

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 1883

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S. P. 554

In Senate, April 3, 1973

Referred to the Committee on Judiciary. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Tanous of Penobscot.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

---

AN ACT to Correct Errors and Inconsistencies in the Public Laws.

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

**Sec. 1. R. S., T. 1, § 72, sub-§ 22, amended.** Subsection 22 of section 72 of Title 1 of the Revised Statutes is amended to read as follows:

**22. State paper.** "State paper" means the newspaper designated by the Legislature, in which ~~public Acts, resolves~~ advertisements and notices are required to be published.

**Sec. 2. R. S., T. 1, § 351, amended.** Section 351 of Title 1 of the Revised Statutes is amended to read as follows:

**§ 351. Effective date**

Unless otherwise provided in the ~~resolve~~ resolution submitting it, every constitutional amendment shall take effect and become part of the Constitution, on the first Wednesday of January following its adoption by the people.

**Sec. 3. R. S., T. 1, § 353, amended.** The first sentence of section 353 of Title 1 of the Revised Statutes is amended to read as follows:

The Attorney General shall prepare a brief explanatory statement which shall fairly describe the intent and content of each constitutional ~~resolve~~ resolution or state-wide referendum that may be presented to the people.

**Sec. 4. R. S., T. 1, § 551, amended.** Section 551 of Title 1 of the Revised Statutes is amended to read as follows:

**§ 551. Designation of paper**

The Daily Kennebec Journal, a newspaper printed at Augusta, shall be the state paper of this State, in which shall be published ~~all laws and resolves of~~

~~a public nature and also~~ all advertisements, notices and orders required by law to be published in the state paper.

**Sec. 5. R. S., T. 1, § 902, amended.** Section 902 of Title 1 of the Revised Statutes, as enacted by chapter 597 of the public laws of 1971, is amended to read as follows:

**§ 902. State acceptance of federal funds; compliance with federal law**

Whenever the acquisition of real property for a program undertaken by the State will result in the displacement of any person on or after ~~the effective date of this Act~~ **March 1, 1972** and the program is eligible for federal financial assistance, the State is authorized to receive such federal financial assistance and upon or in anticipation of receipt thereof, is authorized to comply with all of the provisions of, to be guided to the greatest extent practicable by the land acquisition policies set forth in and to do all things necessary or proper to provide the services, payments and benefits provided in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P. L. 91-646; 84 Stat. 1894).

**Sec. 6. R. S., T. 1, § 904, amended.** The first paragraph of section 904 of Title 1 of the Revised Statutes, as enacted by chapter 597 of the public laws of 1971, is amended to read as follows:

Nothing in this chapter shall be construed as creating in any condemnation proceeding brought under the power of eminent domain any element of value or of damage not in existence immediately prior to ~~the effective date of this Act~~ **March 1, 1972**.

**Sec. 7. R. S., T. 4, § 164, sub-§ 12, ¶ D, amended.** The first and 2nd sentences of paragraph D of subsection 12 of section 164 of Title 4 of the Revised Statutes, as enacted by chapter 299 of the public laws of 1969, are amended to read as follows:

Any person who has been found guilty of or who has signed a plea of guilty to one or more previous traffic offenses subject to this ~~section~~ **subsection** shall not be permitted to appear before the violations clerk unless the court shall, by order, permit such appearance. Each waiver of hearing filed under this ~~section~~ **subsection** shall recite on the oath or affirmation of the offender whether or not he has been previously found guilty or has previously signed a plea of guilty to one or more traffic offenses.

**Sec. 8. R. S., T. 4, § 178, amended.** The first sentence of section 178 of Title 4 of the Revised Statutes, as enacted by chapter 129 of the public laws of 1967, is amended to read as follows:

The District Court shall file an abstract of all divorces and annulments heard, including those heard prior to ~~the effective date of this Act~~ **October 7, 1967**, with the clerk of the Superior Court in the county in which the District Court is located.

**Sec. 9. R. S., T. 4, § 553, amended.** Section 553 of Title 4 of the Revised Statutes is amended to read as follows:

### § 553. Bond

Each clerk shall give a corporate surety bond or bonds to the State, to be lodged in the office of the State Auditor, in amounts and form approved by the Chief Justice of the Supreme Judicial ~~and Superior Courts~~ Court, conditioned that he will faithfully perform all the duties of his office, pay over all moneys and safely keep and immediately deliver all records, files, papers, muniments in said office and property of the county as required by law.

Sec. 10. R. S., T. 4, § 807, amended. The last sentence of the first paragraph of section 807 of Title 4 of the Revised Statutes, as amended by section 1 of chapter 92 of the public laws of 1965, is further amended to read as follows:

In all proceedings, the fact, as shown by the records of the ~~Secretary of State~~ Administrative Assistant to the Chief Justice, that such person is not recorded as a member of the bar shall be prima facie evidence that he is not a member of the bar licensed to practice law in the State.

Sec. 11. R. S., T. 4, § 1017, amended. The first sentence of section 1017 of Title 4 of the Revised Statutes, as enacted by chapter 364 of the public laws of 1969, is amended to read as follows:

A notarial act performed prior to ~~the effective date of this Act~~ October 1, 1969 is not affected by this Act.

Sec. 12. R. S., T. 5, § 8-F, amended. The last sentence of section 8-F of Title 5 of the Revised Statutes, as enacted by chapter 588 of the public laws of 1971, is amended to read as follows:

Such rules and regulations shall be transmitted to the Legislative Research Committee for its review ~~within 60 days after passage of this Act and thereafter~~ biennially.

Sec. 13. R. S., T. 5, c. 6, additional. Title 5 of the Revised Statutes is amended by adding a new chapter 6 to read as follows:

## CHAPTER 6

### STATE ARCHIVIST

#### § 91. Short title

This chapter shall be known and may be cited as the "Archives and Records Management Law."

#### § 92. Declaration of policy

The Legislature declares that it is the policy of the State to make the operations of State Government more efficient, more effective and more economical through current records management; and, to the end that the people may derive maximum benefit from a knowledge of state affairs, preserve its non-current records of permanent value for study and research.

**§ 93. State Archivist**

The Secretary of State, with the advice and consent of the Governor and Council, shall appoint a State Archivist who shall be qualified by special training or experience in archival or historical work. He shall hold office for a term of 6 years from the date of his appointment and until his successor has been appointed and qualified. The compensation of the State Archivist shall be fixed by the Governor and Council.

This section shall not affect the term of the person holding office as State Archivist on October 1, 1969.

**§ 94. Maine State Archives**

The office of the State Archivist shall be a bureau within the Department of Secretary of State and shall be organized in the manner the State Archivist and the Secretary of State shall deem best suited to the accomplishment of the functions and purposes of this chapter. It shall be known as the Maine State Archives. The State Archivist shall be the official custodian of the archival resources of the State.

**§ 95. Powers and duties of State Archivist**

The State Archivist shall have the duties and powers established under the following provisions governing the creation, use, maintenance, retention, preservation and disposal of state records :

**General Provisions**

1. Administration. To administer the office of the State Archivist. In exercising his administration, the State Archivist shall formulate policies, establish organizational and operational procedures and exercise general supervision. He shall employ, with the approval of the Secretary of State subject to the Personnel Law, such assistants as may be necessary to carry out this chapter. The State Archivist shall adopt a seal for use in the official business of his office ;

2. Examination of public records. To have the right of reasonable access to and examination of all public records in Maine ;

3. Rules and regulations. To promulgate such rules and regulations as are necessary to effectuate the purposes of this chapter. No restrictions or limitations shall be imposed on the use of records that are defined by law as public records or as records open to public inspection, unless necessary to protect and preserve them from deterioration, mutilation, loss or destruction. Restrictions or limitations imposed by law on the examination and use of records transferred to the archives under subsection 7, paragraph C and subsection 8 shall remain in effect until the records have been in existence for 50 years, unless removed or relaxed by the State Archivist with the concurrence in writing of the head of the agency from which the records were transferred or his successor in function, if any ;

4. Acceptance of gifts and bequests. To accept gifts, bequests and endowments for purposes consistent with the objectives of this chapter. Such funds,

if given as an endowment, shall be invested in securities by the Treasurer of State according to the laws governing the investment of trust funds. All gifts, bequests and proceeds of invested endowment funds shall be used solely to carry out the purposes for which they were made;

5. Publication. To publish archival material, reports, bulletins and other publications which will promote the objectives of this chapter. He shall establish the price at which publications, photocopies and photoduplication services may be sold and delivered. The income received under this subsection and subsection 12 shall be credited to a special revenue account which shall be carried forward and expended by the agency for these purposes;

6. Biennial report. To report biennially to the Governor and Legislature facts and recommendations relating to the work and needs of his office;

