

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 1-452

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

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

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

AS PASSED AT THE  
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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A. Issuance of a conditional license or approval;

B. Refusal to issue or renew a full license or approval;

C. Revocation or suspension of a full license or approval; or

D. Refusal to issue a provisional license or approval.

5. Appeals. Any person aggrieved by the department's decision to take any of the following actions, may request an administrative hearing, as provided by the Maine Administrative Procedure Act, Title 5, chapter 375:

A. Issue a conditional license or approval;

B. Amend or modify a license or approval;

C. Void a conditional license or approval;

D. Refuse to issue or renew a full license or approval; or

E. Refuse to issue a provisional license.

Sec. 3. 22 MRSA §7803, as amended by PL 1977, c. 694, §§375 and 376, is repealed.

Sec. 4. 22 MRSA §8402, sub-§§1 and 2, as enacted by PL 1975, c. 709 §2, are repealed.

Effective September 23, 1983.

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## CHAPTER 387

H.P. 1172 - L.D. 1560

### AN ACT Concerning the Catching of Herring for Bait.

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

Sec. 1. 12 MRSA §6542, sub-§1, as enacted by PL 1977, c. 661, §5, is repealed:

Sec. 2. 32 MRSA §4159, first ¶, as amended by PL 1975, c. 44, §1, is further amended to read:

It shall be unlawful for any person, firm or corporation to sell, offer for sale or transfer in any manner herring which are between 4 1/2 and 9 inches in length or longer when measured from one extreme to the other to any person, firm or corporation, other than for human consumption or bait purposes, unless such herring are not desirable for processing for human consumption; provided there is a buyer of herring for processing for human consumption within a reasonable distance of the place where such herring are caught and available at the time they are offered for sale, ready and willing to purchase at a price acceptable to the seller. No person, firm or corporation shall can, pack or otherwise process such herring except for human consumption except as provided in this section.

Effective September 23, 1983.

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## CHAPTER 388

S.P. 359 - L.D. 1080

### AN ACT Concerning Fishways in Dams and Other Artificial Obstructions in Coastal Waters.

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

Sec. 1. 12 MRSA §6121, as amended by PL 1979, c. 127, §84, is repealed and the following enacted in its place:

§6121. Fishways in existing dams or artificial obstructions

1. Commissioner's authority. In order to conserve, develop or restore anadromous fish resources, the commissioner may require a fishway to be erected, maintained, repaired or altered by the owners, lessors or other persons in control of any dam or other artificial obstruction within coastal waters frequented by alewives, shad, salmon, sturgeon or other anadromous fish species.

2. Examination of dams. The commissioner shall periodically examine all dams and other artificial obstructions to fish passage within the coastal waters in order to determine whether fishways are necessary, sufficient or suitable for the passage of anadromous fish.