

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

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PUBLIC LAWS
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furnish to the court, prior to the imposition of sentence on that person, a criminal history report on that person from the State Bureau of Investigation setting forth all available information of prior criminal prosecutions, if any, of that person and the disposition of each prosecution. This report, as furnished to the court, shall not contain any information of prior criminal prosecutions, if any, of that person in which that person was found not guilty by the court or jury. Each report furnished to the court pursuant to this section shall be certified as authentic by the Director of the State Bureau of Investigation or his designee and any report so certified shall be prima facie evidence that the contents of the report represent the criminal history of the defendant.

Prior to the imposition of sentence, any report furnished to a court under this section shall be made available to the defendant and his counsel for inspection.

Effective October 24, 1977

CHAPTER 385

AN ACT to Allow Escape of Sublegal Lobsters from Lobster or Crab Traps.

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

Sec. 1. 12 MRSA § 4468 is enacted to read:

§ 4468. Escape vents on lobster or crab traps

1. Vent required. It is unlawful to fish for or take lobsters by use of a lobster or crab trap unless the trap is equipped with:

A. A rectangular or oblong escape vent not less than $1\frac{3}{4}$ inches (44.5 mm) by 6 inches (152.5 mm);

B. Two circular escape vents not less than $2\frac{1}{4}$ inches (57.2 mm) in diameter;

C. A gap caused by raising both ends of a bottom lath in the parlor section by $1\frac{3}{4}$ inches;

D. A gap caused by separating both ends of 2 vertical laths on the end of the parlor section by $1\frac{3}{4}$ inches; or

E. A gap created by cutting wires in a wire trap in such a manner as to meet the minimum size and number of vents required under paragraphs A or B,

that will allow sublegal lobsters to escape. The escape vents or gaps shall be installed or made in the parlor section of the trap on the side or end next to the sill, or with the vertical gap, in the end of the parlor section.

2. **Actions prohibited.** It is unlawful to set, raise, haul or transfer any lobster or crab trap unless the trap is equipped with an escape vent as required in this section.

Sec. 2. Effective date and termination. This Act shall become effective on January 1, 1979 and shall continue in effect until December 31, 1980.

Sec. 3. Department research. During 1977 the Department of Marine Resources shall undertake to research the potential effect of this Act on the lobster fishery. Included in such research shall be "double-parlor" experiments to determine the size and number of lobsters that may escape through the required vents.

Effective January 1, 1979

CHAPTER 386

AN ACT to Establish Withdrawal Dates for Candidates and Nominees.

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

21 MRSA § 1476 is enacted to read:

§ 1476. **Withdrawal of candidates or nominees**

1. **Federal or gubernatorial office.** If a candidate or nominee for a federal or gubernatorial office withdraws after 40 days prior to any election, the Secretary of State shall not be required to produce new ballots.

2. **State Senator or county office.** If a candidate or nominee for State Senator or county office withdraws after 20 days prior to any election, the Secretary of State shall not be required to produce new ballots.

3. **Representative to Legislature.** If a candidate or nominee for Representative to the Legislature withdraws after 10 days prior to any election, the Secretary of State shall not be required to produce new ballots.

4. **Last day for withdrawal.** Immediately after the last day for withdrawal, the Secretary of State shall list all names to be placed on the ballot for any election.

Effective October 24, 1977

CHAPTER 387

**AN ACT to Remove Weight Restriction on Black Bass
During a Sanctioned Bass Tournament.**