#### Records Management Provisions

7. Records management program. To establish and administer in the executive branch of State Government an active, continuing program for the economical and efficient management of state records. Upon request, the State Archivist shall assist and advise in the establishment of records management programs in the legislative and judicial branches of State Government and shall, as required by them, provide program services similar to those available to the executive branch. The State Archivist shall, with due regard for the functions of the agencies concerned:

A. Procedures. Provide standards, procedures and techniques for effective management of records in the conduct of current business;

B. Improvements. Recommend improvements in current records management practices, including the use of space, equipment and supplies employed in creating, maintaining, storing and servicing records;

C. Retention. Establish schedules, in consultation with the heads of state departments, under which each department shall retain state records of continuing value, and dispose, as provided by this chapter, of state records no longer possessing sufficient administrative, legal or fiscal value to warrant their further keeping for current business;

D. Reports. Obtain such reports from agencies as are required for the administration of the program;

8. Transfer of state records. To provide for the transfer to the archives of state records, disposed of under subsection 7, paragraph C, which have archival value;

9. Destruction of records. To authorize the destruction of the records of any state department which, in the opinion of the head of the department, are no longer of value to the department, and which, in the opinion of the State Archivist and the Archives Advisory Board, have no archival value to the State;

#### Archive Provisions

10. Transfer of public records. To receive all records transferred to the archives under subsection 8, and to negotiate for the transfer of public records

from the custody of any public officer not governed by subsection 7. Any public officer in Maine is authorized to turn over to the State Archivist such public records legally in his custody as are not needed for the transaction of the current business of his office, whenever the State Archivist is willing and able to receive them. Whenever such transfer is made, the State Archivist shall transmit to the office from which the records are transferred a memorandum in which such records are described in terms sufficient to identify them, which shall be preserved in said office. Unless otherwise directed by law, the public records of any public office, commission or committee on the State shall, upon the termination of its existence or functions, be transferred to the custody of the State Archivist;

10-A. Records of Secretary of State. To preserve the records of the Secretary of State to the extent he deems desirable under the Constitution and the regulations of the State Archivist;

10-B. Permanent records of agency administration. To establish such standards concerning the establishment, maintenance and operation of state administered computerized and auxiliary automated information handling as may be necessary to insure the preservation of adequate and permanent records of the organization, functions, policies, procedures, decisions and essential transactions of the agencies of State Government;

11. Archives available for public use. To make archival material under his supervision available for public use at reasonable times. He shall carefully protect and preserve such materials from deterioration, mutilation, loss or destruction;

12. Copies. To furnish copies of archival material upon the request of any person, on payment in advance of such fees as may be required. Copies of public records transferred in pursuance of law from the office of their origin to the custody of the State Archivist, when certified by the State Archivist, under the seal of his office, shall have the same legal force and effect as if certified by their original custodian.

#### § 96. Archives Advisory Board

There shall be an Archives Advisory Board, the function of which shall be to advise the State Archivist in his administration of this chapter and to perform such other duties as may be prescribed by law. The board shall consist of 9 persons especially interested in the history of the State appointed by the Governor as advisors for overlapping terms of 6 years. The 3 new advisors shall be first appointed one for one year, one for 3 years and one for 5 years. Their successors shall be appointed for terms of 6 years. Each advisor shall serve for the term of his appointment and thereafter until his successor is appointed and qualified. In case of the termination of an advisor's service during his term, the Governor shall appoint a successor for the unexpired term. Advisors shall serve without compensation, but shall receive their necessary expenses.

Sec. 14. R. S., T. 5, § 285, sub-§ 1, amended. Subsection 1 of section 285 of Title 5 of the Revised Statutes, as enacted by chapter 543 of the public laws of 1967, is amended to read as follows:

1. **Eligibility.** Each appointed or elective officer or employee of the State of Maine who is eligible for membership in the Maine State Retirement System or the State Police Retirement System or a member of the judiciary or an employee of the Maine State Credit Union or of the Maine State Employees Association or of Council 74 of the American Federation of State, County and Municipal Employees or the Maine Turnpike Authority, including those employees in any of said categories who on ~~the effective date of this Act~~ **April 26, 1968** have retired and who were covered under plans of insurance which by virtue of this legislation will be terminated and thereafter any such employees in any of said categories who retire and who on the date of their retirement are currently enrolled in this group accident and sickness or health insurance plan shall come within the purview of this section, excepting that it shall not be extended to include members of the Maine State Municipal Association or the Maine Teachers Association or employees of counties and municipalities and instrumentalities thereof, including quasi-municipal corporations.

**Sec. 15. R. S., T. 5, § 592, sub-§ 3, repealed.** Subsection 3 of section 592 of Title 5 of the Revised Statutes is repealed.

**Sec. 16. R. S., T. 5, § 711, sub-§ 10, amended.** Subsection 10 of section 711 of Title 5 of the Revised Statutes is amended to read as follows:

**10. Deputies and assistants of the Department of the Attorney General.** ~~Deputy~~ Deputies and assistants of the Attorney General's Department.

**Sec. 17. R. S., T. 5, § 1033, sub-§§ 1 & 2, repealed.** Subsection 1, and subsection 2, as amended by section 9 of chapter 17 of the public laws of 1971, of section 1033 of Title 5 of the Revised Statutes, are repealed.

**Sec. 18. R. S., T. 5, § 1094, sub-§ 12, ¶ C, amended.** Paragraph C of subsection 12 of section 1094 of Title 5 of the Revised Statutes, as enacted by section 4 of chapter 509 of the public laws of 1965, is amended to read as follows:

**C.** Anything to the contrary notwithstanding, any application for a retirement allowance that becomes effective after ~~the effective date of this Act~~ **May 11, 1966** and for which out-of-state credits are to be granted must be accompanied by a certification that the out-of-state credits granted have not been or will not be used to obtain benefits in another state.

**Sec. 19. R. S., T. 5, § 1095, amended.** The 4th paragraph from the end of section 1095 of Title 5 of the Revised Statutes, as enacted by section 1 of chapter 288 of the public laws of 1965, is amended to read as follows:

Each fire fighter, including the chief of a fire department, shall be required to contribute 8% of earnable compensation beginning with the first full payroll period after ~~the effective date of this Act~~ **September 3, 1965** as long as he is employed as a fire fighter.

**Sec. 20. R. S., T. 5, § 1095, amended.** The 3rd paragraph from the end of section 1095 of Title 5 of the Revised Statutes, as enacted by section 1 of chapter 143 of the public laws of 1967, is amended to read as follows:

Each police officer, including the chief of a police department, shall be required to contribute 8% of earnable compensation beginning with the first full payroll period after ~~the effective date of this Act~~ **October 7, 1967** as long as he is employed as a police officer.

**Sec. 21. R. S., T. 5, § 1128, amended.** The first paragraph of section 1128 of Title 5 of the Revised Statutes, as enacted by section 4 of chapter 337 of the public laws of 1965, is amended to read as follows:

Adjustments in the retirement allowances being paid to former state employees, teachers or beneficiaries of either shall be made in accordance with the following tabulation and shall become effective on the first day of the month following ~~the effective date of this Act~~ **September 3, 1965**.

**Sec. 22. R. S., T. 5, § 1151, sub-§ 9, ¶ A, amended.** The last paragraph of paragraph A of subsection 9 of section 1151 of Title 5 of the Revised Statutes, as enacted by section 2 of chapter 34 of the public laws of 1965, is amended to read as follows:

The mandatory 10 years of coverage immediately prior to retirement clause shall apply only to those individuals who become first insured under the group life insurance program on or after the first day of the first month following ~~the effective date of this Act~~ **September 3, 1965**.

**Sec. 23. R. S., T. 5, § 1151, sub-§ 9, amended.** The last paragraph of subsection 9 of section 1151 of Title 5 of the Revised Statutes, as enacted by section 3 of chapter 411 of the public laws of 1967 and as repealed and replaced by section 5 of chapter 589 of the public laws of 1971, is amended to read as follows:

Any insured person who is retired and is living on ~~the date this Act becomes effective~~ **June 9, 1972** shall be entitled to a recomputation of insurance on the 3-year basis and which recomputation shall also be reduced equivalently from date of retirement in accordance with the procedure detailed in paragraphs A and B.

