

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

and the

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

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

Twin City Printery
Lewiston, Maine
1988

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST AND SECOND SPECIAL SESSIONS
and
SECOND REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

Whereas, the effective date for those laws is January 1st in each year for which there is an increase in the minimum size; and

Whereas, the lobster industry commonly stores lobsters through the winter months which were caught during the preceding calendar year; and

Whereas, lobsters thus stored may be legal at the time stored, but not at the time sold by virtue of the increase in the legal minimum size occurring during the time of storage; 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 §6431, sub-§6-A is enacted to read:

6-A. Grace period. There is a 180-day grace period following the effective date of each of the minimum size increases as provided in this section within which a person holding a wholesale or retail seafood dealer license or a lobster transportation license may handle lobsters legally purchased or received in the prior year which do not meet the new minimum size requirements.

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

Effective October 19, 1987.

CHAPTER 551

H.P. 1399 — L.D. 1898

AN ACT to Change the Effective Date of the Mahogany Quahog Tax and to Abate Taxes Previously Assessed under the Law.

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

Whereas, the Legislature instituted a mahogany quahog tax as part of an emergency Act which became effective on June 29, 1987; and

Whereas, it was the intent of the Legislature that the mahogany quahog tax become effective on September 29, 1987; and

Whereas, dealers handling mahogany quahogs were not aware of the fact that the tax was effective immediately and therefore unknowingly failed to complete the necessary paperwork, keep records and pay the required taxes; and

Whereas, in order to restore the Legislature's intent and to prevent any injustice to the citizens of Maine, it is necessary to enact legislation to immediately change the effective date of the mahogany quahog tax; 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:

36 MRSA §4717 is enacted to read:

§4717. Abatement and credit

1. Tax not assessed. No tax may be assessed under section 4712 for the period between June 29, 1987, and September 30, 1987.

2. Taxes collected or assessed. Any tax collected or assessed under this chapter for the period between June 29, 1987, and September 30, 1987, shall be abated. The Bureau of Taxation shall credit any tax paid to the account of the taxpayer or send the taxpayer a refund.

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

Effective October 19, 1987.

CHAPTER 552

H.P. 1389 — L.D. 1888

AN ACT to Delay Implementation of Certain Fire Safety Standards.

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

Whereas, fire safety standards are of the utmost importance in protecting firefighters; and

Whereas, municipalities bear the cost of providing adequate training and equipment for firefighters; and

Whereas, since the passage of the new fire safety standards in June, municipalities have not been able to revise their budgets to include expenditures to meet the new standards; and

Whereas, some delay in implementation of the standards is necessary to enable municipalities to comply with the standards, without greatly decreasing the protection of the safety standards; 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,