

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

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

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

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

4. Action to enforce liability. An action to enforce liability under this section shall be brought within one year from the date on which the violation occurs.

5. Action in good faith. No provision of this section imposing any liability may apply to any act done or omitted in good faith in conformity with any rule or advisory ruling of the superintendent, notwithstanding that, after the act or omission has occurred, the rule or advisory ruling is amended, rescinded, repealed or determined by judicial or other authority to be invalid for any reason.

Sec. 3. Transition provisions. All licenses and rules issued under authority of the Maine Revised Statutes, Title 32, chapter 10, and otherwise valid, shall remain in full force and effect and treated as if issued under the Maine Revised Statutes, Title 32, chapter 111, subchapter III, until, in the case of licenses their stated expiration date.

Effective July 16, 1986.

CHAPTER 703

H.P. 1621 - L.D. 2284

AN ACT Concerning Atlantic Salmon.

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

Sec. 1. 12 MRSA §6171, sub-§2, as amended by PL 1983, c. 680, §1, is further amended to read:

2. Limitations. This section grants no authority to adopt regulations for the conservation of Atlantic salmon, except as provided in section 6253, subsection 3. A regulation authorized under this section may only limit the taking of marine organisms by one or more of the following:

- A. Time;
- B. Method;
- C. Number;
- D. Weight;

E. Length; or

F. Location.

Sec. 2. 12 MRSA §6255, sub-§1, as enacted by PL 1983, c. 680, §3, is amended to read:

1. License required. It is unlawful for any person to fish for Atlantic salmon from the areas indicated in subsection 2, or to take, possess, ship or transport Atlantic salmon taken from these waters without a current Atlantic salmon license, except as provided in subsection 6.

Sec. 3. 12 MRSA §6255, sub-§3, as amended by PL 1985, c. 268, §3, is repealed and the following enacted in its place:

3. License fees. The commission shall issue an Atlantic salmon license to fish for Atlantic salmon in inland and coastal waters of the State designated in subsection 2.

A. The fee for an Atlantic salmon license is \$10 for any resident.

B. The fee for an Atlantic salmon license for any nonresident is as follows:

(1) For any nonresident 16 years of age or older, \$30;

(2) For a 3-day Atlantic salmon license for any nonresident 16 years of age or older, \$15. This license may not be exchanged for a season license; and

(3) For any nonresident under 16 years of age, \$5.

C. Members of Maine's Indian tribes and Maine residents under 16 years of age are exempt from any fee.

Sec. 4. 12 MRSA §6255, sub-§5, as enacted by PL 1983, c. 680, §3, is repealed and the following enacted in its place:

5. Tags. Any Atlantic salmon taken from inland or coastal waters, designated in subsection 2, shall be immediately tagged with a tag bearing the license

number of the person who caught the fish. Five of these tags shall be issued with each Atlantic salmon license; except that only one tag shall be issued with a license issued under subsection 3, paragraph B, subparagraphs (2) and (3). It is unlawful for any person to possess, sell, give away, accept as a gift, offer for transportation or transport an Atlantic salmon which has not been lawfully tagged, while fishing in the waters described in subsection 2.

Sec. 5. 12 MRSA §6256 is enacted to read:

§6256. Registration of Atlantic salmon

It is unlawful to possess, ship or transport an Atlantic salmon which has not been properly registered according to the provisions of this section by the person who killed the fish.

1. Time period. Within 12 hours, the person who killed the salmon shall present the salmon for registration. The salmon shall be registered at the first open salmon registration station on the route taken by the person killing the fish.

2. Information requirements. The person who killed the fish must register the fish in his own name. Information concerning each salmon registered must be reported accurately and truthfully.

3. Possession of unlabeled parts unlawful. It is unlawful to possess any part of an Atlantic salmon taken from the inland or coastal waters of this State, unless each part is plainly labeled with the name and address of the person who registered the fish, except those fish properly identified in section 6255, subsection 6.

4. Exemptions. The following are exempt from the registration requirements:

A. Atlantic salmon less than 25 inches in length;

B. Atlantic salmon which are imported from outside the State;

C. Atlantic salmon imported by taxidermists solely for taxidermy purposes; and

D. Atlantic salmon raised by means of aquaculture.

5. Commercial finfishing provision. The holder of a commercial finfish license who takes an Atlantic salmon while fishing in the coastal waters, other than those waters identified in section 6255, subsection 2, shall notify the commission within 24 hours of his first landfall, providing all information as the commission may require, and provided that a limit of 5 fish per year may be registered in this manner.

6. Recreational fishing provision. A person engaged in recreational fishing in the coastal waters, other than those identified in section 6255, subsection 2, who takes an Atlantic salmon shall notify the commission within 24 hours of his first landfall, providing all information as the commission may require, and provided that a limit of 5 fish per year may be registered in this manner.

Effective July 16, 1986.

CHAPTER 704

H.P. 1625 - L.D. 2290

AN ACT to Authorize Preferred Provider Arrangements in Maine and to Establish a Cash Reserve Requirement for Health Maintenance Organizations.

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

Sec. 1. 24 MRSA c. 19, first 3 lines, are repealed and the following enacted in their place:

CHAPTER 19

NONPROFIT HOSPITAL OR MEDICAL SERVICE ORGANIZATIONS

SUBCHAPTER I

GENERAL PROVISIONS

Sec. 2. 24 MRSA c. 19, sub-c. II is enacted to read: