

# 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.

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

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

AS PASSED AT THE  
FIRST REGULAR SESSION

of the  
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

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## CHAPTER 97

H.P. 677 - L.D. 939

AN ACT to Amend the Weir Licensing Laws.

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

Whereas, the existing weir laws do not adequately provide for the protection of fishing rights and privileges nor do they clearly establish the responsibilities and duties of weir licensees; and

Whereas, the necessary changes will not be effective prior to the 1985 sardine season unless enacted under emergency provisions; 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Sec. 1. 38 MRSA §1023, as amended by PL 1983, c. 731, §5, is repealed and the following enacted in its place:

§1023. Expiration of license

The license for the building or extension of a fish weir or trap issued under section 1022 or any right or privilege granted by the Legislature for the building or extension of any such fish weir or trap shall terminate and become void unless the weir or trap is built within one year from the date of the license or the granting of that right or privilege and maintained in good faith for the duration of the license.

The weir shall be considered to be maintained in good faith if the following conditions are met:

1. Annual license fee; bond coverage. The licensee shall pay his annual license fee and submit proof of the required bond coverage extending at least one year beyond the current license year;

2. Inspection and repair. The licensee shall inspect and repair all stakes and brush of the weir structure so as to maintain it in condition to receive netting when fishing conditions warrant; and

3. Report. The licensee shall complete these actions by July 15th of each year and shall report that completion to the commissioner and to the municipality within 7 days of that date on forms provided by the commissioner.

Satisfaction of these conditions shall be necessary but not sufficient to retain the weir's protected fishing zone as provided by Title 12, section 6525-A, subsections 1 and 5.

The commissioner shall, by December 31st each year, report to the municipality the name of the licensed owner and location of each weir and whether the weir was maintained in good faith in that year.

Sec. 2. 38 MRSA §1027 is enacted to read:

§1027. Exemptions

Weir fishing for alewives is exempt from the provisions of this chapter.

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

Effective April 12, 1985.

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## CHAPTER 98

S.P. 398 - L.D. 1108

AN ACT Concerning Fees Charged by  
Municipalities for Copies of Vital  
Records.

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

Sec. 1. 30 MRSA §2352, sub-§1, ¶D, as amended by PL 1979, c. 562, §6, is further amended to read: