

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

1973

CHAPTER 429**AN ACT** Relating to Jurisdiction in Subpoena of Judgment Debtor
under Enforcement of Money Judgments Law.

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

R. S., T. 14, § 3122, amended. The first sentence of section 3122 of Title 14 of the Revised Statutes, as enacted by section 1 of chapter 408 of the public laws of 1971, is amended to read as follows:

A judgment creditor shall have the right, for the purpose of a hearing, to subpoena the judgment debtor to appear before a Judge of the District Court in the division in which the judgment debtor or judgment creditor resides, or, if the judgment debtor is a nonresident of this State, in the division in which he is commorant, or in the case of a corporation, in the division in which said corporation has an established place of business or if said corporation has no established place of business in this State, then in any division in which a civil summons could be served on said corporation.

Effective October 3, 1973

CHAPTER 430**AN ACT** Relating to Removal of Private Nuisance by Owner or Occupant
of Private Property.

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

R. S., T. 22, § 1561, amended. The first 2 sentences of section 1561 of Title 22 of the Revised Statutes are amended to read as follows:

When any source of filth ~~or other~~ whether or not the cause of sickness is found on private property and deemed to be potentially injurious to health, the owner or occupant thereof shall, within 24 hours after notice from the local health officer, at his own expense, remove or discontinue it. If he neglects or unreasonably delays to do so, he forfeits not exceeding ~~\$100~~ \$300.

Effective October 3, 1973

CHAPTER 431**AN ACT** Relating to Dragging of Scallops in Blue Hill Bay.

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

R. S., T. 12, § 4004, additional. Title 12 of the Revised Statutes is amended by adding a new section 4004, to read as follows:

§ 4004. Dragging; Blue Hill Bay

Dragging for scallops in Blue Hill Bay above or north of a line drawn from Bass Harbor Head in the Town of Tremont westerly to Pond Island and thence to Naskeag Point in the Town of Brooklin shall be limited to the use of any one combination of scallop drags not to exceed 8 feet in width.

Effective October 3, 1973

CHAPTER 432

AN ACT Relating to Research, Development and Cultivation of Marine Species.

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

Sec. 1. R. S., T. 12, § 3401, sub-§§ 8-A and 28-A, additional. Section 3401 of Title 12 of the Revised Statutes is amended by adding 2 new subsections, 8-A and 28-A, to read as follows:

8-A. Cultivation. "Cultivation" means artificial control or manipulation by man of any marine species at some stage of its life history for the purpose of increasing yield or improving quality.

28-A. Species. "Species" means, as used in the laws and regulations administered by the Department of Sea and Shore Fisheries, the scientific name used in the classification of marine organisms.

Sec. 2. R. S., T. 12, § 3701, amended. The first paragraph of subsection 1 of section 3701 of Title 12 of the Revised Statutes are repealed and the following enacted in place thereof:

The commissioner, after notice and hearings pursuant to this section and with the consent of the advisory council, may set apart for a period not exceeding 10 years any coastal waters or any flats in any location for the use of the State or the National Marine Fisheries Service for scientific research or experimental cultivation on marine species. In the water areas and flats so set apart, the commissioner, and persons acting under his authority in their respective research, may take species at any time, in any manner, condition, amount, size, weight or length under regulations established by the commissioner.

1. Number of acres; permission.

A. Not more than 2 acres of flats may be taken in any one municipality without the consent of the municipal officers.

B. The commissioner is authorized to use land above high water mark or private rights-of-way and to exercise any riparian rights on the flats provided that he has written permission, lease or grant from the riparian owner. The commissioner may obtain such written permission or enter into a lease or grant upon such terms and conditions that may be agreeable to the riparian owner.