

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

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PUBLIC LAWS
OF THE
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ject to taxation under this subchapter, shall be taxed at the property tax rate applicable to other property in the municipality, which rate shall be applied to the assessed values so determined. For any tax year in which a municipality has a situation where the aggregate tax assessed on lands classified under this subchapter is less than 90% of the aggregate tax assessed on the same lands in 1972, the municipality shall have a valid claim against the State to recover the taxes lost to the extent that such loss exceeds a 10% loss from 1972, upon proof of the facts in form satisfactory to the State Tax Assessor.

The State Tax Assessor is authorized to make provisional payment of up to 75% of any municipal claim found to be in satisfactory form. The payment shall be made within 90 days after receipt of a satisfactory claim and shall be presented for final settlement to the Legislature next convening.

Effective October 24, 1977

CHAPTER 283

AN ACT Concerning Fly Fishing in the Kennebec River.

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

Whereas, because of an oversight the existing laws now prohibit fly fishing on this portion of the Kennebec River; and

Whereas, fly fishing on the Kennebec River has been traditional recreation enjoyed by many sportsmen for many years; and

Whereas, allowing this bill to become effective 90 days after adjournment would result in the bill becoming effective in the middle of the fly fishing season; and

Whereas, allowing this bill to become effective in the middle of the season would create confusion and misunderstanding among sportsmen and would create great difficulties for officials responsible for the enforcement of fisheries and wildlife laws; 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:

12 MRSA § 2553-A, as repealed by PL 1975, c. 772, § 17, is reenacted to read:

§ 2553-A. Fly fishing in Kennebec River

Kennebec River, downstream from Indian Pond dam in Tr R6, Somerset County to tidewater in Augusta, Kennebec County, from September 15th to October 31st of each year, shall be open to fly fishing only, for all fish with a one-fish daily limit.

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

Effective June 13, 1977

CHAPTER 284

AN ACT to Amend and Repeal Certain Laws Relating to Amusements and Sports.

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

Sec. 1. 8 MRSA § 446 is repealed.

Sec. 2. 8 MRSA § 602 is repealed.

Sec. 3. 17 MRSA § 3204, 2nd ¶, as repealed and replaced by PL 1973, c. 625, § 91, is amended to read:

This section shall not apply to: The operation or maintenance of common, contract and private carriers; taxicabs; airplanes; newspapers; radio and television stations; hotels, motels, rooming houses, tourist and trailer camps; restaurants; garages and motor vehicle service stations; retail monument dealers; automatic laundries; machines that vend anything of value, including, but not limited to, a product, money or service; pharmacies; greenhouses; seasonal stands engaged in sale of farm produce, dairy products, sea food or Christmas trees; public utilities; industries normally kept in continuous operations, including but not limited to pulp and paper plants and textile plants; processing plants handling agricultural produce or products of the sea; ship chandleries; marinas; establishments primarily selling boats, boating equipment, sporting equipment, souvenirs and novelties; motion picture theatres; public dancing; sports and athletic events; bowling alleys; displaying or exploding fireworks, under Title 8, chapter 9; musical concerts; religious, educational, scientific or philosophical lectures; scenic, historic, recreational and amusement facilities; real estate brokers and real estate salesmen; mobile home brokers and mobile home salesmen; provided that this section shall not exempt the businesses or facilities specified in sections 3205, 3206 and 3207 from closing in any municipality until the requirements of those sections have been met; stores wherein no more than 5 persons, including the proprietor, are employed in the usual and regular conduct of business; stores which have no more than 5,000 square feet of interior customer selling space, excluding back room storage, office and processing space.

Effective October 24, 1977