

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 1994 to June 30, 1995**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 29, 1995**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

**Sec. 2. 15 MRSA §2115-A, sub-§4**, as amended by PL 1987, c. 234, §2, is further amended to read:

**4. Time.** An appeal taken pursuant to subsection 1, 2 ~~or~~ 2-A shall or 2-B must be taken within 20 days after the entry of the order or such further time as may be granted by the court pursuant to a rule of court, and an appeal taken pursuant to subsection 1 ~~shall~~ must also be taken before the defendant has been placed in jeopardy. An appeal taken pursuant to this subsection ~~shall~~ must be diligently prosecuted.

**Sec. 3. 15 MRSA §2115-A, sub-§5**, as amended by PL 1987, c. 234, §3, is further amended to read:

**5. Approval of Attorney General.** In any appeal taken pursuant to subsection 1, 2 ~~or~~ 2-A or 2-B, the written approval of the Attorney General ~~shall~~ be is required; provided that if the attorney for the State filing the notice of appeal states in the notice that the Attorney General has orally stated that the approval will be granted, the written approval may be filed at a later date.

See title page for effective date.

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## CHAPTER 48

H.P. 385 - L.D. 520

### **An Act to Stop the Alewives Restoration Program in the St. Croix River**

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

**Whereas**, the bass fishery in the Woodland and Grand Falls flowages along the St. Croix River and its associated tributaries and lakes is extremely valuable to the economy of the State; and

**Whereas**, alewives and bass compete for the same food source; and

**Whereas**, that competition could significantly affect the bass fishery; and

**Whereas**, the alewife run in the St. Croix River normally begins in the first 2 weeks of May; 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 §6134** is enacted to read:

### **§6134. Alewives passage; fishways on the St. Croix River**

By May 1, 1995, the commissioner and the Commissioner of Inland Fisheries and Wildlife shall ensure that fishways on the Woodland Dam and the Grand Falls Dam, both located on the St. Croix River, are configured or operated in a manner that prevents the passage of alewives.

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

Effective April 27, 1995.

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## CHAPTER 49

I.B. 2 - L.D. 716

### **An Act to Repeal the Motor Vehicle Emission Inspection Program**

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

**Sec. 1. 29-A MRSA §403**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

**Sec. 2. 38 MRSA c. 28**, as amended, is repealed.

See title page for effective date.

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## CHAPTER 50

H.P. 54 - L.D. 48

### **An Act to Repeal the Motor Vehicle Emission Inspection Program**

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

**Whereas**, current law requires that, after July 1, 1994, cars registered in certain counties must be inspected biennially for air pollution emissions; and

**Whereas**, many of the details, standards and criteria necessary to conduct the Motor Vehicle Emission Inspection Program have not yet been established; and