

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE

1ST SPECIAL SESSION

JANUARY 19, 1976 TO APRIL 29, 1976

AND

2ND SPECIAL SESSION

JUNE 14, 1976

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature
AT THE FIRST SPECIAL SESSION
January 19, 1976 to April 29, 1976
AND THE SECOND SPECIAL SESSION
June 14, 1976

Supplementary to the Acts and Resolves of the Regular Session

[supplied from page 3097 of volume]

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

29 MRSA § 245-A, 1st ¶, last sentence, as last amended by PL 1975, c. 589, § 12, is further amended to read:

The fee for such plate shall be \$10 for each registration year, or portion thereof, for the number of years of valid use from the year of issue to the end of the semipermanent plate program; and there shall be no refund of payment of such fee, except that when such a plate is returned with an affidavit that the plate has never been used and the Secretary of State is satisfied that the plate has never been used, the pro rata amount, based upon the remaining years of validity at the time of surrender of plate and registration certificate, shall be refunded.

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

Effective March 30, 1976

CHAPTER 690

AN ACT Relating to the Priority of Attorneys' Liens in Regard to Allegedly Stolen Property.

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

14 MRSA § 2602-A is enacted to read:

§ 2602-A. Attorneys' liens; allegedly stolen property

In any civil action in which the plaintiff or plaintiffs seek the restoration of or compensation for money or other personal property allegedly taken by theft by the defendant or defendants and in which trustee process is used with regard to such money or other personal property, the claim of the plaintiff or plaintiffs shall have priority over an attorney's lien for services performed or to be performed for the defendant or defendants.

Effective July 29, 1976

CHAPTER 691

AN ACT to Extend the Exemption for Sternmen on Lobster Fishing Boats from Coverage under the Employment Security and Workmen's Compensation Laws.

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

Sec. 1. 26 MRSA § 1043, sub-§ 11, ¶ F, sub-¶ (32), is enacted to read:

(32) Services performed by an individual operating as a sternman, as defined in Title 36, section 5102, subsection 8-A, on a lobster or crab fishing vessel of less than 10 tons.

Sec. 2. 39 MRSA § 2, sub-§ 5, ¶ A, is amended to read:

A. Persons engaged in maritime employment, or in interstate or foreign commerce, who are within the exclusive jurisdiction of admiralty law or the laws of the United States and persons operating as sternmen as defined in Title 36, section 5102, subsection 8-A.

Effective July 29, 1976

CHAPTER 692

AN ACT to Establish a Program to Protect the Clam Fishery from Green Crab Predation.

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

Whereas, there has been a dramatic increase in numbers of green crabs which pose a serious threat to softshell clams and other intertidal bivalve molluscs; and

Whereas, these predators have caused a decimation of the replacement clam stocks in growing areas along $\frac{3}{4}$ of the Maine coast from Kittery to Narragagus Bay; and

Whereas, in 82 growing areas comprising 1,700 acres in different municipalities protection of the resources is feasible; and

Whereas, it is essential to provide sufficient time for careful planning so that the program can be established and implemented by May 1, 1976; 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:

Sec. 1. 12 MRSA § 4252, first ¶, as last amended by PL 1965, c. 33, § 6, is further amended by adding at the end a new sentence to read:

The ordinance may provide for enforcement, protection and evaluation of a green crab fencing program.

Sec. 2. 12 MRSA § 4252-A is enacted to read:

§ 4252-A. Green crab fencing program