

# 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

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

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Kennebec Journal  
Augusta, Maine  
1979

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**PUBLIC LAWS**  
OF THE  
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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

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## 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,

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

28 MRSA § 451, first ¶, next to last sentence, is amended to read:

Notwithstanding the other provisions of this section, the commission, with approval of the Commissioner of Finance and Administration, may reduce the price of discontinued items of liquor by an amount of 10% of the listed selling price. **The reduced price shall not be less than the actual cost of the discontinued liquor items** and no item shall be discontinued by the commission for a period of at least 6 months after such item has been listed and on sale in state stores.

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

Effective April 27, 1979

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## CHAPTER 162

S. P. 393 — L. D. 1197

**AN ACT to Exempt Automobile Assigned Risk Policies from the Countersignature Requirements.**

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

24-A MRSA § 427, sub-§ 7 is enacted to read:

**7. Automobile assigned risk policies which are required by section 2325 and any endorsements applicable to them.**

Effective September 14, 1979

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## CHAPTER 163

S. P. 166 — L. D. 373

**AN ACT to Allow the Taking of Certain Clams without a License.**

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

Whereas, the Legislature previously and incorrectly included "storm" clams