

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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Whereas, the immediate resolution of these questions is of great importance to the citizens of these towns; 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Sec. 1. 28 MRSA § 101, first paragraph, as repealed and replaced by PL 1977, c. 630, § 2, is repealed and the following enacted in its place:

The municipal officers of cities and towns and the assessors of plantations, upon receipt of a petition signed by at least 15% of the voters, voting in that municipality in the last gubernatorial election and addressed to the municipal officers, as defined in Title 30, Section 1901, subsection 7, at least 21 days prior to holding any primary, special statewide, general or municipal election or annual or special town meeting, are empowered and directed to notify the inhabitants of their respective municipalities to meet, in the manner prescribed by law to vote upon any or all of the following questions:

Sec. 2. Authorization and validation. Notwithstanding any other provision of law pursuant to specific referendum instructions of the Commissioner of Alcoholic Beverages, the affirmative vote recorded at town meeting in Frankfort, Maine on March 23, 1979, by which the inhabitants approved the Sunday sale for on-premises consumption of alcoholic beverages, is hereby validated, confirmed and made effective and upon passage of this Act, the town clerk of Frankfort shall incorporate this validation into the official records of the Town of Frankfort.

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

Effective April 27, 1979

CHAPTER 160

H. P. 391 — L. D. 500^m

AN ACT Relating to Tending Traps in the Unorganized Territories.

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

12 MRSA § 2351, as amended by PL 1971, c. 403, §§ 14 and 15, is repealed and the

following enacted in its place:

§ 2351. Traps visited every 24 hours; consent of owner; populated areas

Any person trapping in any organized or incorporated place shall visit each trap or cause the same to be visited at least once in every calendar day including Sunday, except beaver sets, so-called. Any person trapping in any unorganized or deorganized place shall visit, or cause to be visited, each trap at least once in every 72-hour period, except water sets and conibear traps, so-called. It shall be unlawful to fail to remove or cause to be removed any animal found caught in any trap. No person shall trap, except for beaver, on or in any organized or incorporated place, or in any unorganized place on the cultivated or pasture area of land that is used for agricultural purposes, and on which land there is an occupied dwelling, or within 200 yards of any occupied dwelling, without first obtaining the written consent of the owner or occupant of the land on which that trap is to be set. It shall be the duty of the landowner or occupant to prove his ownership or occupancy of the land in question before any prosecution is made under this particular part of this section.

No person shall trap outside his own land, within $\frac{1}{2}$ a mile of the compact built-up portion of any city or village, except by the use of water sets, so-called, for mink and muskrat. A water set shall be a trap so set that it shall be completely covered by water at all times. Any person who has a written permit from the landowner may trap only with water sets, so-called, within $\frac{1}{2}$ mile of the built-up section of any city or village.

Effective September 14, 1979

CHAPTER 161

S. P. 290 — L. D. 852

AN ACT to Allow Reduced Pricing of Discontinued Liquor Items.

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

Whereas, the State Liquor Commission is currently storing discontinued liquor items in its warehouse and state store facilities; and

Whereas, these discontinued liquor items use badly needed storage area; and

Whereas, the commission is unable to list new merchandise until storage area is available; 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,