

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND EIGHTH LEGISLATURE
1977

B. Any person who has committed in his presence or is committing in his presence a Class D or Class E crime other than those described in paragraph A, subparagraphs 3 through 6.

A law enforcement officer may, without fee, take the personal recognizance of any person for his appearance on a charge of a Class D or Class E crime.

Effective October 24, 1977

CHAPTER 327

AN ACT to Amend the Land Use Regulation Commission Statutes.

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

Sec. 1. 12 MRSA § 685-A, sub-§ 8, 3rd ¶, ¶ A, as repealed and replaced by PL 1973, c. 788, § 43-B, is repealed and the following enacted in its place:

A. The change would be consistent with the standards for district boundaries in effect at the time; the comprehensive land use plan; and the purpose, intent and provisions of this chapter; and

Sec. 1-A. 12 MRSA § 685-A, sub-§ 8, 3rd ¶, ¶ B, is enacted to read:

B. The change in districting will satisfy demonstrated need in the community or area and will have no undue adverse impact on existing uses or resources or a new district designation is more appropriate for the protection and management of existing uses and resources within the affected area.

Sec. 2. 12 MRSA § 685-A, sub-§ 8, as repealed and replaced by PL 1973, c. 788, § 43-B, is amended by adding at the end the following new paragraph:

Amendments to land use standards so adopted shall be effective immediately but shall be submitted to the next regular or special session of the Legislature for approval or modification. If the Legislature fails to act, such standards shall continue in full force and effect.

Effective October 24, 1977

CHAPTER 328

AN ACT Relating to Purse Seining and Stop Seining.

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

12 MRSA § 4208, as enacted by PL 1967, c, 309, is repealed and the following enacted in its place:

§ 4208. Purse seines not to be set near certain stop seines

1. Unlawful actions. It shall be unlawful to fish with, set or assist in setting any purse seine:

A. Within 2,000 feet of any boat containing a crew and stop seine capable of fishing the cove or arc of beach;

B. From sunrise to sunset, within 2,000 feet of any stop seine set across the mouth of a cove or arc of a beach, when a pocket is set for holding fish and is marked by at least 4 floating kegs or similar devices; or

C. From sunset to sunrise, within 2,000 feet of any stop seine set across the mouth of a cove or arc of a beach, when a boat and crew capable of fishing the cove or beach is present.

2. Exception. The operator of the stop seine may use a purse seine inside the pocket of the stop seine to remove the fish caught, and shall not violate this section by doing so.

3. Penalty. Violation of this section shall be a Class C crime.

4. Definition. For the purpose of this section, sunset and sunrise are the times given for sunset and sunrise as computed and established for Augusta, Maine, by the Nautical Almanac Office of the United States Naval Observatory for the particular day involved, converted to the legal standard of time in force in this State on that day.

Effective October 24, 1977

CHAPTER 329

AN ACT Relating to Registration of Trucks of Less Than 6,000 Pounds as Automobiles.

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

Whereas, the provisions of the present law are difficult to enforce; and

Whereas, there is a certain inequity in the law which requires immediate change; and

Whereas, in the judgment of the Legislature, these facts create an emer-