

# 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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**CHAPTER 467****AN ACT Increasing Minimum Wages.**

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

R. S., T. 26, § 664, amended. The first sentence of section 664 of Title 26 of the Revised Statutes, as repealed and replaced by section 88 of chapter 622 and the 2nd sentence, as amended by chapter 415, both of the public laws of 1971, are further amended to read as follows:

By reason of the declaration of policy set forth in section 661 and in the protection of the industry or business and in the enhancement of public interest, health, safety and welfare, it is declared unlawful for any employer to employ any employee, except as otherwise provided in this subchapter, at the rate of less than ~~\$1.80~~ \$1.90 per hour; nor work more than 40 hours in one week, unless 1½ times the regular hourly rate is paid for all work done over 40 hours in any one week; and whenever the highest federal minimum wage is increased in excess of ~~\$1.80~~ \$1.90 per hour, the minimum wage established under this section shall be increased to the same amount, effective either on the same date as the increase in the highest federal minimum wage or September 23, 1971, whichever occurs later, but in no case shall the minimum wage exceed \$2 per hour. Except that on October 15, ~~1971~~ 1973 to October 15, ~~1972~~ 1974, those employees in a nursing home or employees in a hospital shall be paid at a rate of no less than ~~\$1.60~~ \$1.80 per hour and thereafter ~~\$1.80~~ \$1.90 per hour.

Effective October 3, 1973

**CHAPTER 468****AN ACT Relating to Nets to Catch Shrimp.**

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

Whereas, the northern shrimp fishery generates \$9,000,000 to the coastal economy annually in manufactured product value; and

Whereas, it is primarily a winter fishery and provides continued employment during a slack fishing period; and

Whereas, the fishing intensity on *Pandalus borealis* in the Gulf of Maine has greatly increased during the past few years; and

Whereas, research indicates that the older-year class of shrimp are seriously depleted, the oldest-year class being completely gone; therefore, we are in grave danger of destroying the fishery by overfishing the younger-year classes with present mesh size nets; and

Whereas, continued overfishing will destroy the reproductive ability and eliminate the ability of the stocks to recover from the heavy fishing pressure; and

Whereas, resource extends into the Gulf of Maine and provides viable fisheries for 3 states; and

Whereas, interim mesh size regulations must be established to protect small shrimp until investigations establish the optimum mesh size for the best conservation and management; 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, c. 417, sub-c. II, Article 5-A, additional. Subchapter II of chapter 417 of Title 12 of the Revised Statutes is amended by adding a new Article 5-A to read as follows:

#### ARTICLE 5-A. SHRIMPS

##### § 4062. Netting

It is unlawful to fish for, take, transport or have in possession, any shrimp (Pandalidae) on board any boat rigged for otter trawling with any net with a mesh opening of less than  $1\frac{3}{4}$  inches stretched mesh for the body and wings and  $1\frac{1}{2}$  inches stretched mesh for the extension piece and cod end.

All netting used to catch shrimp shall be of one layer only, with the exception of the cod end. It shall be lawful to attach chaffing gear to  $\frac{1}{2}$  of the circumference of the cod end.

1. Method of measurements. Mesh sizes are measured by a flat wedge-shaped gauge having a taper of 2 cm in 20 cm and a thickness of 2.3 mm, inserted into the meshes under a pressure or pull of 1.90 kg. The mesh size of a net shall be taken to be the average of the measurements of any series of 20 consecutive meshes, at least 10 meshes from the lacings, and when measured in the cod end of the net beginning at the after end and running parallel to the long axis.

2. Mesh size limited. It is unlawful for any vessel, equipped with any otter trawl, to have on board any net, or portions thereof, or netting with an opening less than  $1\frac{1}{2}$  inches stretch mesh.

3. Exception, net or netting to be sealed by coastal warden. Any vessel equipped with an otter trawl, upon application and permission of the Department of Sea and Shore Fisheries, may transport or have on board, nets or netting of lesser mesh opening, after having said net or netting sealed by a coastal warden in such manner that such net cannot be fished without destruction of the seal.

4. Regulations in effect. This section shall be in effect until optimum mesh size is established by regulations of the Atlantic States Marine Fisheries Commission under sections 4613 and 4653 or the Commissioner of Sea and Shore Fisheries.

5. **Penalty.** Whoever violates any provision of this section shall be punished by a fine of not less than \$1,000 nor more than \$5,000, or by imprisonment for not less than 6 months, or by both.

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

Effective June 8, 1973

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## CHAPTER 469

**AN ACT to Correct Certain Inconsistencies in the Motor Vehicle Laws.**

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

**Sec. 1. R. S., T. 29, § 192, amended.** The first sentence of section 192 of Title 29 of the Revised Statutes is amended to read as follows:

The Secretary of State is authorized to design and to issue, under such regulations as he shall deem appropriate, initial type registration plates or combination of initials and numeric type registration plates to be used on passenger motor vehicles or motor vehicles of the station wagon type or motorcycles or camper vehicles in lieu of other numeric type registration plates.

**Sec. 2. R. S., T. 29, § 192, amended.** The first sentence of the 3rd paragraph of section 192 of Title 29 of the Revised Statutes is amended to read as follows:

Applications for registration plates as prescribed above, pertaining to owners of passenger vehicles or motor vehicles of the station wagon type or motorcycles or camper vehicles who are residents of this State and who own an unrevoked and unexpired official amateur radio station license issued by the Federal Communications Commission, except those licensed as novices by the Federal Communications Commission, shall be accompanied by a notarized proof of ownership of such amateur radio station license.

**Sec. 3. R. S., T. 29, § 241, amended.** The second paragraph of section 241 of Title 29 of the Revised Statutes is amended to read as follows:

Replacement ~~inserts~~ revalidation devices for number plates shall be furnished to replace lost or mutilated ~~inserts~~ revalidation devices for 50¢ each.

**Sec. 4. R. S., T. 29, § 246, amended.** The first paragraph of section 246 of Title 29 of the Revised Statutes is amended to read as follows:

With each application for registration of a motor truck, tractors and truck tractors shall be paid an annual registration fee graduated as follows when equipped with pneumatic tires:

**Sec. 5. R. S., T. 29, § 256, amended.** Section 256 of Title 29 of the Revised Statutes, as amended, is further amended by adding at the end a new paragraph to read as follows: