

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## One Hundred and Fourth 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  
1969

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
ONE HUNDRED AND FOURTH LEGISLATURE  
1969

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by the museum for which a charge is made.

2. **Price and rates.** The director is authorized to fix the price and rates at which publications, services or related items may be sold and delivered. The museum shall receive without charge 15% of all such publications for complimentary distribution.

3. **Certain materials.** The director is authorized to purchase, establish the price and sell through the museum sales program pertinent handcraft, educational or publication materials procured from outside sources. Proceeds from such sales shall be utilized to restock materials for resale and support of the publications program as defined in subsection 1.

4. **Income.** Income from sale of publications shall be credited to the revolving fund, to be used as a continuing carrying account to carry out the purposes of subsection 1, or as excepted by the conditions of subsection 3.

Effective October 1, 1969

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## Chapter 408

### AN ACT to Correct Errors and Inconsistencies in the Public Laws Relative to Sea and Shore Fisheries.

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

**Sec. 1. R. S., T. 12, § 3651, sub-§ 3, amended.** Subsection 3 of section 3651 of Title 12 of the Revised Statutes is amended to read as follows:

3. **Compensation.** Their compensation is determined under the Personnel Law and shall not be more than one pay grade below that of the Maine State Police.

**Sec. 2. R. S., T. 12, § 4301-B, amended.** The first paragraph of section 4301-B of Title 12 of the Revised Statutes, as enacted by section 1 of chapter 59 of the public laws of 1965, is amended to read as follows:

It is unlawful for any person, firm or corporation to buy, sell, **take**, transport or ship marine worms without having a current written license from the commissioner as provided in this section.

**Sec. 3. R. S., T. 12, § 4301-B, sub-§§ 1 and 2, amended.** Subsections 1 and 2 of section 4301-B of Title 12 of the Revised Statutes, as enacted by section 1 of chapter 59 of the public laws of 1965 and as amended by section 8 of chapter 337 of the public laws of 1967, are further amended to read as follows:

1. **Exception for marine worm digger's licensees, certain consumers and common carriers.** The holder of a current marine worm digger's license pro-

vided in section 4301-A may transport within the State the worms he has dug or taken from the flats, shores and waters of the State. He may sell at retail any amount of the worms he has so taken or dug and he may sell at wholesale any amount of the worms he has so taken or dug to the holder of a current marine worm dealer's license.

The transportation provisions of this section do not apply to a common carrier engaged in carrying freight on a fixed schedule within or without the State.

**Any person may buy or take marine worms without having a current license as provided in this section, provided he does not take or buy, more than 125 marine worms in any one day, and takes or buys them for his own personal use.**

2. **License designation; scope.** The license, designated as a marine worm dealer's license, entitles the holder to buy, sell, take, possess, transport and ship any amount of marine worms.

**Sec. 4. R. S., T. 12, § 4353, sub-§§ 3, 4, additional.** Section 4353 of Title 12 of the Revised Statutes, as amended, is further amended by adding 2 new subsections, 3 and 4, to read as follows:

3. **Unlawful to mislabel containers.** It is unlawful for any person, firm or corporation to label any container required to be labeled under this section with any false or incorrect information, or to cause the same to be done.

4. **Labeling when shipped from outside the State.** It is unlawful for any person, firm or corporation to ship or transport clams, quahogs, oysters or mussels, whether removed from the shell or not, from a place outside the State to a place within the State unless the containers are marked as provided:

**A.** Each individual package or container of fresh or frozen shucked shellfish shall have permanently recorded on the package or container, so as to be clearly visible, the packer's, repacker's or distributor's name and address and the packer's or repacker's current certificate number preceded by the abbreviated name of the state.

**B.** Shell-stock shall be identified by a visible tag or label fastened to each container and bearing the number of the shipper's current certificate, his name and address, the name and address of the consignee, the kind and quantity of shell-stock in the container, and the date of harvest or shipment.

**Sec. 5. R. S., T. 12, § 4451, sub-§§ 1 and 2, amended.** Subsections 1 and 2 of section 4451 of Title 12 of the Revised Statutes, as amended, are further amended to read as follows:

1. **Short lobsters illegal; method of measurement; penalty.** It is unlawful for any person to buy, sell, expose for sale, give away, transport, ship or have in possession any lobster, alive or dead, cooked or uncooked, which is less than 3 3/16 inches in length as determined by the state double gauge lobster measure by measuring from the rear of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell.

