

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION

October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

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

J.S. McCarthy Company
Augusta, Maine
1993

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

CHAPTER 408

H.P. 1159 - L.D. 1558

An Act to Revise the Salaries of Certain County Officers

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

Whereas, it has become necessary to revise the salaries of certain county officials; and

Whereas, it is desired to have these revisions retroactive to January 1, 1993; 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Sec. 1. 30-A MRSA §2, sub-§1, as repealed and replaced by PL 1991, c. 852, is repealed and the following enacted in its place:

1. County officers' salaries. Notwithstanding other sections of this chapter, counties that are not required to obtain legislative approval of their budgets under section 702 are not required to obtain legislative approval of the salaries of county officers under this section. The county commissioners, treasurers, sheriffs, judges of probate, registers of probate and registers of deeds in those counties whose budgets require legislative approval under section 702 are entitled to receive in weekly, biweekly or monthly payments annual salaries from the county treasury as follows:

	<u>1992</u>	<u>1993</u>
A. Androscoggin County:		
(1) Commissioners		
(a) Chair	\$6,346	\$6,346
(b) Members	5,432	5,432

(2) Treasurer	20,396	20,396
(3) Sheriff	27,141	27,141
(4) Judge of Probate	12,319	12,319
(5) Register of Probate	10,400	10,400
(6) Register of Deeds	23,782	23,782

C. Kennebec County:

(1) Commissioners		
(a) Chair	\$7,152	\$7,152
(b) Members	6,744	6,744
(2) Treasurer	9,177	9,177
(3) Sheriff	33,200	33,200
(4) Judge of Probate	17,000	17,000
(5) Register of Probate	22,360	22,360
(6) Register of Deeds	23,400	23,400

D. Penobscot County:

(1) Commissioners		
(a) Chair	\$8,008	\$8,128
(b) Members	7,644	7,759
(2) Treasurer	3,484	3,536
(3) Sheriff	32,457	32,944
(4) Judge of Probate	21,424	21,745
(5) Register of Probate	21,960	22,290
(6) Register of Deeds	20,085	20,386

E. Piscataquis County:

(1) Commissioners		
(a) Chair	\$5,800	\$6,090
(b) Members	5,000	5,250
(2) Treasurer	6,600	6,930
(3) Sheriff	28,000	29,400
(4) Judge of Probate	13,825	14,516

(5) Register of Probate	16,288	17,102
(6) Register of Deeds	18,000	18,900

F. Somerset County:

(1) Commissioners		
(a) Chair	\$5,302	\$5,302
(b) Members	4,560	4,560
(2) Treasurer	10,955	11,284
(3) Sheriff	31,466	32,410
(4) Judge of Probate	17,713	18,244
(5) Register of Probate	18,692	19,253
(6) Register of Deeds	19,202	19,778

N. York County:

(1) Commissioners		
(a) Chair	\$4,860	\$4,957
(b) Members	4,860	4,957
(2) Treasurer	5,612	5,724
(3) Sheriff	30,500	31,110
(4) Judge of Probate	13,500	13,770
(5) Register of Probate	21,600	22,032
(6) Register of Deeds	21,600	22,032

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved and applies retroactively to January 1, 1993.

Effective June 24, 1993.

CHAPTER 409

S.P. 531 - L.D. 1559

An Act to Clarify the Law Concerning Aquaculture

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

Sec. 1. 12 MRSA §6072, sub-§1-A, as enacted by PL 1991, c. 381, §3, is amended to read:

1-A. Lease requirement; finfish and suspension culture. Except as provided in paragraphs A and B and B-1, it is unlawful for a person who does not have a lease issued by the commissioner under this section to construct or operate in the coastal waters of the State a facility for the culture of finfish in nets, pens or other enclosures or for the suspended culture of shellfish any other marine organism.

A. The commissioner may grant an exemption from this subsection for legitimate research for a term not to exceed 2 years, renewable upon application. Legitimate research does not include commercial aquaculture production of finfish or shellfish marine organisms in the coastal waters of the State.

B. A person operating a facility in the coastal waters of the State, on or before the effective date of this subsection, for the culture of finfish in nets, pens or other enclosures or for the suspended culture of shellfish that is not leased under this section must register the facility with the commissioner on or before January 1, 1992 on a form specified by the commissioner. A person registering under this paragraph must submit a completed lease application on or before July 1, 1992. A registrant whose application under this paragraph is denied shall immediately cease operations at the facility and remove all related structures from the coastal waters of the State.

B-1. A person operating a facility in the coastal waters of the State for the suspended culture of a marine organism other than shellfish that is not leased under this section must register the facility with the commissioner on or before January 1, 1994 on a form specified by the commissioner. A person registering under this paragraph must submit a completed lease application on or before July 1, 1994. A registrant whose application under this paragraph is denied shall immediately cease operations at the facility and remove all related structures from the coastal waters of the State.

C. The commissioner may not consider an application for a lease under this section on an area registered under paragraph B or B-1 from a person other than the registrant prior to rendering a final decision on any application submitted by a registrant under paragraph B or B-1.

A person who violates this subsection is subject to a civil penalty, payable to the State, of no more than \$1,000 for each day of the violation.

See title page for effective date.
