

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

neal, intrathoracic or intracardial injection of a lethal solution may be used.

2. Use of undamaged hypodermic needle. ~~If euthanasia is by injection, an~~ An undamaged hypodermic needle of a size suitable for the size and species of animal shall must be used.

3. Administration by a licensed veterinarian. ~~Administration shall~~ may only be by a licensed veterinarian or by a person trained for this purpose who is certified by the commissioner and subject to regular observation concerning continued efficiency. A person certified under this subsection may only euthanize animals that are vested to an animal shelter. A person certified to perform euthanasia may not euthanize an animal if, by performing that euthanasia, the person is in violation of Title 32, chapter 71-A.

4. Euthanasia solution. A licensed animal shelter having both a consulting veterinarian and a certified euthanasia technician may purchase, store and administer euthanasia solution for the euthanasia of cats, dogs and ferrets that are vested to the shelter, provided the purchase, storage and administration is in accordance with federal requirements. The director of the licensed animal shelter, as a veterinarian, a certified euthanasia technician or an agent of the certified euthanasia technician, is the only person with the authority to purchase euthanasia solution.

Sec. 28. Transfer of funds. The Department of Agriculture, Food and Rural Resources shall transfer \$10,000 from the Animal Welfare Fund to the spaying and neutering fund established in the Maine Revised Statutes, Title 7, section 3906-A, subsection 3.

See title page for effective date.

CHAPTER 491

S.P. 429 - L.D. 1197

An Act Concerning the Sale of Double Gauge Lobster Measures

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

Sec. 1. 12 MRSA §6431, sub-§3, as amended by PL 1985, c. 677, §§3, 6 and 7, is repealed and the following enacted in its place:

3. Double gauge measure. The department shall use a double gauge lobster measure that is certified for accuracy by the Department of Agriculture, Food and Rural Resources, Office of Sealer of Weights and Measures. The measure must have one gauge that conforms to the minimum legal lobster size

in effect and another gauge 5 inches in length. Any measurement used to substantiate a violation of this section must be made with a certified double gauge lobster measure.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1995-96	1996-97
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MARINE RESOURCES, DEPARTMENT OF

Bureau of Marine Patrol

All Other	(\$3,000)	(\$4,000)
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Deappropriates funds to reflect the repeal of the requirement that the Department of Marine Resources must offer double gauge lobster measures for sale at cost.

See title page for effective date.

CHAPTER 492

H.P. 1032 - L.D. 1451

An Act to Change the Licensing Year for Certain Marine Resource Licenses and to Establish an Eel Fishing License

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

Sec. 1. 12 MRSA §6301, sub-§2, ¶C, as amended by PL 1993, c. 497, §1, is further amended to read:

C. A marine worm digger's license issued under section 6751 expires on April 30th of each year; ~~and~~

Sec. 2. 12 MRSA §6301, sub-§2, ¶D, as enacted by PL 1993, c. 497, §2, is amended to read:

D. A shellfish sanitation certificate issued under section 6856 expires on April 30th of each year;

Sec. 3. 12 MRSA §6301, sub-§2, ¶¶E to Q are enacted to read:

E. A marine worm dealer's license issued under section 6853 expires on March 31st of each year;

F. A marine worm dealer's supplemental license issued under section 6853 expires on March 31st of each year;

G. A retail seafood license issued under section 6852 expires on March 31st of each year;

H. A wholesale seafood license with a lobster permit issued under section 6851 expires on March 31st of each year;

I. A wholesale seafood license issued under section 6851 expires on March 31st of each year;

J. A wholesale seafood license with a sea urchin buyer's permit issued under section 6851 expires on March 31st of each year;

K. A wholesale seafood license with a sea urchin processor's permit issued under section 6851 expires on March 31st of each year;

L. A wholesale seafood supplemental license issued under section 6851 expires on March 31st of each year;

M. A shellfish transportation license issued under section 6855 expires on March 31st of each year;

N. A shellfish transportation supplemental license issued under section 6855 expires on March 31st of each year;

O. A lobster meat permit issued under section 6857 expires on March 31st of each year;

P. A lobster transportation license issued under section 6854 expires on March 31st of each year; and

Q. A lobster transportation supplemental license issued under section 6854 expires on March 31st of each year.

Sec. 4. 12 MRSA §6505 is enacted to read:

§6505. Eel fishing license

1. License required. It is unlawful for any person to engage in the activities authorized by this license under this section without a current eel fishing license or other license under this Part authorizing the activities.

2. Licensed activity. The holder of an eel fishing license may fish for or take eels or possess, ship, transport or sell eels that the license holder has taken.

3. Eligibility. An eel fishing license may only be issued to an individual.

4. Fees. Fees for eel fishing licenses are:

A. Thirty-three dollars for a person who is a resident; and

B. Three hundred and thirty-four dollars for a person who is a nonresident.

Sec. 5. Transition clause. All licenses listed in the Maine Revised Statutes, Title 12, section 6301, subsection 2, paragraphs E to Q issued for the licensing year beginning January 1, 1995 are valid until March 31, 1996.

See title page for effective date.

CHAPTER 493

H.P. 989 - L.D. 1397

**An Act to Amend Certain Laws
Affecting the Department of
Environmental Protection**

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

Whereas, the United States Environmental Protection Agency has promulgated new ambient air quality increments for particulate matter less than or equal to 10 micrometers in diameter under the Prevention of Significant Deterioration regulations; and

Whereas, the United States Environmental Protection Agency requires the State to revise its Prevention of Significant Deterioration regulations by March 1995 to reflect the changes in federal law; 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. 38 MRSA §352, sub-§5-A, as amended by PL 1995, c. 173, §1, is further amended in that part designated "TABLE I" in that part relating to "TITLE 38, SECTION 485-A" by repealing and replacing paragraph D to read:

<u>D. Structures</u>	<u>4,000</u>	<u>2,000</u>
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