

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,
SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

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ONE HUNDRED AND TWELFTH LEGISLATURE

1985

It shall be unlawful for any dog, licensed or unlicensed, to run at large, except when used for hunting. The owner of any dog running-at-large commits a civil violation for which a forfeiture of not less than \$25 nor more than \$100 shall be adjudged.

Effective September 19, 1985.

CHAPTER 48

H.P. 45 - L.D. 51

AN ACT Regarding Notice of Municipal Shellfish Conservation Programs.

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

Sec. 1. 12 MRSA §6671, sub-§3, as amended by PL 1983, c. 838, §3, is further amended to read:

3. Shellfish conservation ordinance. Within any area of the municipality, a shellfish conservation ordinance may regulate or prohibit the possession of shellfish; may fix the amount of shellfish that may be taken; shall limit the size of soft-shell clams in accordance with subchapter I, Article 5; may fix the qualifications for a license, including municipal residency; may fix license fees; and may authorize the municipal officers to open and close flats under specified conditions. A program or ordinance shall not regulate areas closed by regulation of the commissioner. An ordinance may also provide for enforcement, protection and evaluation of a green crab fencing program. No municipal commercial license may be issued unless the applicant has a current shellfish license, as provided in section 6601. The fee for a nonresident license shall be not more than 10 times the fee for a resident license, provided that in no case may the fee for a nonresident license exceed \$150. Notice of the number and the procedure for application shall be published in a trade or industry publication, or in a newspaper or combination of newspapers with general circulation, which the municipal officers consider effective in reaching persons affected, not less than 10 days prior to the period of issuance and shall be posted in the municipal offices until the period concludes. Subsequent to that period, the municipality shall make any resident or

nonresident licenses not granted during the period available to residents or nonresidents.

Sec. 2. 12 MRSA §6676 is enacted to read:

§6676. Summary of municipal ordinances

The department shall prepare a summary description of all municipal shellfish ordinances which shall include, but not be limited to, a listing for each municipality of the license application period, fee structure, number of licenses available to residents and nonresidents. The department shall update and publish the summary every 6 months in a trade or industry journal which the commissioner considers to be effective in reaching the persons affected.

Effective September 19, 1985.

CHAPTER 49

H.P. 213 - L.D. 247

AN ACT Relating to the Adulteration of Food.

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

Sec. 1. 22 MRSA §2159, first ¶, as amended by PL 1979, c. 731, §19, is further amended to read:

Whenever a duly authorized agent of the Commissioner of Agriculture, Food and Rural Resources finds or has ~~probable cause~~ reason to believe that any food is adulterated, or so misbranded as to be dangerous or fraudulent, within the meaning of this subchapter, he ~~shall~~ may issue an order detaining or embargoing that food to any person or persons with possession or control thereof, and may affix or require the person or persons to whom the order is directed to affix to such article a tag or other appropriate marking, giving notice that such article is or is suspected of being adulterated or misbranded and has been detained or embargoed, and warning all persons not to remove or dispose of such article by sale or otherwise until permission for removal or disposal is given by such agent or the court. It shall be unlawful for any person to remove or dispose of such detained or embargoed article by sale or otherwise without such