**Sec. 24. R. S., T. 5, § 2301, sub-§ 1, amended.** The 3rd paragraph of subsection 1 of section 2301 of Title 5 of the Revised Statutes is repealed as follows:

~~Art Commission~~

**Sec. 25. R. S., T. 5, § 2301, sub-§ 1, amended.** Subsection 1 of section 2301 of Title 5 of the Revised Statutes, as amended, is further amended by inserting after the 19th paragraph the following:

**Commission on the Arts and Humanities;**

**Sec. 26. R. S., T. 5, § 2301, sub-§ 1, amended.** The 8th paragraph of subsection 1 of section 2301 of Title 5 of the Revised Statutes is repealed as follows:

~~Board of Examiners of Funeral Directors and Embalmers~~

**Sec. 27. R. S., T. 5, § 2301, sub-§ 1, amended.** Subsection 1 of section 2301 of Title 5 of the Revised Statutes, as amended, is further amended by inserting after the 9th paragraph the following:

**Board of Funeral Service;**

**Sec. 28. R. S., T. 5, § 4612, sub-§ 4, ¶ A, amended.** Paragraph A of subsection 4 of section 4612 of Title 5 of the Revised Statutes, as enacted by section 1 of chapter 501 of the public laws of 1971, is amended to read as follows:

**A. Filing.** If the commission finds reasonable grounds to believe that unlawful discrimination has occurred, and further believes that irreparable injury or great inconvenience will be caused the victim of such discrimination or to members of a racial, color, religious ~~or~~, nationality group **or age group** if relief is not immediately granted; or if conciliation efforts under subsection 3 have not succeeded, the commission shall file in the Superior Court a civil action seeking such relief as is appropriate, including temporary restraining orders.

**Sec. 29. R. S., T. 7, § 528, amended.** The first paragraph of section 528 of Title 7 of the Revised Statutes, as enacted by chapter 325 of the public laws of 1969, is amended to read as follows:

Neither this subchapter nor regulations promulgated under this subchapter shall preclude the continued use of returnable or reusable glass containers for beverages in inventory or with the trade as of ~~the effective date of this subchapter~~ **October 1, 1969** or any such regulation, nor shall any regulation or this subchapter preclude the orderly disposal of packages or containers in inventory or with the trade as of the effective date of such regulation or of this subchapter.

**Sec. 30. R. S., T. 7, § 2156, repealed.** Section 2156 of Title 7 of the Revised Statutes is repealed.

**Sec. 31. R. S., T. 7, § 3402, amended.** Section 3402 of Title 7 of the Revised Statutes, as amended by section 12 of chapter 513 of the public laws of 1965, is further amended to read as follows:

**§ 3402. Copies of law posted**

The commissioner shall seasonably forward to the clerks of the several municipalities copies of sections 3401, 3451, ~~3452~~ and 3701 to 3703, and each clerk shall annually, at least 20 days before the first day of January, post said copies in the usual places of posting notices of the annual municipal or town elections.

**Sec. 32. R. S., T. 8, § 658, amended.** Section 658 of Title 8 of the Revised Statutes is amended to read as follows:

**§ 658. Unincorporated places**

County commissioners within their counties and counties ~~with~~ **within** their limits shall respectively exercise over unincorporated places all the powers of municipal officers and towns under chapters 1, 3, 7 and 15 to 25.

**Sec. 33. R. S., T. 9, § 2, amended.** The first sentence of the 2nd paragraph of section 2 of Title 9 of the Revised Statutes, as amended by section 18 of chapter 544 of the public laws of 1967, is further amended to read as follows:

To provide for the balance of the expense of the department, including overhead, transportation, and general office and administrative expenses, the commissioner shall assess semiannually each savings bank and trust company at the annual rate of 7¢ for each \$1,000 of average deposits, excluding deposits of other financial institutions, and of the United States Government, and shall assess semiannually each loan and building association and industrial ~~bank~~ **loan company** at the annual rate of 7¢ for each \$1,000 of average total resources as defined by the commissioner.

**Sec. 34. R. S., T. 9, § 132, amended.** The first sentence of section 132 of Title 9 of the Revised Statutes is amended to read as follows:

Any savings bank, trust company, industrial ~~bank~~ **loan company**, loan and building association, savings and loan association or credit unit organized under the laws of the State, and any national banking association, federal savings and loan association, federal credit union or licensed small loan agency doing business in the State, may remain closed, open, or may open for limited functions only, on any Saturdays as it may determine from time to time.

**Sec. 35. R. S., T. 9, § 222, sub-§ 5, amended.** Subsection 5 of section 222 of Title 9 of the Revised Statutes is amended to read as follows:

**5. Industrial loan company.** "Industrial ~~bank~~ **loan company**" means a company organized under section 2341 or having the general powers possessed by companies so organized.

**Sec. 36. R. S., T. 9, § 1003, amended.** The last sentence of section 1003 of Title 9 of the Revised Statutes, as amended by section 13 of chapter 323 of the public laws of 1965, is further amended to read as follows:

This section shall not apply to branches or agencies authorized and in existence on ~~the effective date of this Act~~ **September 3, 1965.**

**Sec. 37. R. S., T. 9, § 2382, amended.** Section 2382 of Title 9 of the Revised Statutes, as enacted by section 11 of chapter 140 of the public laws of 1967, is amended to read as follows:

**§ 2382. Prohibition of use of name "industrial bank"**

After ~~the effective date of this Act~~ **October 7, 1967**, no person, firm or corporation shall use, hold itself out as being, or advertise with the name "industrial bank," except that industrial banks which were properly authorized and doing business on or before June 1, 1967 may use such name at and in connection with their principal office and any branches which were so authorized and doing business on or before said date and may continue to sell certificates of investment, either fixed or uncertain, and to receive payments in installments or otherwise, with or without an allowance of interest upon such installments, if doing business in such certificates on or before said date.

**Sec. 38. R. S., T. 9, § 3005, amended.** Section 3005 of Title 9 of the Revised Statutes is amended to read as follows:

**§ 3005. Exceptions**

Chapters 281 to 289 shall not apply to any person, copartnership or corporation doing business under any law of this State or of the United States relating to national banks, savings banks, industrial ~~banks~~ **loan companies**, trust companies or loan and building associations.

**Sec. 39. R. S., T. 9, § 3441, sub-§ 1, amended.** The last sentence of subsection 1 of section 3441 of Title 9 of the Revised Statutes is amended to read as follows:

No bank, trust company or industrial ~~bank~~ **loan company** shall be required to obtain such a license, but shall comply with all of the other provisions of chapters 321 to 327.

**Sec. 40. R. S., T. 9, § 3919, sub-§ 3, amended.** Subsection 3 of section 3919 of Title 9 of the Revised Statutes, as enacted by section 35 of chapter 423 of the public laws of 1969, is amended to read as follows:

3. **Notice.** In the case of any open end consumer credit plan in existence on the effective date of this Act July 1, 1969, the items described in subsection 1, to the extent applicable, shall be disclosed in a notice mailed or delivered to the obligor not later than 30 days after that date.

**Sec. 41. R. S., T. 9, § 3924, amended.** The 2nd and 3rd sentences of section 3924 of Title 9 of the Revised Statutes, as enacted by section 35 of chapter 423 of the public laws of 1969, are repealed as follows:

~~To effectuate this intent the commissioner is specifically authorized, empowered and directed to adopt such interim regulations governing the information to be disclosed and the manner of disclosure so as to assure that the requirements of state law meet the requirements of such applicable federal law. Such regulations shall remain in full force and effect until 90 days after the close of the next regular session of the Legislature~~

**Sec. 42. R. S., T. 10, § 1212, sub-§ 1, ¶ F, amended.** Paragraph F of subsection 1 of section 1212 of Title 10 of the Revised Statutes, as enacted by chapter 503 of the public laws of 1969, is amended to read as follows:

F. Represents that goods are original or new if they are deteriorated, altered, reconditioned, reclaimed, used or ~~secondhand~~ **secondhand**;

**Sec. 43. R. S., T. 10, § 1214, sub-§ 1, ¶ C, amended.** Paragraph C of subsection 1 of section 1214 of Title 10 of the Revised Statutes, as enacted by chapter 503 of the public laws of 1969, is amended to read as follows:

C. Actions or appeals pending on the effective date of this Act **October 1, 1969.**

**Sec. 44. R. S., T. 10, § 1214, sub-§ 2, amended.** Subsection 2 of section 1214 of Title 10 of the Revised Statutes, as enacted by chapter 503 of the public laws of 1969, is amended to read as follows:

2. **Limitation.** Section 1212, subsection 1, paragraphs B and C do not apply to the use of a service mark, trademark, certification mark, collective mark, trade name or other trade identification that was used and not abandoned before ~~the effective date of the Act~~ **October 1, 1969**, if the use was in good faith and is otherwise lawful except for this chapter.

**Sec. 45. R. S., T. 10, § 2205, sub-§ 1, amended.** Subsection 1 of section 2205 of Title 10 of the Revised Statutes, as enacted by chapter 472 of the public laws of 1969 and as amended by section 13 of chapter 618 of the public laws of 1971, is further amended to read as follows:

1. **Approval of mining plan.** No operator shall engage in mining without first having obtained from the board approval of his mining plan designating the area of land to be affected by the operation. An operator shall not be required to provide, in a mining plan, for the reclamation of land affected by mining operations prior to ~~the effective date of this chapter~~ **October 1, 1969**, but shall be required to provide for the reclamation of land affected by a mining operation subsequent to ~~the effective date of this chapter~~ **October 1, 1969**.

