

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

J.S. McCarthy Company
Augusta, Maine
1995

Sec. 3. 38 MRSA §1316-B, sub-§§5 and 6, as enacted by PL 1991, c. 517, Pt. A, §2, are amended to read:

5. Alter. Have the physical characteristics of the stockpile site altered, including the construction of fire lanes, fire or pollution barriers or other necessary site remediation activity; ~~or~~

6. Close. Permanently close the stockpile and prohibit the use of the site for the storage or disposal of used motor vehicle tires; or

Sec. 4. 38 MRSA §1316-B, sub-§7 is enacted to read:

7. Consultation. Consult with the Office of the State Fire Marshal regarding on-site fire abatement and control measures.

See title page for effective date.

CHAPTER 315

H.P. 797 - L.D. 1114

An Act to Amend the Law Regarding the Possession of Short Lobsters

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

Sec. 1. 12 MRSA §6402-B, as enacted by PL 1993, c. 550, §1, is amended to read:

§6402-B. Suspension based on 2 or more convictions of possessing short lobsters

Notwithstanding section 6401, subsection 2, the commissioner shall suspend the lobster and crab fishing license of any ~~licenseholder~~ license holder convicted of a 2nd or subsequent offense of possessing a lobster smaller than the minimum size established in section 6431, subsection 1 if the conviction of the 2nd or subsequent offense involved possession of 3 or more lobsters smaller than that minimum size. ~~The suspension is for a period of 3 years from the date of conviction.~~

1. Second offense. For a 2nd conviction the commissioner shall suspend the license for at least one year from the date of conviction and may suspend the license for up to 3 years.

2. Third or subsequent offense. For a 3rd or subsequent conviction, the commissioner shall suspend the license for 3 years from the date of conviction and may permanently revoke the license holder's license.

3. Offenses after July 1, 1994. Subsections 1 and 2 apply only if that person's first conviction for possessing a lobster smaller than the minimum size established in section 6431, subsection 1 was for an offense that occurred after July 1, 1994.

See title page for effective date.

CHAPTER 316

S.P. 277 - L.D. 749

An Act to Prohibit Any State or Independent Agency from Establishing Private Accounts

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

Sec. 1. 5 MRSA §1541, sub-§12-A, as enacted by PL 1985, c. 761, Pt. G, §9, is repealed.

Sec. 2. 5 MRSA §1550 is enacted to read:

§1550. Conference fee accounts

If a state agency conducts a conference, workshop or seminar for which fees are charged to defray the costs of the conference, workshop or seminar, including information disseminated at these programs, the state agency must establish an account for the sole purpose of receiving and expending reasonable fees for the operation of the conference, workshop or seminar. Conference fee accounts are subject to the following.

1. Prior approval required. Any conference fee account must receive prior approval by the Department of Administrative and Financial Services through the Bureau of Accounts and Control.

2. Certain uses prohibited. Expenditures from the personal services category and transfers to other accounts are not permitted from a conference fee account. Any item, equipment or other property purchased from the capital expenditure category is state property.

3. Account balance to carry forward once. At the end of the fiscal year, any balance remaining for a given event may carry forward once and other balances lapse to the General Fund undedicated revenue.

4. Misapplication from a conference fee account. A person is guilty of misapplication from a conference fee account if that person intentionally or knowingly violates any of the restrictions contained in