

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.

THE KNOWLTON AND McLEARY COMPANY
FARMINGTON, MAINE
1973

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

1973

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R. S., T. 12, § 3452, repealed and replaced. Section 3452 of Title 12 of the Revised Statutes, as amended by section 1 of chapter 33 of the public laws of 1965, is repealed and the following enacted in place thereof:

§ 3452. Taking of polluted shellfish

The commissioner may authorize individuals, concerns or entities to take shellfish from polluted flats or waters for the purpose of depurating them in accordance with the requirements set forth in section 4302-B and the regulations promulgated thereunder.

1. Experiments to effectuate this section. The department shall be authorized to conduct experiments which will effectuate this section, to seek and expend funds necessary for such experiments, to cooperate with concerns, individuals and entities or other agencies in matters relating to depuration, and shall set rules and regulations controlling such experiments or processes.

2. Authorizations. All authorizations granted by the commissioner under this section shall be in writing, shall be dated and shall include all information required to define boundaries, establish limits, set forth rights and any other provisions required to assure safety of process and product.

3. Sale of depurated shellfish. Depurated shellfish may be sold in accordance with section 4302-B and the regulations promulgated thereunder.

4. Penalty. Whoever violates any provision of this section shall be punished by a fine of not less than \$100, nor more than \$300, for each offense, or by imprisonment for not more than 90 days, or by both.

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

Effective March 22, 1973

CHAPTER 111

AN ACT Relating to Definition of Dealer under Maine Securities Law.

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

R. S., T. 32, § 751, amended. The 2nd paragraph of section 751 of Title 32 of the Revised Statutes, as amended by section 1 of chapter 484 of the

public laws of 1967, is further amended by adding at the end a new sentence to read as follows:

The term "dealer" shall not include an issuer which engages in a sale of securities which is exempt under section 874, subsection 9.

Effective October 3, 1973

CHAPTER 112

AN ACT Relating to Municipalities Providing Funds for Local Development Corporations.

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

Whereas, several Maine municipalities have and are still appropriating funds directly and indirectly to local development corporations to assist in commercial development; and

Whereas, the present law is unclear as to whether or not municipalities may appropriate such moneys for such purposes; and

Whereas, the following legislation is vitally important to clarify the law and aid local development; 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. 30, § 5106, sub-§ 1, amended. Subsection 1 of section 5106 of Title 30 of the Revised Statutes is amended to read as follows:

1. Board of trade. Supporting a chamber of commerce or board of trade or a local development corporation, or a chamber of commerce and a local development corporation, or a board of trade and a local development corporation.

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

Effective March 22, 1973