

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

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ONE HUNDRED AND TWELFTH LEGISLATURE

1985

17-A MRSA §755, sub-§3, as amended by PL 1981, c. 493, §3, is further amended to read:

3. As used in this section, "official custody" means arrest, custody in, or on the way to or from a courthouse or a jail, police station, house of correction, or any institution or facility under the control of the Department of Corrections, or under contract with the department for the housing of persons sentenced to imprisonment, the custody of any official of the department, the custody of any institution in another jurisdiction pursuant to a sentence imposed under the authority of section 1253, subsection 1-A or any custody pursuant to court order. A person on a parole or probation status is not, for that reason alone, in "official custody" for purposes of this section.

Effective September 19, 1985.

CHAPTER 211

S.P. 551 - L.D. 1469

AN ACT Relating to Fishing by Net, Trap or Weir in the Waters of Union River Bay and the Lower Union River in Hancock County.

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

Whereas, a significant private investment has been made in rejuvenating the commercial alewife fishery on the Union River; and

Whereas, the reestablished fishery which has been built up entirely through private investment may be threatened by uncontrolled fishing in the Union River Bay; 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:

12 MRSA §6955 is enacted to read:

§6955. Fishing in waters of Union River Bay and the lower Union River

It is unlawful to fish with any type of net, fish trap or weir from April 15th to August 1st in the tidal waters of Union River Bay and the lower Union River north of a line drawn from the southernmost tip of Newbury Neck in the Town of Surry and extended eastward to the southernmost tip of Oak Point in the Town of Trenton. The closed area shall extend northward to the downstream side of the Bangor Hydropower Company dam in the City of Ellsworth. Fishing for eels or smelts by means of hand dip nets, fyke nets or baited eel traps shall be exempt from this section. The taking of alewives under the provisions of section 6131, subsection 5, shall be exempt from this section.

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

Effective May 28, 1985.

CHAPTER 212

H.P. 1018 - L.D. 1471

AN ACT Requiring Employee Rest Breaks.

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

26 MRSA c. 7, sub-c. I-A is enacted to read:

SUBCHAPTER I-A

HOURS OF EMPLOYMENT

§601. Rest breaks

In the absence of a collective bargaining agreement or other written employer-employee agreement providing otherwise, an employee, as defined in section 663, may be employed or permitted to work for no more than 6 consecutive hours at one time unless he is given the opportunity to take at least 30 consecu-