**Sec. 46. R. S., T. 10, § 3415, amended.** Section 3415 of Title 10 of the Revised Statutes, as enacted by chapter 373 of the public laws of 1967, is amended to read as follows:

#### § 3415. Application

This chapter shall apply only to such charges for medical or other services furnished to persons who were injured by reason of such accidents occurring on or after ~~the effective date of this Act~~ **October 7, 1967**.

**Sec. 47. R. S., T. 10, § 3608, amended.** The first sentence of section 3608 of Title 10 of the Revised Statutes is amended to read as follows:

Whoever labors at cutting, hauling or sawing shingle, stave, lath, dowel or spool timber, or in the manufacture of shingle, stave, lath, dowel or spool timber into shingles, staves, laths, dowels or spool bars, or at piling staves, laths, dowels or spool bars, or at bunching shingles or dowels, or at cooking for persons engaged in such labor, has a lien thereon for the amount due for his personal labor thereon and the services performed by his team, which takes precedence of all other claims and continues for 60 days after ~~such shingle, stave, lath or dowel timber~~ and such shingles, staves, laths and dowels are manufactured, provided the same have not been sold and shipped, or for 60 days after such spool timber or spool bars arrive at the place of destination for sale or manufacture.

**Sec. 48. R. S., T. 10, § 7051, amended.** The 2nd sentence of section 7051 of Title 10 of the Revised Statutes, as enacted by chapter 430 of the public laws of 1969 and as amended, is further amended to read as follows:

The Mountain Resorts Airport Authority shall consist of the ~~Director of the Department~~ **Commissioner** of Transportation, ~~Director~~ **Commissioner** of the Parks and Recreation ~~Commission~~, to serve during their incumbency of their

said offices, and 4 members at large appointed by the Governor with the advice and consent of the Council for a period of 3 years.

**Sec. 49. R. S., T. 11, § 2-108, amended.** Section 2-108 of Title 11 of the Revised Statutes, as enacted by chapter 155 of the public laws of 1969, is amended to read as follows:

**§ 2-108. Miscellaneous health provisions; blood or tissue transfer services**

The procurement, processing, distribution or use of whole blood, plasma, blood products, blood derivatives and other human tissues such as corneas, bones or organs for the purpose of injecting, transfusing or transplanting any of them into the human body is declared to be, for all purposes, the rendition of a service by every person participating therein and, whether or not any remuneration is paid therefor, is declared not to be a sale of such whole blood, plasma, blood products, blood derivations or other tissues, for any purpose, subsequent to ~~the effective date of this section~~ **October 1, 1969.**

**Sec. 50. R. S., T. 12, § 501-A, sub-§ 9, repealed and replaced.** Subsection 9 of section 501-A of Title 12 of the Revised Statutes, as enacted by section 3 of Section D of chapter 91 of the private and special laws of 1971, is repealed and the following enacted in place thereof:

**9. Geological survey. Mapping inventory and interpretation of geological information.**

**Sec. 51. R. S., T. 12, § 531, amended.** The first paragraph of section 531 of Title 12 of the Revised Statutes, as enacted by section 1 of Section D of chapter 91 of the private and special laws of 1971, is amended to read as follows:

The Division of ~~Science, Technology and Mineral Resources~~ **Geological Survey** shall be established to administer the programs of the Maine Geological Survey and other natural resource functions of the State as directed by law; and to provide administrative and fiscal assistance to the Maine Mining Bureau.

**Sec. 52. R. S., T. 12, § 602, sub-§ 3, amended.** Subsection 3 of section 602 of Title 12 of the Revised Statutes is amended to read as follows:

**3. Parks and memorials; rules and regulations.** With the consent of the Governor and Council, to set apart and publicly proclaim areas of land in this State including improvements, or other structures thereon, title to which has been acquired under this chapter as parks or memorials within the meaning of said chapter, and the ~~commission~~ **department** may from time to time establish such rules and regulations as it deems necessary:

- A.** For the protection and preservation of state parks and parks under state control,
- B.** For the protection and safety of the public, and
- C.** For observances of the conditions and restrictions expressed in deeds of trust, or otherwise, of the parks of the State and of monuments thereon.

Before promulgating such rules and regulations, ~~they~~ it shall submit them to the Attorney General, and if he shall certify that in his opinion they are in conformity with the law, they shall thereupon, together with section 606, be published once a week for 2 successive weeks in a newspaper published in the towns or counties of this State wherein parks are located and posted in at least 3 conspicuous places in or about said park or parks whereupon they shall take effect, and a certificate of such publication and posting shall be executed by ~~one of the members of said commission department~~ and filed with the Secretary of State, who shall record the same.

**Sec. 53. R. S., T. 12, § 662, sub-§ 2, repealed and replaced.** Subsection 2 of section 662 of Title 12 of the Revised Statutes, as enacted by section 1 of chapter 496 of the public laws of 1965, is repealed and the following enacted in place thereof:

2. Department. "Department" means the Parks and Recreation Department.

**Sec. 54. R. S., T. 12, § 669, amended.** Section 669 of Title 12 of the Revised Statutes, as amended by section 1 of chapter 496 of the public laws of 1965, is further amended to read as follows:

**§ 669. Initial plan for acquisition**

As soon as possible after availability of funds after ~~May 11, 1965~~ December 29, 1966 the commission shall proceed to acquire title in fee simple to land within the restricted zone. The commission shall ~~also~~ acquire within the restricted zone such other rights as the commission shall determine necessary or convenient to accomplish the purposes of this chapter; ~~provided, that neither.~~ **Neither** anything in this section contained nor any action under this section shall in any way limit any of the powers or authority of the commission under this chapter or the exercise thereof by the commission.

**Sec. 55. R. S., T. 12, § 900, amended.** The first sentence of the 3rd paragraph from the end of section 900 of Title 12 of the Revised Statutes, as enacted by section 1 of chapter 477 of the public laws of 1971, is amended to read as follows:

While this area bears the name park, it is not to be confused with the existing state park system and is to "be separately administered free from any connection with the larger State Park Commission" (**Parks and Recreation Department**).

**Sec. 56. R. S., T. 12, § 1111, amended.** Section 1111 of Title 12 of the Revised Statutes, as enacted by section 1 of chapter 485 of the public laws of 1967, is amended to read as follows:

**§ 1111. Pest Control Compact**

The Pest Control Compact is enacted into law and entered into with all other jurisdictions legally joining therein in the form substantially as provided in this ~~chapter~~ subchapter.

**Sec. 57. R. S., T. 12, § 1601, amended.** The 2nd sentence of section 1601 of Title 12 of the Revised Statutes, as enacted by chapter 617 of the public laws of 1971, is repealed as follows:

~~Such tax shall be increased by  $2\frac{3}{4}$  mills on the dollar assessed only for the year 1972 upon all the property in the unorganized territory located within the Maine Forestry District, including rights in public reserved lots, and buildings on leased property, to be used by the Forestry Department for spruce budworm control~~

**Sec. 58. R. S., T. 12, § 2402, amended.** The last paragraph of section 2402 of Title 12 of the Revised Statutes, as enacted by section 42 of chapter 622 of the public laws of 1971, is repealed as follows:

~~Notwithstanding any other provision of law, nonresidents shall not be permitted to trap beaver in this State~~

**Sec. 59. R. S., T. 12, § 2455, amended.** The first sentence of the 2nd paragraph of section 2455 of Title 12 of the Revised Statutes, as amended by section 43 of chapter 622 of the public laws of 1971, is further amended to read as follows:

It shall be unlawful to hunt wild animals from  $\frac{1}{2}$  hour after sunset until  $\frac{1}{2}$  hour before sunrise of the following morning, except raccoons, as provided in ~~section 2358~~ chapters 301 to 335.

**Sec. 60. R. S., T. 13, § 703, sub-§ 2, amended.** The first sentence of subsection 2 of section 703 of Title 13 of the Revised Statutes, as enacted by chapter 411 of the public laws of 1969, is amended to read as follows:

~~The term "professional~~ "Professional service" shall mean any type of personal service to the public which requires as a condition precedent to the rendering of such service the obtaining of a license or other legal authorization and which prior to ~~the effective date of this chapter~~ October 1, 1969 and by reason of law could not be performed by a corporation.

**Sec. 61. R. S., T. 13, § 704, amended.** The first sentence of section 704 of Title 13 of the Revised Statutes, as enacted by chapter 411 of the public laws of 1969, is amended to read as follows:

This chapter shall not apply to any individuals or groups of individuals within this State who prior to ~~the effective date of this chapter~~ October 1, 1969 were permitted to organize a corporation and render professional services to the public by the means of a corporation, and this chapter shall not apply to any corporations organized by such individual or group of individuals prior to ~~the effective date of this chapter~~ October 1, 1969.