**A.** And whoever does so shall be punished by a fine of \$10 and in addition by a fine of \$5 for each such lobster involved, up to and including the first 5, and by a fine of \$25 for each such lobster in excess of 5, or by imprisonment for not more than 90 days, or by both.

**2. Long lobsters illegal; method of measurement; penalty.** It is unlawful for any person to buy, sell, expose for sale, give away, transport, **ship** or possess any lobster, alive or dead, cooked or uncooked, which is more than 5 inches in length as determined by the state double gauge lobster measure by measuring from the rear of the eye socket along a line parallel to the center line of the body shell to the rear end of the body shell.

**A.** And whoever does so shall be punished by a fine of \$10 and in addition by a fine of \$25 for each such lobster involved, or by imprisonment for not more than 90 days, or by both.

**Sec. 6. R. S., T. 12, § 4456, repealed.** Section 4456 of Title 12 of the Revised Statutes is repealed.

**Sec. 7. R. S., T. 12, § 4551, sub-§ 2, ¶¶ A and C, amended.** Paragraphs A and C of subsection 2 of section 4551 of Title 12 of the Revised Statutes, as repealed and replaced by section 8 of chapter 431 of the public laws of 1965, are amended to read as follows:

**A.** To fail or refuse to stop **immediately** upon request or signal of any coastal warden **in uniform**;

**C.** To fail or refuse to stand by **immediately** for inspection on request of any coastal warden in uniform;

**Sec. 8. R. S., T. 12, § 4307, sub-§ 3, amended.** Subsection 3 of section 4307 of Title 12 of the Revised Statutes is amended to read as follows:

**3. Contents of permit.** The permit must bear a number and designate by local name the areas from which clams, quahogs, **oysters** and mussels may be taken under the permit. It must bear the names of all persons who will dig the shellfish that are to be shucked.

**Sec. 9. R. S., T. 12, § 4204, sub-§ 1, ¶ A, sub-¶ (1), amended.** Subparagraph (1) of paragraph A of subsection 1 of section 4204 of Title 12 of the Revised Statutes, as enacted by section 4 of chapter 337 of the public laws of 1967, is amended to read as follows:

(1) When the foot rope is attached to a ~~chain~~ **roller wire** or cable the maximum permitted length is determined by measuring the foot rope from the wing tip to the point where it is attached to the ~~chain~~ **roller wire** or cable, by measuring the cable or ~~chain~~ **roller wire** from that point to the other side where the foot rope leaves the ~~chain~~ **roller wire** or cable, and by measuring the foot rope from the latter point to the other wing tip. The total distance of all such measurements may not exceed 70 feet.

**Sec. 10. R. S., T. 12, § 3503, sub-§ 7, additional.** Section 3503 of Title 12 of the Revised Statutes is amended by adding a new subsection 7, to read as follows:

7. Unlawful to wash or keep shellfish in waters of closed areas. It is unlawful to wash, hold or keep any shellfish in any coastal waters which are closed under this section, or in any water taken in whole or in part from coastal waters which are closed under this section.

A. Exception. This subsection shall not apply to shellfish kept or washed in waters sterilized with a system which has been approved in writing by the commissioner, provided the waters are also approved for such use.

Sec. 11. P. & S. L., 1959, c. 155, §§ 126, 128, 129 and 129-A, repealed. Sections 126, 128 and 129, and section 129-A, as enacted by section 6 of chapter 277 of the public laws of 1963, all of chapter 155 of the private and special laws of 1959, are repealed.

Effective October 1, 1969

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## Chapter 409

### AN ACT Relating to Installation of Sprinkler Systems in Hotels.

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

R. S., T. 25, § 2463, additional. Title 25 of the Revised Statutes is amended by adding a new section 2463, to read as follows:

#### § 2463. Installation of sprinkler systems

All hotels or additions thereto constructed after January 1, 1970 of any type construction, other than fire resistive as defined in the current edition of National Fire Protection Association #220, Standard Types of Building Construction, having 3 stories or more above grade level, shall be protected by a complete approved automatic sprinkler system.

The term "hotel" shall include buildings or groups of buildings under the same management in which there are more than 15 sleeping rooms for hire, primarily used by transients who are lodged with or without meals, whether designated as a hotel, inn, club, motel or by any other name. So-called apartment hotels shall be classified as hotels because they are potentially subject to transient occupancy like that of hotels.

Any person or corporation violating this section shall be punished by a fine of not more than \$100 or by imprisonment for not more than 90 days, or by both.

Effective October 1, 1969