

# 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

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

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PORTLAND LITHOGRAPH COMPANY  
PORTLAND, MAINE  
1977

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PUBLIC LAWS  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
**FIRST REGULAR SESSION**

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ONE HUNDRED AND EIGHTH LEGISLATURE

1977

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## CHAPTER 134

### AN ACT to Permit the Taking of Halibut under Certain Conditions without a Commercial License.

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

Sec. 1. 12 MRSA § 3801, 1st ¶, as repealed and replaced by PL 1975, c. 565, § 1, is amended to read:

It is unlawful for any resident of the State of Maine to engage in commercial fishing, unless he has a current written license from the commissioner as provided in this section, except that any person may fish for or take halibut by use of line trawl or finfish by use of spear gun, dip net, handline or rod and reel for consumption by himself or by members of his family without having a license as provided in this section.

Sec. 2. 12 MRSA § 3802, 1st ¶, as amended by PL 1975, c. 565, § 2, is repealed and the following enacted in its place:

It is unlawful for a nonresident of the State of Maine to engage in commercial fishing, unless he has a current written license from the commissioner as provided in this section, except that any person may fish for or take halibut by use of line trawl or finfish by use of spear gun, dip net, handline or rod and reel for consumption by himself or by members of his family without having a license as provided in this section.

Effective October 24, 1977

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## CHAPTER 135

### AN ACT Providing for the Revocation and Nonrenewal of Motor Vehicle Dealer Licenses for Nonpayment of State Taxes.

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

Sec. 1. 29 MRSA § 349, sub-§ 1, ¶ I is enacted to read:

I. Certification by the State Tax Assessor that any tax, other than property tax, assessed and deemed final under Title 36, remains unpaid in an amount exceeding \$1,000 for a period greater than 60 days after the licensee or applicant has received notice of the finality of such tax and that the licensee or applicant has refused to cooperate with the Bureau of Taxation in establishing and remaining in compliance with a reasonable plan for liquidating such liability.

Sec. 2. 36 MRSA § 7 is enacted to read:

§ 7. Denial, suspension and revocation of licenses

If any tax, other than property tax, assessed and deemed final under this Title remains unpaid in an amount exceeding \$1,000 for a period greater than 60 days after the taxpayer has received notice of such finality and the taxpayer refuses to cooperate with the bureau in establishing and remaining in compliance with a reasonable plan for liquidating the liability, the State Tax Assessor shall certify such liability and lack of cooperation to the Secretary of State, who shall construe the liability and lack of cooperation to be a ground for denying, suspending or revoking the taxpayer's motor vehicle dealer license in accordance with Title 29, section 349.

Effective October 24, 1977

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## CHAPTER 136

### AN ACT Amending the Law Relating to Load Binding.

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

Sec. 1. 29 MRSA § 1701, 2nd sentence, as last amended by PL 1973, c. 195, is further amended to read:

In those cases in which firewood, pulpwood or bolts ~~is~~ are piled in tiers from the front to rear of the body of a vehicle, a strip of wood or metal 3 inches thick shall extend along the sides of the platform, from front to rear, securely fastened to the platform of the vehicle in order that the load shall pitch to the center of said vehicle, except that such vehicles may substitute for this 3-inch strip, 2 ~~chain~~ chains, wire rope, ~~or~~ steel cable binders or web straps, or any combination thereof.

Sec. 2. 29 MRSA § 1701, 3rd sentence is repealed and the following enacted in its place:

Such chains, wire ropes, steel cables or web straps shall meet the specifications set forth in section 1751 and shall be held firmly in place and properly spaced to secure the load.

Sec. 3. 29 MRSA § 1751, as repealed and replaced by PL 1975, c. 455, § 1, is repealed and the following enacted in its place:

#### § 1751. Binding of logs

No vehicle while being used to transport a load of long logs, the height of which load is greater than 8 feet, shall be operated over any way or bridge unless such load on each such unit is bound by 3 chains and binders or 3 wire ropes or 3 steel cables, or 3 polyester or nylon web straps, or any combination thereof. If the height of such load is less than 8 feet and more than 30 inches, such load shall be bound by 2 chains and binders or 2 wire ropes or 2 steel cables, or 2 polyester or nylon straps, or any combination thereof. These chains, wire ropes or steel cables shall be made of not less than  $\frac{3}{8}$  of an inch