

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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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

by the commission pursuant to this subsection as originally enacted, and whose present permits, in the opinion of the commission, need clarification, may be directed, upon reasonable notice given as provided, to appear before the commission for further public hearing, at which hearing evidence of regular operation as a contract carrier from March 1, 1932, to June 30, 1933, may be submitted, and the carrier may ~~supplement same by~~ **also submit as independent evidence of the scope of his grandfather rights** evidence of **other** regular operation ~~subsequent to said period by the carrier between January 1, 1975, and October 1, 1978,~~ and the commission shall issue an amended permit in accordance with the facts found on the original and new evidence presented.

Sec. 2. 35 MRSA § 1555, sub-§ 3, as amended by PL 1977, c. 46, is further amended by adding before the last sentence the following new sentence:

Any contract carrier whose permits have been clarified pursuant to this subsection in the 6 months previous to the effective date of this sentence shall be granted a hearing and his permits clarified based upon the provisions of this subsection within 30 days following the effective date of this sentence.

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

Effective May 25, 1979

CHAPTER 285

S. P. 399 — L. D. 1204

AN ACT to Transfer the Board of Registration for Professional Foresters from the Department of Conservation to the Department of Business Regulation.

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

Sec. 1. 32 MRSA § 5004, first sentence, as enacted by PL 1975, c. 490, is amended to read:

A State Board of Registration for Professional Foresters is established **within the Department of Business Regulation** to administer the provisions of this chapter.

Sec. 2. 32 MRSA § 5011-A, first sentence, as enacted by PL 1977, c. 604, § 35 is amended to read:

On or before August 1st of each year, the board shall submit to the Commissioner of ~~Conservation~~ **Business Regulation**, for the preceding fiscal year