

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

65 years of age or older, that adult is prohibited from taking an antlerless deer.

See title page for effective date.

CHAPTER 142

H.P. 1139 - L.D. 1624

An Act to Amend the Lobster Trap Escape Vent Laws

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

Whereas, certain federal requirements mandate a change in the lobster trap escape vent in the spring of 1999; and

Whereas, this legislation should coincide with those federal changes; 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 §6433, sub-§1, as amended by PL 1987, c. 217, is further amended to read:

1. Vent required. It ~~shall be~~ is unlawful to fish for or to take lobsters unless the lobster trap is equipped with unobstructed vents or gaps in the parlor section ~~which are~~ as follows:

A. A rectangular or oblong escape vent not less than 1 3/4 inches (44.5 mm.) by 5.75 inches (146 mm.) located next to the bottom edge or on the top if the escape vent is placed over the head of an end parlor section;

B. Two circular escape vents not less than 2 1/4 inches (57.2 mm.) in diameter located next to the bottom edge;

C. A gap caused by raising, modifying or separating horizontal laths to comply with paragraph A or B;

D. A gap caused by separating or modifying vertical laths to comply with paragraph A;

E. A gap caused by separating both ends of 2 laths 1 3/4 inches (44.5 mm.) on the top of the

parlor section next to the middle bow or supporting frame and over the parlor head; or

F. In a wire or plastic trap, by a gap created by cutting vents in the side or end to comply with paragraph A or B.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective May 7, 1999.

CHAPTER 143

S.P. 239 - L.D. 661

An Act Regarding the Unbundling of Natural Gas Services

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

Sec. 1. 35-A MRSA §102, sub-§7-A is enacted to read:

7-A. Gas marketer. "Gas marketer" means an entity that sells natural gas to retail consumers in the State.

Sec. 2. 35-A MRSA §102, sub-§8, as amended by PL 1993, c. 178, §1, is further amended to read:

8. Gas utility. "Gas utility" includes every person, that person's lessees, trustees, receivers or trustees appointed by any court owning, controlling, operating or managing any gas plant for compensation within this State, except when gas is made or produced on and distributed by the maker or producer through private property alone solely for its own tenants and not for sale to others, or when the gas is sold solely for use in vehicles fueled by natural gas or when the gas is sold in liquid form in individual containers or is delivered in bulk in liquid form to a central tank that serves less fewer than 10 customers and no portion of which is located in a public place. "Gas utility" does not include a gas marketer whose business in the State is restricted to selling natural gas to retail consumers and who does not provide natural gas transmission or distribution service.

Sec. 3. 35-A MRSA §§4708 and 4709 are enacted to read:

§4708. Gas marketer registration

1. Registration required. Unless registered with the commission under this section, a gas marketer may not contract or attempt to contract with any retail