

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

**PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE
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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TENTH LEGISLATURE

1981

Positions	(8)	(8)
Personal Services	190,000	190,000
All Other	100,000	100,000
Capital Expenditures	10,000	10,000

Sec. 6. Transitional allocation of the Public Utilities Commission Regulatory Fund. Notwithstanding any other provision of law, additional moneys from the Public Utilities Commission Regulatory Fund for the fiscal years from July 1, 1981 to June 30, 1982, and from July 1, 1982, to June 30, 1983, shall be segregated, apportioned and expended as designated in the following schedules:

	1981-82	1982-83
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ECONOMIC DEVELOPMENT

Public Utilities Commission

Regulatory Fund

Positions	(10)	(10)
Personal Services	\$250,000	\$250,000
All Other	50,000	50,000
TOTAL	\$300,000	\$300,000

This allocates additional moneys from the Public Utilities Commission Regulatory Fund which is required by Public Law 1979, chapter 427.

Sec. 7. Noncompeting measure. It is the intent of the Legislature that this Act not be interpreted as a competing measure, within the meaning of the Constitution of Maine, Article IV, Part Third, Section 18, with "AN ACT to Create the Maine Energy Commission," an initiated bill which will be submitted to the voters in November, 1981. It is the further intent of the Legislature that this measure not be subject to referendum as a competing measure with that bill.

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

Effective June 19, 1981

CHAPTER 480

H. P. 1589 — L. D. 1680

AN ACT to Maintain and Improve Marine Patrol Services.

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

Sec. 1. 12 MRSA § 6421, sub-§ 7, as amended by PL 1977, c. 713, § 4, is further amended to read:

7. **Fee.** The fee for the license shall be ~~\$25~~ \$33 for applicants 17 years of age or older and ~~\$10~~ \$13 for those under 17.

Sec. 2. 12 MRSA § 6451, sub-§ 1, as amended by PL 1977, c. 713, § 5, is further amended to read:

1. **Allocation of license fees.** Ten dollars of each ~~\$25~~ \$33 fee and ~~five dollars~~ \$5 of each ~~\$10~~ \$13 fee for each lobster and crab fishing license shall be allocated to the Lobster Fund, which shall be used for the purpose of ~~propagation~~ propagation of lobsters by liberating seed and female lobsters in Maine coastal waters.

Sec. 3. 12 MRSA § 6501, sub-§ 5, ¶¶ B and C, as enacted by PL 1977, c. 661, § 5, are amended to read:

B. ~~\$25~~ \$33 for resident operator and all crew members; and

C. ~~\$200~~ \$400 for nonresident operator and all crew members.

Sec. 4. 12 MRSA § 6601, sub-§ 5, as enacted by PL 1977, c. 661, § 5, is amended to read:

5. **Fee.** The fee for a shellfish license shall be ~~\$10~~ \$13.

Sec. 5. 12 MRSA § 6701, sub-§ 5, as enacted by PL 1977, c. 661, § 5, is amended to read:

5. **Fee.** The fee for a scallop license shall be ~~\$25~~ \$33.

Sec. 6. 12 MRSA § 6751, sub-§ 4, as enacted by PL 1977, c. 661, § 5, is amended to read:

4. **Fee.** The fee for a marine worm digger's license shall be ~~\$10~~ \$13.

Sec. 7. 12 MRSA § 6801, sub-§ 4, ¶ A, as enacted by PL 1977, c. 661, § 5, is amended to read:

A. ~~\$10~~ \$13 for a resident; and

Sec. 8. 12 MRSA § 6851, sub-§ 6, as enacted by PL 1977, c. 661, § 5, is amended to read:

6. **Fee.** The fees shall be as follows:

A. ~~\$50~~ \$65 for the wholesale seafood license; and

B. ~~\$10~~ \$13 for each supplemental license.

Sec. 9. 12 MRSA § 6852, sub-§ 4, as enacted by PL 1977, c. 661, § 5, is amended to read:

4. Fee. The fee for a retail seafood license shall be ~~\$10~~ \$13.

Sec. 10. 12 MRSA § 6853, sub-§ 6, as enacted by PL 1977, c. 661, § 5, is amended to read:

6. Fee. The fee for a marine worm dealer's license shall be ~~\$25~~ \$33 and the fee for a supplemental license shall be ~~\$10~~ \$13.

Sec. 11. 12 MRSA § 6854, sub-§ 6, as enacted by PL 1977, c. 661, § 5, is amended to read:

6. Fees. The fee for a lobster transportation license shall be ~~\$50~~ \$65 and the fee for a supplemental license shall be ~~\$10~~ \$13.

Sec. 12. 12 MRSA § 6855, sub-§ 6, as enacted by PL 1977, c. 661, § 5, is amended to read:

6. Fees. The fee for a shellfish transportation license shall be ~~\$50~~ \$65 and the fee for a supplemental license shall be ~~\$10~~ \$13.

Sec. 13. 12 MRSA § 6857, sub-§ 5, as enacted by PL 1977, c. 661, § 5, is amended to read:

5. Fee. The fee for a lobster meat permit shall be ~~\$25~~ \$33.

Sec. 14. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1981-82	1982-83
MARINE RESOURCES, DEPARTMENT OF		
Bureau of Marine Patrol		
Positions	(1)	(1)
Personal Services	\$ 31,000	\$ 31,000
All Other	52,290	67,290
Capital	<u>42,583</u>	<u>27,583</u>
Total Marine Patrol	\$125,873	\$125,873

Sec. 15. Effective date. Sections 1 through 13 of this Act shall take effect January 1, 1982.

Sec. 16. Repeal. This Act is repealed January 1, 1983, unless the Commissioner of Marine Resources has demonstrated to the Legislature, prior to

that date, that the revenues raised by this Act have been used for the Bureau of Marine Patrol.

Effective September 18, 1981, unless otherwise indicated

CHAPTER 481

H. P. 1660 — L. D. 1688

AN ACT to Establish Temporary Minimum Prices to be Paid to Milk Dealers and Retailers and to Facilitate Compliance of the Milk Commission with Recent Cases before the Maine Courts.

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

Whereas, under the criteria announced by the Supreme Judicial Court it is possible that no order of the commission prior to Order 80-6 other than Order 80-5 can now be regarded as valid with respect to dealer margins; and

Whereas, as a result of the decisions by the Superior Court and the Supreme Judicial Court for the first time since 1935 no minimum dealer and retailer prices currently exist; and

Whereas, the Maine Milk Commission does not have the data, staff and other resources necessary to promptly adopt a valid order to establish dealer and retailer minimum; and

Whereas, the production and distribution of milk is an industry within the State affected with a public interest; and

Whereas, the absence of valid, enforceable dealer and retailer minimum prices for even a short period of time will cause serious and potentially permanent economic dislocations for the milk industry of this State; and

Whereas, the only feasible solution to this problem is for the Legislature to enact temporary dealer and retailer minimum prices while giving the Maine Milk Commission the time and resources to adopt a valid enforceable order for dealer and retailer minimum prices; 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: