

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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PUBLIC LAWS
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CHAPTER 282

H. P. 157 — L. D. 185

AN ACT Relating to Juvenile Clients of the Protective Care Division of the Department of Human Services.

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

22 MRSA § 3861 is enacted to read:

§ 3861. Appeals process

When the Protective Care Division of the Department of Human Services determines that a juvenile is not eligible to receive specific services of the department, the division shall allow the juvenile or his representative to appeal the decision.

1. **Form.** The form of the procedure shall be left to the discretion of the commissioner.

2. **Notification.** A description of the official appeals procedure shall be published in an informational bulletin which shall be distributed to each juvenile after the initial determination of ineligibility is made.

Effective September 14, 1979

CHAPTER 283

H. P. 511 — L. D. 627

AN ACT to Strengthen the Requirement to Remove Lobstering Equipment when a Lobster License is Suspended.

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

Sec. 1. 12 MRSA § 6405, as amended by PL 1977, c. 713, § 3, is further amended by adding at the end a new paragraph to read:

During the removal period, the license holder shall not sell, lease or otherwise transfer ownership of the holder's lobster traps or cars or give written permission to another person to raise, lift or transfer those traps or cars. The commissioner may allow another licensed person, subject to any conditions or limitations, to assist the license holder in removing his traps or cars, if that assistance is required because of personal hardship or a large number of traps.

Sec. 2. 12 MRSA § 6406, as enacted by PL 1977, c. 661, § 5, is amended by adding a new sentence after the first sentence to read:

It shall be unlawful for any person whose license is under suspension to give another person permission to raise, lift, transfer or possess lobster traps or cars marked with the suspended person's lobster and crab fishing license number or lobster traps with buoys that carry the color design on file with the suspended license.

Effective September 14, 1979

CHAPTER 284

H. P. 577 — L. D. 725

AN ACT Relating to Permits for Contract Carriers.

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

Whereas, the present law requires that contract carriers with grandfather rights provide service and carry goods according to the service they provided and goods that they carried between March 1, 1932 and June 30, 1933; and

Whereas, this test period is antiquated and prohibits many contract carriers from operating; and

Whereas, many contract carriers with grandfather rights are being investigated by the Public Utilities Commission; and

Whereas, the permits of these contract carriers will be based on the 1932-33 test year to the detriment of these carriers and the general public; 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. 35 MRSA § 1555, sub-§ 3, next to the last sentence, is amended to read:

Contract carriers now operating by virtue of so-called grandfather rights granted