**Sec. 62. R. S., T. 13, § 903, amended.** The last sentence of section 903 of Title 13 of the Revised Statutes, as amended, is further amended to read as follows:

No fee shall be required by the Attorney General but the Secretary of State shall receive for filing such certificate, or amendment thereto, a fee of \$5, in

advance, and registers of deeds shall receive for recording such certificate, or amendment thereto, the fee of ~~2~~ \$5.

**Sec. 63. R. S., T. 13, § 938, amended.** The first sentence of section 938 of Title 13 of the Revised Statutes, as enacted by section 3 of chapter 373 of the public laws of 1971, is amended to read as follows :

In case of the dissolution of a corporation organized without capital stock pursuant to section ~~937~~ 939 or any other provision of law, the assets of the corporation remaining after the payment of all of its debts shall be distributed in the manner and to the persons, firms, associations, corporations, trusts or other legal entities provided in its certificate of organization or any amendment thereto, provided that the assets of a charitable corporation which is dissolved shall not be devoted to other than charitable purposes.

**Sec. 64. R. S., T. 14, § 871, sub-§ 4, amended.** The 3rd sentence of the 2nd paragraph of subsection 4 of section 871 of Title 14 of the Revised Statutes, as enacted by chapter 59 of the public laws of 1971, is amended to read as follows :

Provided that in the case of a material supplier, where the amount of the claim is not ascertainable due to the unavailability of final quantity estimates, such action may be commenced ~~after~~ **before** the expiration of one year from the date on which the final quantity estimates are determined.

**Sec. 65. R. S., T. 14, § 1211, amended.** The first sentence of section 1211 of Title 14 of the Revised Statutes, as enacted by section 1 of chapter 391 of the public laws of 1971, is amended to read as follows :

A prospective juror is disqualified to serve on a jury if he: Is not a citizen of the United States, ~~20~~ 18 years old and a resident of the county; is unable to read, speak and understand the English language; is incapable, by reason of his physical or mental disability, of rendering satisfactory jury service; but a person claiming this disqualification may be required to submit a physician's certificate as to the disability and the certifying physician is subject to inquiry by the court at its discretion; or has lost the right to vote because of a criminal conviction.

**Sec. 66. R. S., T. 14, § 5946, amended.** Section 5946 of Title 14 of the Revised Statutes, as enacted by chapter 430 of the public laws of 1967, is amended to read as follows :

**§ 5946. Act not retroactive**

This chapter applies only to agreements made subsequent to ~~the taking effect of this chapter~~ **October 7, 1967.**

**Sec. 67. R. S., T. 14, § 6203, sub-§ 1, amended.** The 2nd sentence of subsection 1 of section 6203 of Title 14 of the Revised Statutes, as enacted by section 28-A of chapter 513 of the public laws of 1965, is amended to read as follows :

All foreclosures of real estate mortgages between September 3, 1965 and ~~the effective date of this Act~~ **February 8, 1966** and otherwise valid, except that

public notice was given in a newspaper published and printed in whole or in part in the county where the premises are located rather than in a newspaper having its principal place of business in the county where the premises are located, are validated.

**Sec. 68. R. S., T. 15, § 2611, sub-§ 4, ¶ E, amended.** Paragraph E of subsection 4 of section 2611 of Title 15 of the Revised Statutes, as amended by section 59 of chapter 622 of the public laws of 1971, is further amended to read as follows:

**E.** Commit to the care of a family subject to supervision by the State Parole Board ~~or in Cumberland County by the County Juvenile Probation Department,~~ or by the Department of Health and Welfare;

**Sec. 69. R. S., T. 15, § 2666, amended.** The 4th sentence of section 2666 of Title 15 of the Revised Statutes is amended to read as follows:

It may be used by the state probation-parole officers ~~the Cumberland County Juvenile Probation Department~~ or other correctional, enforcement or welfare authorities as a matter of course.

**Sec. 70. R. S., T. 18, § 2656, amended.** Section 2656 of Title 18 of the Revised Statutes is amended to read as follows:

**§ 2656. Relief when claim not presented in time limited**

If the Superior Court, upon a complaint filed by a creditor whose claim has not been prosecuted within the time limited by sections 2402 ~~2406~~ and 2651 to 2655, is of the opinion that justice and equity require it, and that such creditor is not chargeable with culpable neglect in not prosecuting his claim within the time so limited, it may give him judgment for the amount of his claim against the estate of the deceased person; but such judgment shall not affect any payment or distribution made before the filing of such complaint.

**Sec. 71. R. S., T. 19, § 286, amended.** Section 286 of Title 19 of the Revised Statutes, as enacted by section 2 of chapter 325 of the public laws of 1967, is further amended to read as follows:

**§ 286. Rules of civil procedure**

The rules of civil procedure as far as applicable shall apply to this subchapter to all cases of birth out of wedlock as defined in this subchapter where birth occurs after ~~the effective date of this Act~~ **October 7, 1967.**

**Sec. 72. R. S., T. 20, § 102, sub-§ 7, amended.** The 3rd paragraph of subsection 7 of section 102 of Title 20 of the Revised Statutes, as enacted by chapter 432 of the public laws of 1965, is amended to read as follows:

The officers in charge of a private school founded after ~~the effective date of this Act~~ **September 3, 1965** shall furnish the commissioner with a copy of the course of study arranged by said officers.

**Sec. 73. R. S., T. 20, § 360, amended.** The first paragraph of section 360 of Title 20 of the Revised Statutes is amended to read as follows:

The inhabitants of and territory within any town not originally in the district may be included upon vote of all the towns concerned in a manner similar to that prescribed for the establishing of the community school or schools under such terms and arrangements as may be recommended by the community school trustees and approved by such vote, provided the cost to the inhabitants and territory so applying shall be based on a fair valuation as determined by the State ~~Board of Equalization~~ **Tax Assessor**.

**Sec. 74. R. S., T. 20, § 2356-B, amended.** The first paragraph of section 2356-B of Title 20 of the Revised Statutes, as enacted by section 3 of chapter 440 of the public laws of 1965 and as amended, is further amended to read as follows:

When any administrative unit has constructed, subsequent to ~~the effective date of this Act~~ **September 3, 1965**, an approved facility to be used as a regional technical and vocational center according to an approved plan as provided in section 2356-A, and has adequately equipped it, for the conduct of not less than 5 approved full-time courses of technical or vocational education, exclusive of, or in addition to, part-time cooperative training programs, and shall maintain and operate a regional technical and vocational center therein, or shall maintain and operate such a regional technical and vocational center in a facility already available which is approved by the Department of Educational and Cultural Services for the maintenance and operation of such a center, the Commissioner of Educational and Cultural Services shall make the following grants from any funds available for these purposes, in the apportionment of which special funds which are or may become available to the Department of Educational and Cultural Services for distribution for these purposes from federal grants or from other sources may be used in part payment of, but shall not be in addition to, grants authorized by this section:

**Sec. 75. R. S., T. 20, § 2356-B, sub-§ 1, amended.** The first paragraph of subsection 1 of section 2356-B of Title 20 of the Revised Statutes, as enacted by section 3 of chapter 440 of the public laws of 1965, is amended to read as follows:

Seventy-five percent of the cost of constructing and equipping subsequent to ~~the effective date of this Act~~ **September 3, 1965**, a building or buildings to be used for the maintenance and operation of a regional technical and vocational center which is approved in accordance with section 2356-A.

**Sec. 76. R. S., T. 20, § 3112, sub-§ 1, amended.** Subsection 1 of section 3112 of Title 20 of the Revised Statutes is amended to read as follows:

1. **Handicapped or exceptional child.** "Handicapped or exceptional child" shall mean any child under ~~27~~ 20 years of age able to benefit from an instructional program approved by the state board whose parents or guardian maintains a home for his family in any administrative unit within the State, and whose educational needs cannot be adequately provided for through the usual facilities and services of the public schools, because of the physical or mental deviations of such child.

**Sec. 77. R. S., T. 20, § 3458, amended.** The first sentence of section 3458 of Title 20 of the Revised Statutes, as enacted by section 10 of chapter 224 of the public laws of 1967 and as amended, is further amended to read as follows:

Any eligible administrative unit qualifying for school construction aid under section 3457 which, after ~~the effective date of this Act~~ April 27, 1967, has authorized a school construction project and the financing thereof may apply to the Department of Educational and Cultural Services for such aid.

**Sec. 78. R. S., T. 20, § 3458, amended.** The last paragraph of section 3458 of Title 20 of the Revised Statutes, as enacted by section 10 of chapter 224 of the public laws of 1967, is amended to read as follows:

Nothing in this section shall affect any state aid payable with respect to school construction projects authorized prior to ~~the effective date of this Act~~ April 27, 1967.

