such rules and regulations, they shall submit them to the Attorney General, and if he shall certify that in his opinion they are in conformity with the law, they shall thereupon, together with section 606, be published once a week for 2 successive weeks in a newspaper published in the towns or counties of this State wherein parks are located the State paper and posted in at least 3 conspicuous places in or about said park or parks whereupon they shall take effect, and a certificate of such publication and posting shall be executed by one of the members of said commission and filed with the Secretary of State, who shall record the same.

Effective October 3, 1973

## CHAPTER 85

**AN ACT** Providing that the Running of Statutory Time Periods Be Governed by the Maine Rules of Civil Procedure and the Maine Rules of Criminal Procedure.

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

R. S., T. 1, § 71, sub-§ 12, additional. Section 71 of Title 1 of the Revised Statutes is amended by adding a new subsection 12 to read as follows:

12. Statutory time periods. The statutory time period for the performance or occurrence of any act, event or default which is a prerequisite to or is otherwise involved in or related to the commencement, prosecution or defense of any civil or criminal action or other judicial proceeding shall be governed by and computed under Rule 6(a) of the Maine Rules of Civil Procedure as amended from time to time, when the nature of such action or proceeding is civil, and under Rule 45(a) of the Maine Rules of Criminal Procedure, as amended from time to time, when the nature of such action or proceeding is criminal.

Effective October 3, 1973

## CHAPTER 86

**AN ACT** Relating to the Cultivation of Coho Salmon.

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

Whereas, the fishing industry of Maine and New England has been faced with serious problems of scarcity and high cost of fishing effort; and

Whereas, it has been deemed in the best interest of the State of Maine to encourage aquaculture enterprises in Maine's tidal waters; and

Whereas, certain persons, with the encouragement of the Department of Sea and Shore Fisheries, have undertaken to cultivate coho salmon, have provided seed stock for this species, have invested in equipment to enable the seed stock to grow in Maine's tidal waters, and have been successful in growing this stock to a commercially valuable size; and

Whereas, State law requiring a minimum size for coho salmon, if applicable to cultivated salmon, would make aquaculture of coho salmon economically unfeasible and would thus eliminate a potentially valuable industry from the State of Maine; and

Whereas, it was never legislative intent that the law relating to minimum size, manner taken and number taken should apply to persons engaged in the growing and harvesting of coho salmon from their own seed stock; and

Whereas, no new investment can be made in seed stock or equipment to cultivate coho salmon unless the cultivator is assured of being able to market his produce; and

Whereas, a decision must be made about continuing to feed present stock and to purchase new stock prior to 90 days after adjournment of the Legislature; 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:*

**R. S., T. 12, § 395I-A, sub-§ 1, amended.** Subsection 1 of section 395I-A of Title 12 of the Revised Statutes, as enacted by chapter 484 of the public laws of 1971, is amended by adding a new paragraph A to read as follows:

**A. Exception for cultivation.** It shall be lawful to possess, hold, take from the coastal waters of this State, and to dispose of the same, any coho salmon which were possessed, held and taken from the waters under a permit issued by the Commissioner of Sea and Shore Fisheries and disposed of under conditions stipulated by him in the permit.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.