

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.

PORTLAND LITHOGRAPH COMPANY
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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

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1977

- D. Residential services for severely emotionally disturbed children;
- E. Mental health services for the elderly;
- F. Community mental retardation services;
- G. Residential services for mentally retarded persons;
- H. Community diagnostic and evaluation services for mentally retarded persons; and
- I. Institutional services for mentally ill and mentally retarded persons.

4. Plan. Annually, prior to January 15th, the Department of Mental Health and Corrections shall submit to the Legislature through the Joint Standing Committee on Appropriation and Financial Affairs a plan of proposed expenditures, for moneys in the fund, including the areas specified in subsection 3 for the ensuing fiscal year.

5. Legislative allocation. The Legislature shall annually enact legislation which allocates the money in the fund.

6. Transfer of funds. The department may transfer up to 15% of the funds to any other area to which the Legislature has allocated money from the fund.

7. Accounts. The department shall submit detailed quarterly accounts of expenditures from the fund to the Legislative Finance Officer and the State Budget Officer.

Sec. 2. Transitional provisions. Notwithstanding the provisions of Title 22, section 3172-A, subsection 4, the Department of Mental Health and Corrections shall submit to the Legislature a plan for proposed expenditures required by title 22, section 3172-A for fiscal year July 1, 1978 to June 30, 1979, prior to January 15, 1978.

Sec. 3. Effective date. Title 22, section 3172-A, subsections 1 and 2 of section 1 of this Act shall take effect July 1, 1978.

Effective October 24, 1977

CHAPTER 483

AN ACT to Extend the Exemption for Certain Individuals Engaged in Fishing from Coverage Under the Employment Security and Workmen's Compensation Laws.

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

Whereas, in late 1976 the U. S. Internal Revenue Code was amended to exempt certain individuals engaged in fishing from the requirement to withhold federal income taxes; and

Whereas, such exemption is automatically adopted by the Maine personal income tax law; and

Whereas, such exemption is not automatically adopted by the Maine Employment Security and Workmen's Compensation Law, both of which will retain the exemption for the much narrower class of fishermen exempted by the Maine Tax Law prior to the recent federal amendments; 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:

26 MRSA § 1043, sub-§ 11, ¶ F, sub-¶ (32), as enacted by PL 1975, c. 691, § 1, is repealed and the following enacted in its place:

(32) Services performed by an individual on a boat of 10 net tons or less engaged in catching fish or other forms of aquatic animal life under an arrangement with the owner or operator of such boat pursuant to which:

(a) Such individual does not receive any cash remuneration, other than as provided in division (b);

(b) Such individual receives a share of the boat's, or the boats' in the case of a fishing operation involving more than one boat, catch of fish or other forms of aquatic animal life or a share of the proceeds from the sale of such catch; and

(c) The amount of such individual's share depends on the amount of the boat's, or the boats' in the case of a fishing operation involving more than one boat, catch of fish or other forms of aquatic animal life, but only if the operating crew of such boat, or each boat from which the individual receives a share in the case of a fishing operation involving more than one boat, is normally made up of fewer than 7 individuals.

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

Effective July 11, 1977

CHAPTER 484

AN ACT to Provide for the Licensing of Denturists.