**Sec. 79. R. S., T. 20, § 3459, amended.** The first paragraph of section 3459 of Title 20 of the Revised Statutes, as enacted by section 11 of chapter 224 of the public laws of 1967 and as amended, is further amended to read as follows:

Notwithstanding any inconsistent provisions of sections 225, 304, 2356-B, 3457 and 3458, the school directors of any School Administrative District which, between May 11, 1966 and ~~the effective date of this Act~~ April 27, 1967, has authorized its school directors to borrow funds in anticipation of state aid for school construction under section 225 as then in effect, may borrow such funds pursuant to section 304 as heretofore in effect and may issue temporary notes and renewal notes therefor, which temporary notes and renewal notes shall be legal obligations of said district and may be issued notwithstanding any debt limitation of the district, but shall thereafter be considered in computing the borrowing capacity of the district except with respect to bonds or notes issued to finance the same school project or projects.

**Sec. 80. R. S., T. 20, § 3459, amended.** The first sentence of the last paragraph of section 3459 of Title 20 of the Revised Statutes, as enacted by section 2 of chapter 497 of the public laws of 1969, is amended to read as follows:

This section shall apply to any School Administrative District which, between May 11, 1966 and April 27, 1967, voted to authorize its school directors to issue bonds or notes in the name of such district for capital outlay purposes but did not authorize the borrowing of funds in anticipation of state aid for school construction for such purposes, but only if such district has not, as of ~~the effective date of the Act~~ July 2, 1969 pursuant to which this paragraph is enacted, issued its bonds or notes for the permanent financing of the project or projects for which such bonds or notes were authorized.

**Sec. 81. R. S., T. 20, § 3460, amended.** The 3rd paragraph of section 3460 of Title 20 of the Revised Statutes, as enacted by section 2 of chapter 373 of the public laws of 1969 and as repealed and replaced by chapter 552 and as amended by section 21 of chapter 610, both of the public laws of 1971, is further amended to read as follows:

On eligible projects for which the Department of Educational and Cultural Services has authorized the alternate method and on which the local administrative unit, subsequent to ~~the effective date of this Act~~ February 4, 1972,

submits evidence that the appropriate local officials have contracted or arranged for the construction of the approved facility or facilities, the financial assistance due the eligible unit shall be paid according to the following schedule:

**Sec. 82. R. S., T. 20, § 3460, amended.** The last sentence of the last blocked paragraph of the 3rd paragraph of section 3460 of Title 20 of the Revised Statutes, as enacted by section 2 of chapter 373 of the public laws of 1969 and as repealed and replaced by chapter 552 of the public laws of 1971, is amended to read as follows:

Based upon the estimate, the commissioner shall make monthly payments thereafter, and the final payment in accordance with the procedure prescribed above for projects on which evidence of contract execution was submitted after ~~the effective date of this Act~~ **February 4, 1972.**

**Sec. 83. R. S., T. 20, § 3732, amended.** The 6th paragraph of section 3732 of Title 20 of the Revised Statutes, as enacted by section 2 of chapter 496 and as amended by section 13 of chapter 589, both of the public laws of 1969, is further amended to read as follows:

Per pupil valuation shall be determined by dividing the number of pupils in the municipality as defined in this section into the state valuation as filed by the ~~Board of Equalization~~ **State Tax Assessor.**

**Sec. 84. R. S., T. 20, § 3732, amended.** The last paragraph of section 3732 of Title 20 of the Revised Statutes, as enacted by section 2 of chapter 496 and as repealed and replaced by section 14 of chapter 589, both of the public laws of 1969, is repealed as follows:

~~For the purpose of computing general purpose aid under this section for the 1970-71 fiscal year, the pupil enrollment used shall be the resident pupils educated at public expense as reported April 1, 1968~~

**Sec. 85. R. S., T. 21, § 102-A, sub-§ 1, ¶ J, repealed.** Paragraph J of subsection 1 of section 102-A of Title 21 of the Revised Statutes, as enacted by chapter 154 of the public laws of 1965, is repealed as follows:

~~J. A certification that the applicant can read;~~

**Sec. 86. R. S., T. 21, § 921, sub-§ 1, amended.** Subsection 1 of section 921 of Title 21 of the Revised Statutes is amended to read as follows:

**1. Individual square method.** He shall place the mark in the square at the ~~right~~ **left** of each candidate for nomination for whom he wishes to vote.

**Sec. 87. R. S., T. 21, § 921, sub-§ 2, amended.** The last sentence of subsection 2 of section 921 of Title 21 of the Revised Statutes is amended to read as follows:

He shall then place the mark in the square at the ~~right~~ **left** of it.

**Sec. 88. R. S., T. 21, § 922, sub-§ 1, amended.** Subsection 1 of section 922 of Title 21 of the Revised Statutes, as repealed and replaced by the Initiated Bill, is amended to read as follows:

1. **Individual square method.** He shall make a cross or a check mark in square at the ~~right~~ left of each nominee for whom he wishes to vote, regardless of political designation, but must follow directions as to the number of nominees to be elected to each office.

**Sec. 89. R. S., T. 21, § 922, sub-§ 2, amended.** The 2nd sentence of subsection 2 of section 922 of Title 21 of the Revised Statutes, as repealed and replaced by the Initiated Bill, is amended to read as follows:

He shall then place the mark in the square at the ~~right~~ left of it.

**Sec. 90. R. S., T. 21, § 1573-B, amended.** Section 1573-B of Title 21 of the Revised Statutes, as enacted by section 69-A of chapter 622 of the public laws of 1971, is amended to read as follows:

**§ 1573-B. Sinclair, T17, R4, to have separate voting place**

The municipal officers of the Town of ~~St.~~ Saint Agatha are directed to establish a voting place at Sinclair, T17, ~~R5~~ R4, an unorganized township in the County of Aroostook, for all state and national elections, including primary elections, at which voting place all residents of unorganized places entitled to vote in the Town of ~~St.~~ Saint Agatha may cast their ballots under the conditions provided in this section. The municipal officers shall prepare a separate list of such voters, resident in unorganized places who are entitled to vote in the Town of ~~St.~~ Saint Agatha, as may request the privilege of voting at Sinclair, T17, ~~R5~~ R4 at the time they qualify as voters in the Town of ~~St.~~ Saint Agatha under section 246, and all persons whose names are so included in said list shall be entitled to vote at said voting place in Sinclair, T17, ~~R5~~ R4 instead of at the Town of ~~St.~~ Saint Agatha.

Municipal officers of the Town of ~~St.~~ Saint Agatha shall select 4 ballot clerks from the inhabitants of Sinclair, T17, ~~R5~~ R4, representing the 2 political parties which at the gubernatorial election next preceding such appointment cast the greatest number of votes and shall select a warden who shall be a resident of the Town of ~~St.~~ Saint Agatha.

The conduct of elections at said voting place shall be the same as in towns having separate voting districts, and all the provisions of the Revised Statutes with respect to separate voting districts in towns are made applicable to said voting place at Sinclair, T17, ~~R5~~ R4, as though the same were located within the territorial limits of the Town of ~~St.~~ Saint Agatha, and the powers and duties of the municipal officers in such case are conferred upon the municipal officers of the Town of ~~St.~~ Saint Agatha.

**Sec. 91. R. S., T. 22, § 2029, sub-§ 3, amended.** The first sentence of subsection 3 of section 2029 of Title 22 of the Revised Statutes, as enacted by chapter 380 of the public laws of 1967, is amended to read as follows:

He is an individual who has acted as the director of a medical laboratory within the State for one year prior to ~~the effective date of this Act~~ October 7, 1967.

**Sec. 92. R. S., T. 22, § 2361, sub-§ 2, repealed.** Subsection 2 of section 2361 of Title 22 of the Revised Statutes is repealed.

**Sec. 93. R. S., T. 22, § 2447, amended.** Section 2447 of Title 22 of the Revised Statutes, as enacted by section 1 of chapter 209 of the public laws of 1969, is amended to read as follows :

**§ 2447. Certificate from owner of particular system**

Certificates may be issued without examination to the person or persons certified by the governing body or owner to have been in direct responsible charge of a water treatment plant or a water distribution or water supply system on ~~the effective date of this chapter~~ **October 1, 1969** or within 3 years prior to said ~~effective date~~ **October 1, 1969**. A certificate so issued will be valid only for that particular classification level of treatment plant or system.

**Sec. 94. R. S., T. 22, § 2450, amended.** The first sentence of section 2450 of Title 22 of the Revised Statutes, as enacted by section 1 of chapter 209 of the public laws of 1969, is amended to read as follows :

On and after 2 years following ~~the effective date of this chapter~~ **October 1, 1969**, it shall be unlawful for any person, firm or corporation, both municipal and private, operating a water treatment plant or water distribution system to operate same unless the competency of the operator is duly certified to by the board under this chapter.

**Sec. 95. R. S., T. 22, § 2706, sub-§ 1, amended.** The last sentence of sub-section 1 of section 2706 of Title 22 of the Revised Statutes is amended to read as follows :

Such a record may be disclosed or a certified copy issued upon request of the illegitimate himself, **his parent** or his legal guardian or counsel or of petitioners for adoption or in response to court process.

**Sec. 96. R. S., T. 22, § 4780, amended.** The first sentence of section 4780 of Title 22 of the Revised Statutes is amended to read as follows :

The commissioner, on application of any Indian thereof, male or female, ~~or~~ **18** years of age or more, to whom his proportion of the tribe's lands has never been assigned, or has never come by inheritance or who does not already hold by assignment, purchase or otherwise his fair share of said lands, may cause a lot suitable for cultivation to be surveyed to such applicant from the unassigned lands of the tribe, if any, and may assign the same to him and designate the same upon the plan aforesaid.

**Sec. 97. R. S., T. 22, § 4837, amended.** Section 4837 of Title 22 of the Revised Statutes is amended to read as follows :

**§ 4837. Removal of poor to reservations ; reimbursement to towns**

Any member of the Passamaquoddy Tribe requiring assistance may be removed by the Commissioner of Indian Affairs from any place in which he may be residing or be found, to either of the Indian reservations provided for said tribe, or may be removed from one of such reservations to another such reservation, whenever in the judgment of the Commissioner of Indian Affairs such removal should be made. When any member of said tribe is found destitute and in distress beyond the tribal reservation and is relieved by the town

in this State where he is so found, the overseers of the poor of said town may send to the Commissioner of Health and Welfare a statement specifying the nature, dates and amounts of the supplies furnished, which shall be transmitted to the department with such additional statements of fact as said Commissioner of Health and Welfare may think proper. The State shall reimburse said town for the relief so furnished to such extent as the Department of Health and Welfare adjudges to have been necessarily expended therefor.

**Sec. 98. R. S., T. 23, § 52, amended.** The 2nd paragraph of section 52 of Title 23 of the Revised Statutes is repealed as follows:

~~By consent of all parties in interest, any investigation, inquiry or hearing which the commission is authorized to hold may be held by a single member of the commission, and his finding, when approved by the commission and so shown on its records, shall be deemed to be the finding of the commission~~

**Sec. 99. R. S., T. 23, § 242, sub-§ 3, amended.** Subsection 3 of section 242 of Title 23 of the Revised Statutes, as enacted by section 1 of chapter 333 and as amended by section 22 of chapter 593, both of the public laws of 1971, is further amended to read as follows:

3. **Displaced person.** "Displaced person" shall mean any person who, on or after the effective date of this Act May 20, 1971, moves from real property, or moves his personal property from real property as a result of the acquisition of such real property in whole or in part, or as the result of the written order of the commission to vacate real property acquired in whole or in part, for a state or state aid highway; and solely for the purposes of section 244, as a result of the acquisition of or the written order of the department to vacate other real property on which such person conducts a business or farm operation, for such program or project.

**Sec. 100. R. S., T. 23, § 243, sub-§ 1, amended.** The first sentence of subsection 1 of section 243 of Title 23 of the Revised Statutes, as enacted by section 1 of chapter 333 and as amended by section 22 of chapter 593, both of the public laws of 1971, is further amended to read as follows:

Whenever the acquisition of real property for a project will result in the displacement of any person on or after the effective date of this Act May 20, 1971, the department shall provide a relocation assistance advisory program for displaced persons which shall offer the services described in subsection 2.

**Sec. 101. R. S., T. 23, § 244, sub-§ 1, amended.** Subsection 1 of section 244 of Title 23 of the Revised Statutes, as enacted by section 1 of chapter 333 and as amended by section 22 of chapter 593, both of the public laws of 1971, is further amended to read as follows:

1. **Payments.** Whenever the acquisition of real property for a project will result in the displacement of any person on or after the effective date of this Act May 20, 1971, the department shall make a payment to any displaced person, upon proper application on forms approved by the department, for

A. Actual reasonable expenses in moving himself, his family, business, farm operation or other personal property;

**B.** Actual direct losses of tangible personal property as a result of moving or discontinuing a business or farm operation, but not to exceed an amount equal to the reasonable expenses that would have been required to relocate such property, as determined by the department; and

**C.** Actual reasonable expenses in searching for a replacement business or farm.

**Sec. 102.** R. S., T. 23, § 652, sub-§ 2, ¶ F, amended. Paragraph F of subsection 2 of section 652 of Title 23 of the Revised Statutes, as enacted by chapter 435 of the public laws of 1969, is amended to read as follows:

**F.** This subsection shall not apply to private water supplies after ~~the effective date of this Act~~ **June 26, 1969** where the location does not allow for or provide for adequate surface drainage.

**Sec. 103.** R. S., T. 23, c. 19, sub-c. II-A, repealed. Subchapter II-A of chapter 19 of Title 23 of the Revised Statutes, as enacted by section II-A of chapter 593 of the public laws of 1971, is repealed.

**Sec. 104.** R. S., T. 24-A, § 410, sub-§ 1, ¶ A, amended. The first sentence of paragraph A of subsection 1 of section 410 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

An insurer holding a valid certificate of authority to transact insurance in this State on ~~the effective date of this Act~~ **September 1, 1969** may, if otherwise qualified therefor, continue to be so authorized while possessing paid-in capital stock, if a stock insurer, or surplus, if a mutual or reciprocal insurer, as required for such authority immediately prior to such effective date.

**Sec. 105.** R. S., T. 24-A, § 428, sub-§ 3, amended. Subsection 3 of section 428 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

3. For the purposes of this section the domicile of an alien insurer, other than insurers formed under the laws of Canada or a province thereof, shall be that state designated by the insurer in writing filed with the commissioner at time of admission to this State or within 6 months after ~~the effective date of this Act~~ **September 1, 1969**, whichever date is the later, and may be any one of the following states:

**A.** That in which the insurer was first authorized to transact insurance;

**B.** That in which is located the insurer's principal place of business in the United States; or

**C.** That in which is held the largest deposit of trusted assets of the insurer for the protection of its policyholders in the United States.

**Sec. 106.** R. S., T. 24-A, § 604, sub-§ 2, ¶ A, amended. Paragraph A of subsection 2 of section 604 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

**A.** The balance, if any, remaining on ~~the effective date of this Act~~ **September 1, 1969** of funds allocated to the department pursuant to Title 24, section 372;

**Sec. 107. R. S., T. 24-A, § 1102, sub-§ 2, amended.** Subsection 2 of section 1102 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

2. Any particular investment held by an insurer on ~~the effective date of this Act~~ **September 1, 1969**, which was a legal investment at the time it was made, and which the insurer was legally entitled to possess immediately prior to such effective date, shall be deemed to be an eligible investment.

**Sec. 108. R. S., T. 24-A, § 1521, sub-§ 1, amended.** The last sentence of subsection 1 of section 1521 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

For the purposes of this subsection, an agent's license covering fire insurance and existing on ~~the effective date of this Act~~ **September 1, 1969** shall be deemed to be the equivalent of a license covering "property" insurance as defined in this Title;

**Sec. 109. R. S., T. 24-A, § 1604, sub-§ 2, amended.** Subsection 2 of section 1604 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

2. If qualification is based upon fulfillment of the requirements of **subsection 1**, paragraph B, the applicant shall file with the commissioner an affidavit by his employer stating the period of employment, that it was substantially fulltime, and the nature of the duties performed by the applicant.

**Sec. 110. R. S., T. 24-A, § 1853, sub-§ 4, amended.** The last sentence of subsection 4 of section 1853 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

This subsection shall not apply as to persons holding subsisting licenses as adjuster in this State immediately prior to ~~the effective date of this Act~~ **September 1, 1969**;

**Sec. 111. R. S., T. 24-A, § 2101, sub-§ 2, ¶ A, amended.** Paragraph A of subsection 2 of section 2101 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

**A.** Matters authorized to be done by the commissioner under the Unauthorized ~~insurers~~ Insurers Process Act, sections ~~2101~~ 2102 to 2108;

**Sec. 112. R. S., T. 24-A, § 2102, amended.** The first sentence of section 2102 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

The purpose of sections ~~2101~~ 2102 to 2108 (Unauthorized Insurers Process Act) and sections 2109 to 2111 (Unauthorized Insurers False Advertising

Process Act) is to subject certain insurers to the jurisdiction of the commissioner and the courts of this State in suits and disciplinary proceedings as provided therein, by or on behalf of insureds or beneficiaries under insurance contracts or the commissioner.

**Sec. 113. R. S., T. 24-A, § 2420, sub-§ 4, amended.** The first sentence of subsection 4 of section 2420 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 and as amended by section 39 of chapter 177, both of the public laws of 1969, is further amended to read as follows:

Any individual insured under a group insurance policy or group annuity contract shall have the right, unless expressly prohibited under the terms of the policy or contract, to assign to any other person his rights and benefits under the policy or contract, including, but not limited to, the right to designate the beneficiary or beneficiaries and the rights as to conversion provided for in sections 2621 to 2625, and, subject to the terms of the policy relating to assignments thereunder, any such assignment, made either before or after ~~the effective date of this section~~ **January 2, 1970**, shall be valid for the purpose of vesting in the assignee all such rights and benefits so assigned.

