

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

mation as required by the department of the existence of the claim.

2-E. Notification of pleading. In any action to recover the medical cost of injury, disease, disability or similar occurrence for which the party received medical benefits under the Medicaid program, the party bringing the action shall notify the department of that action at least 10 days prior to filing the pleadings. Department records indicating medical benefits paid by the department on behalf of the recipient shall be prima facie evidence of the medical expenses incurred by the recipient for the related medical services.

2-F. Disbursement. No disbursement of any award, judgment or settlement may be made to a recipient without the recipient or the recipient's attorney first providing at least 10 days' written notice to the department of the award, judgment or settlement or obtaining from the department a release of any obligation owed to it for medical benefits provided to the recipient.

Effective August 4, 1988.

CHAPTER 622

S.P. 780 — L.D. 2037

AN ACT to Conserve Striped Bass.

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

Whereas, the interstate management of Atlantic coast striped bass requires a minimum size limit of 33 inches in total length for Chesapeake Bay stock; and

Whereas, the State's minimum size of striped bass is 24 inches in fork length as of December 31, 1987; and

Whereas, Chesapeake Bay striped bass will migrate into state waters by May 1988; and

Whereas, failure to protect Chesapeake Bay striped bass under 33 inches in total length could lead to a federal moratorium on the taking of striped bass in state waters; 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. 12 MRSA §6555, as amended by PL 1987, c. 513, §§6 and 7, is repealed and the following enacted in its place:

§6555. Striped bass; method of taking

It is unlawful to fish for or take striped bass in the waters of the State, except by hook and line.

It is unlawful to take or possess striped bass which are less than 33 inches in total length. It is unlawful to possess striped bass unless the fish are whole with head on and are 33 inches or more in total length.

Sec. 2. 12 MRSA §6556, as repealed and replaced by PL 1985, c. 596, §§4 and 5, is repealed and the following enacted in its place:

§6556. Striped bass; limits; personal use

It is unlawful for any person to fish for or take striped bass in the waters of the State, except for personal use.

It is unlawful for any person to take or possess more than 2 striped bass each day.

Sec. 3. 12 MRSA §6556-A is enacted to read:

§6556-A. Striped bass; modification of requirements

The commissioner may, by rule adopted pursuant to Title 5, chapter 375, modify the requirements of sections 6555 and 6556 to the extent that modifications are adopted by the Atlantic States Marine Fisheries Commission for the purposes of conserving striped bass.

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

Effective March 23, 1988.

CHAPTER 623

H.P. 1598 — L.D. 2184

AN ACT to Make Corrections in the Recodification of the Liquor Laws.

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

Sec. 1. 28 MRSA §52, as repealed by PL 1987, c. 45, Pt. A, §3 and as amended by PL 1987, c. 349, Pt. H, §16, is repealed.

Sec. 2. 28 MRSA §101, as repealed by PL 1987, c. 45, Pt. A, §3 and as amended by PL 1987, c. 54, §1, is repealed.

Sec. 3. 28 MRSA §103, as repealed by PL 1987, c. 45, Pt. A, §3 and as amended by PL 1987, c. 54, §2, is repealed.

Sec. 4. 28-A MRSA §61, sub-§1, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read: