

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED BY THE

**ONE HUNDRED AND TENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
December 3, 1980 to June 19, 1981

**AND AT THE**

**FIRST SPECIAL SESSION**  
August 3, 1981

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3, SECTION 164, SUBSECTION 6.**

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

1981

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may require a deed ~~covenant~~ **covenant** or deed restriction when determined necessary. ~~The department shall prior to adopting or amending rules and regulations invite participation and receive written comments from other interested state agencies including: The Department of Environmental Protection; the Land use Regulation Commission; the State Housing Authority; the Soil and Water Conservation Commission and the Plumbing Examining Board~~

Sec. 2. 22 MRSA § 42, sub-§ 3, 2nd ¶, first sentence, as repealed and replaced by PL 1973, c. 521, § 1, is amended to read:

Any person who violates the rules and regulations adopted under this subsection, or who violates a municipal ordinance adopted pursuant to Title 30, section 3221, shall be punished by a fine of not less than \$100 nor more than \$500 for each offense or uses a subsurface sewage disposal system not in compliance with rules applicable at the time of installation or modification commits a civil violation for which a forfeiture of not less than \$100 nor more than \$1,000 may be adjudged.

Sec. 3. 22 MRSA § 42, sub-§ 3, 2nd ¶, as last amended by PL 1977, c. 286, § 1, is further amended by adding, after the 2nd sentence, a new sentence to read:

In the prosecution of a violation by a municipality, the court may award reasonable attorney's fees to a municipality if that municipality is the prevailing party.

Sec. 4. 30 MRSA § 3223, sub-§ 1-A is enacted to read:

1-A. Penalties. Any person who installs or orders the installation of any subsurface sewage disposal system without the permit required under this section commits a civil violation for which a forfeiture of not less than \$100 nor more than \$1,000 may be adjudged.

Effective September 18, 1981

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## CHAPTER 377

H. P. 1154 — L. D. 1375

### AN ACT Relating to the Lobster Advisory Council.

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

Sec. 1. 12 MRSA § 6462, sub-§ 1, as enacted by PL 1979, c. 355, § 1, is repealed and the following enacted in its place:

1. Appointment; composition. There is established the Lobster Advisory Council which shall consist of 11 members. Each member shall be appointed by the Governor as follows.

**A. One person who holds a lobster and crab fishing license shall be appointed from each of the following counties:**

- (1) Cumberland;
- (2) Hancock;
- (3) Knox;
- (4) Lincoln;
- (5) Sagadahoc;
- (6) Waldo;
- (7) Washington; and
- (8) York.

**B. Two persons who hold wholesale seafood licenses and are primarily dealers in lobsters shall be appointed.**

**C. One person who is a member of the general public and does not hold any license under this subchapter shall be appointed.**

**Sec. 2.** 12 MRSA § 6462, sub-§ 4, as enacted by PL 1979, c. 355, § 1, is amended to read:

**4. Quorum.** A quorum shall be ~~5~~ 6 members of the council, if at least ~~3~~ 4 of them are lobster and crab fishing license holders.

**Sec. 3. Transition.** Present members of the council shall serve until the expiration of their terms. After the effective date of this Act, appointments of persons who hold lobster and crab fishing licenses may be made for any county not then represented on the advisory council, except that the total number of these members shall not exceed 8.

Effective September 18, 1981

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## CHAPTER 378

H. P. 1250 — L. D. 1474

**AN ACT to Make the Good Samaritan Act Apply to School Employees.**

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