

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

A. The maintenance of a roster of blind persons eligible to become ~~operators~~ managers and issuance of licenses;

B. A fair hearing. In the case of ~~an operator~~ a manager desiring to appeal a decision ~~that the operator determines to be adverse to the operator~~ the division shall appoint a hearing board consisting of 3 persons, one to be chosen by the ~~operator~~ manager, one to be chosen by the division and the 3rd person chosen by the other 2 persons. The decision of the board is final;

C. The right to, the title to and the interest in vending facility equipment and stock; and

D. The civil rights of ~~operators~~ managers;

Sec. 18. 20-A MRSA §18078, sub-§3, as enacted by PL 1993, c. 708, Pt. G, §1, is amended to read:

3. Surveys. Conduct surveys to find locations where vending facilities may be operated by ~~operators~~ blind persons and establish vending facilities as it determines appropriate;

Sec. 19. 20-A MRSA §18079, as enacted by PL 1993, c. 708, Pt. G, §1, is amended to read:

§18079. Construction, remodeling; planning for vending facility

To carry out the purposes of this chapter, when new construction, remodeling, leasing, acquisition or improvement of public buildings or properties is authorized, the agency directing that construction, remodeling, leasing, acquisition or improvement shall, when the size of the building or property warrants, make available suitable space and facilities for vending facilities to be operated in the building or property by ~~operators~~ blind persons.

Sec. 20. 20-A MRSA §18081, as enacted by PL 1993, c. 708, Pt. G, §1, is amended to read:

§18081. Fees

A ~~license fee, a rental fee or other charge~~ may not be ~~demanded, assessed, exacted,~~ required or received ~~from an operator for the granting of authority to the division to operate a vending facility.~~

See title page for effective date.

CHAPTER 323

S.P. 428 - L.D. 1196

An Act to Encourage an Alternative Fishery

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

Sec. 1. 12 MRSA §6621, sub-§3, as amended by PL 1991, c. 168, §§1 to 3, is further amended to read:

3. Exception. This section ~~shall~~ does not apply to:

A. The taking of shellfish under the authority of section 6856;

B. Shellfish kept or washed in waters sterilized with a system that has been approved in writing by the commissioner, ~~provided that~~ if the waters are also approved for that use;

C. Municipal officials, with express written authorization from the commissioner, who are engaging in activities authorized under section 6671. Requests for exception must be submitted to the commissioner in writing stating the activities proposed and the name of the person designated by the municipal officials to supervise those activities. In addition, the municipality shall, at least 24 hours prior to engaging in the activity, notify the department of the time or times the activity authorized under this paragraph will be conducted; ~~or~~

D. The harvesting of shellfish from closed areas designated for purposes of relaying when harvesting is approved in writing by the commissioner consistent with regulations promulgated under section 6856-; or

E. The harvesting of marine mollusks from closed areas for the use of bait or other uses not meant for human consumption, if the harvesting takes place according to rules adopted by the commissioner. The commissioner may adopt rules that permit the taking, possession, shipping, transportation and selling of marine mollusks for bait or other uses not meant for human consumption, if the rules do not jeopardize certification of the State's shellfish according to the National Shellfish Sanitation Program.

See title page for effective date.

CHAPTER 324

H.P. 860 - L.D. 1191

An Act to Amend the Substance Abuse Testing Laws

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