

# MAINE STATE LEGISLATURE

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

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

**FIRST SPECIAL SESSION**  
**November 28, 1995 to December 1, 1995**

**SECOND REGULAR SESSION**  
**January 3, 1996 to April 4, 1996**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 4, 1996**

**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**

## CHAPTER 534

H.P. 1263 - L.D. 1738

**An Act to Require Prisoners to Pay  
Their Fair Share of Victim  
Restitution**

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

**Sec. 1.** 17-A MRSA §1330, sub-§2, as repealed and replaced by PL 1983, c. 793, §2, is amended to read:

**2. Payment of restitution from other sources.** Any prisoner, other than one addressed by subsection 1, who is able to generate ~~income~~ money, from whatever source, shall pay 25% of that ~~income~~ money to any victim if the court has ordered that restitution be paid. The correctional facility in which the prisoner is incarcerated shall collect and disburse to the victim or victims that portion of the prisoner's ~~income~~ money ordered as restitution. If the victim or victims ordered by the court to receive restitution have died or ~~cannot~~ can not be located, the correctional facility shall inform the court that ordered restitution. The court shall determine the distribution of these funds.

See title page for effective date.

## CHAPTER 535

H.P. 1338 - L.D. 1832

**An Act to Amend the Atlantic  
Salmon Authority**

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

**Whereas**, it is necessary for the Governor to appoint the members of the Atlantic Salmon Board before the expiration of the 90-day period; 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 §9901, sub-§2, as enacted by PL 1995, c. 406, §12, is repealed and the following enacted in its place:

**2. Members; appointment composition; term.**

The authority is governed by the Atlantic Salmon Board, referred to in this chapter as the "board." The board consists of 9 members including the current Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife. The Governor shall appoint the remaining 7 members, subject to review by the joint standing committee of the Legislature having jurisdiction over fisheries and wildlife matters and to confirmation by the Senate. The Governor shall select the appointees to adequately represent the various aspects of Atlantic salmon issues over which the board has jurisdiction. The Governor may appoint the 4 river drainage representatives from a list of names submitted by salmon clubs and may appoint the Native American representatives from a list of names submitted by the Penobscot Nation and the Passamaquoddy Tribe. In addition to the Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife, the board consists of the following appointed members:

A. One member who resides within the land area comprising the Penobscot River or Ducktrap River drainages;

B. One member who resides within the land area comprising the Saco River or Sheepscot River drainages;

C. One member who resides in the Aroostook River drainage area;

D. One member who resides within those land areas that comprise the drainage for the St. Croix, East Machias, Machias, Narraguagus, Pleasant or Dennys rivers;

E. One member of the Passamaquoddy Tribe;

F. One member of the Penobscot Nation; and

G. One member at-large representing the public from a geographical area not specified in this subsection.

Of the initial appointees, 2 members are appointed for one-year terms, 2 members are appointed for 2-year terms and 3 members are appointed for 3-year terms. Thereafter, members are appointed for 3-year terms. A vacancy must be filled in the same manner as an original member for the unexpired portion of the term. An appointed member may not serve for more than 2 consecutive 3-year terms. Appointed members serve until their successors are appointed.

**Sec. 2.** 12 MRSA §9902, first ¶, as enacted by PL 1995, c. 406, §12, is amended to read:

~~Notwithstanding any other provision of Title 12, the~~ The authority has the sole authority and responsi-