

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

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
1999

5. Penalty for possession. Possession of lobsters other than caught by the method specified in subsection 1 is a Class D crime, except that in addition to any punishment that may be imposed under Title 17-A, Part 3, the court shall impose a fine of ~~\$25~~ \$50 for each violation and, in addition, a fine of ~~\$30~~ \$100 for each lobster involved.

Sec. 3. 12 MRSA §6436, sub-§5, as enacted by PL 1981, c. 433, §9, is amended to read:

5. Penalty. Possession of lobsters in violation of this section is a Class D crime, except that in addition to any punishment ~~which~~ that may be imposed under Title 17-A, Part 3, the court shall impose a fine of ~~\$25~~ \$50 for each violation and, in addition, a fine of ~~\$30~~ \$100 for each lobster involved that is bearing eggs and a fine of \$50 for each female lobster involved that is marked with a v-notch.

Sec. 4. 12 MRSA §6438-A, sub-§2, as enacted by PL 1995, c. 468, §7, is amended to read:

2. Penalty. A violation of this section is a Class D crime, except that the court shall impose a fine of \$500 for each violation and, in addition, a fine of ~~\$100~~ \$150 for each lobster.

See title page for effective date.

CHAPTER 83

H.P. 323 - L.D. 439

**An Act to Amend the Laws
Governing the Hancock County
Budget Process**

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

Sec. 1. 30-A MRSA §764, as enacted by PL 1991, c. 749, §1, is amended to read:

§764. Public hearing

The Hancock County commissioners shall hold ~~one or more~~ a public ~~hearings~~ hearing on the budget estimate before October 1st and an informational meeting, ~~in conjunction with the budget advisory committee, with the Hancock County legislative delegation on the advisory committee's budget estimates~~ before December 1st. Pursuant to the requirements of section 701, subsection 3, written notice and a copy of the estimates must be sent by mail or delivered in person to each member of the

county legislative delegation at least 10 days before the informational meeting on the annual budget.

See title page for effective date.

CHAPTER 84

H.P. 1025 - L.D. 1436

**An Act to Transfer the Regulatory
Responsibilities of the Arborist
Examining Board to the Department
of Agriculture, Food and Rural
Resources**

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

Sec. 1. 5 MRSA §12004-A, sub-§2, as enacted by PL 1987, c. 786, §5, is repealed.

Sec. 2. 7 MRSA §1044-A, first ¶, as amended by PL 1995, c. 435, §1 and affected by §3, is further amended to read:

For the purpose of providing revenues to defray the expense of the inspection and analysis prescribed in this subchapter, the commissioner shall license seed labelers. The commissioner shall prescribe the license application form. License fees established under this subchapter may be collected on other than an annual basis if the license required in this section is issued in conjunction with a nursery operator's license issued under ~~Title 32,~~ section ~~1904~~ 2171.

Sec. 3. 7 MRSA c. 404 is enacted to read:

CHAPTER 404

ARBORIST LICENSING

SUBCHAPTER I

**NURSERY OWNERS AND DEALERS GENER-
ALLY**

§2171. License required; fee; violations

A person, firm or corporation may not engage in or continue in the business of selling or dealing in nursery stock, as defined in section 2211, without first obtaining a license to conduct such business in this State. The State Horticulturist shall prescribe the form of the license. Upon proper application, a license must be issued in the name of the nursery owner or dealer and that license may not be transferred. Each agent and each store acting under a general agent or store must have a license as provided in this section. A license may be issued for a one-year, 2-year or 3-year period. Licenses for a period in excess of one