**Sec. 114. R. S., T. 24-A, § 2529, sub-§ 1, amended.** The first paragraph of subsection 1 of section 2529 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

In the case of policies issued on or after ~~the effective date of this Title~~ **September 1, 1969**, no policy of life insurance, except as stated in section 2534, shall be issued or delivered in this State, unless it shall contain in substance the following provisions, or corresponding provisions which in the opinion of the commissioner are at least as favorable to the defaulting or surrendering policyholder:

**Sec. 115. R. S., T. 24-A, § 3306, sub-§ 2, amended.** The first sentence of subsection 2 of section 3306 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

Three or more individuals, none of whom is less than ~~21~~ **18** years of age, may incorporate a stock insurer; 10 or more such individuals may incorporate a mutual insurer.

**Sec. 116. R. S., T. 24-A, § 3414, sub-§ 5, amended.** Subsection 5 of section 3414 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

5. This section does not apply as to contracts entered into prior to ~~the effective date of this Act~~ **September 1, 1969**, or to amendment of such contracts other than extensions thereof.

**Sec. 117. R. S., T. 24-A, § 3607, sub-§§ 2 & 4, amended.** Subsections 2 and 4 of section 3607 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, are amended to read as follows:

2. Mutual insurers organized prior to January 1968 to transact and transacting kinds of insurance other than fire, marine and glass shall have a guaranty capital fund in amount not less than as required under laws in force immediately prior to ~~the effective date of this Act~~ **September 1, 1969**, and if organized on or after January 1, 1968, shall have guaranty capital funds of not less than \$500,000. Such an insurer shall not be authorized to transact insurance until at least  $\frac{1}{4}$  of its guaranty capital funds have been paid in, in cash, and invested in such manner as is provided in chapter 13.

4. Except as hereinabove provided, all such insurers holding subsisting certificates of authority immediately prior to ~~the effective date of this Act~~ **September 1, 1969** may continue to be so authorized as long as qualified for such authority as under laws in force immediately prior to such effective date.

**Sec. 118. R. S., T. 24-A, § 3628, sub-§ 1, amended.** Subsection 1 of section 3628 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

1. No personal examination shall be required of the applicant and no examination fee shall be charged, as to an applicant for a license as an agent of an insurer writing insurance solely on the assessment plan, if on ~~the effective date of this Act~~ **September 1, 1969** the applicant was also a director or officer of such insurer;

**Sec. 119. R. S., T. 24-A, § 3852, sub-§ 2, amended.** Subsection 2 of section 3852 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

2. Existing authorized reciprocal insurers shall after ~~the effective date of this Act~~ **September 1, 1969** comply with ~~the provisions of~~ this chapter, and shall make such amendments to their subscribers' agreement, power of attorney, policies and other documents and accounts and perform such other acts as may be required for such compliance.

**Sec. 120. R. S., T. 24-A, § 4116, amended.** The last sentence of the first paragraph of section 4116 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

As to certificates issued on and after ~~the effective date of this Act~~ **September 1, 1969**, a society shall grant at least one paid-up nonforfeiture benefit: except in the case of pure endowment, annuity or reversionary annuity contracts, reducing term insurance contracts or contracts of term insurance of uniform amount of 15 years or less expiring before age 66.

**Sec. 121. R. S., T. 24-A, § 4123, amended.** The last sentence of section 4123 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

It may take credit for the reserves on such ceded risks to the extent reinsured, but no credit shall be allowed as an admitted asset or as a deduction from liability, to a ceding society for reinsurance made, ceded, renewed, or otherwise becoming effective after ~~the effective date of this Act~~ **September 1,**

1969, unless the reinsurance is payable by the assuming insurer on the basis of the liability of the ceding society under the contract or contracts reinsured without diminution because of the insolvency of the ceding society.

**Sec. 122. R. S., T. 24-A, § 4124, amended.** The first sentence of section 4124 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

Societies which are now authorized to transact business in this State may continue such business until the first day of July ~~next succeeding the effective date of this Title~~, 1970.

**Sec. 123. R. S., T. 24-A, § 4134, sub-§ 3, amended.** The 4th sentence of subsection 3 of section 4134 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

Such net tabular value as to certificates issued prior to one year after ~~the effective date of this chapter~~ September 1, 1969 shall be determined in accordance with the provisions of law applicable prior to ~~the effective date of this chapter~~ September 1, 1969 and as to certificates issued on or after one year from ~~the effective date of this chapter~~ September 1, 1969 shall not be less than the reserves determined according to the commissioner's reserve valuation method as hereinafter defined.

**Sec. 124. R. S., T. 24-A, § 4134, sub-§ 6, ¶ A, amended.** Paragraph A of subsection 6 of section 4134 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

**A.** The minimum standards of valuation for certificates issued prior to ~~the effective date of this chapter~~ September 1, 1969 shall be those provided by the law applicable immediately prior to ~~the effective date of this chapter~~ September 1, 1969 but not lower than the standards used in the calculating of rates for such certificates.

**Sec. 125. R. S., T. 24-A, § 4134, sub-§ 6, ¶ B, amended.** The first paragraph of paragraph B of subsection 6 of section 4134 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

The minimum standard of valuation for certificates issued after ~~the effective date of this chapter~~ September 1, 1969 shall be 3½% interest and the following tables:

**Sec. 126. R. S., T. 24-A, § 4435, sub-§ 4, amended.** The first paragraph of subsection 4 of section 4435 of Title 24-A of the Revised Statutes, as enacted by chapter 561 of the public laws of 1969, is amended to read as follows:

"Covered claim" means an unpaid claim, including one for unearned premiums, arising under and within the coverage and applicable limits of a policy of a kind of insurance referred to in section 4433 to which this subchapter applies issued by an insurer which becomes an insolvent insurer after ~~the effective date of this subchapter~~ May 9, 1970, and where

**Sec. 127. R. S., T. 24-A, § 4437, amended.** The last sentence of the first paragraph of section 4437 of Title 24-A of the Revised Statutes, as enacted by chapter 561 of the public laws of 1969, is amended to read as follows:

If no members are selected within 60 days after ~~the effective date of this subchapter~~ **May 9, 1970**, the commissioner may appoint the initial members of the board of directors.

**Sec. 128. R. S., T. 24-A, § 4439, sub-§ 1, ¶ B, amended.** Paragraph B of subsection 1 of section 4439 of Title 24-A of the Revised Statutes, as enacted by chapter 561 of the public laws of 1969, is amended to read as follows:

**B.** If the association fails to submit a suitable plan of operation within 90 days following ~~the effective date of this subchapter~~ **May 9, 1970** or if at any time thereafter the association fails to submit suitable amendments to the plan, the commissioner shall, after notice and hearing, adopt and promulgate such reasonable rules as are necessary or advisable to effectuate this subchapter. Such rules shall continue in force until modified by the commissioner or superseded by a plan submitted by the association and approved by the commissioner.

**Sec. 129. R. S., T. 24-A, § 4554, sub-§ 1, amended.** Subsection 1 of section 4554 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

1. Every life insurer shall on or before May 1st of each year make to the commissioner a written report of all unclaimed funds, as defined in section 4553, held and owing by it on December 31st next preceding, but the report shall not be required to include amounts of less than \$5, or amounts which have been paid to another state or jurisdiction prior to ~~the effective date of this Act~~ **September 1, 1969**, or amounts representing claims which have been barred by the statute of limitations prior to such effective date.

**Sec. 130. R. S., T. 24-A, § 4563, amended.** Section 4563 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

#### **§ 4563. Inapplicability of other statutes**

No other statute of this State relating to escheat or unclaimed funds in force on ~~the effective date of this Act~~ **September 1, 1969** shall apply to life insurers nor shall any such statute enacted after ~~the effective date of this Act~~ **September 1, 1969** so apply unless specifically made applicable by its terms.

**Sec. 131. R. S., T. 25, § 1505, amended.** The 2nd and 3rd sentences of section 1505 of Title 25 of the Revised Statutes are amended to read as follows:

To be eligible for membership in such reserve corps, applicants shall meet such standards as may be determined by the chief; shall enlist therein for a period of not less than 3 years, and shall take the oath prescribed in **Title 37-A, section 346 65**. Upon the issuance by the Governor of the proclamation provided for in **Title 37-A, section 307 57**, the chief may order any or all of

the members of said reserve corps to active duty as State Police for the duration of the proclaimed emergency or any part thereof.

**Sec. 132. R. S., T. 25, § 1902, sub-§ 2, repealed and replaced.** Subsection 2 of section 1902 of Title 25 of the Revised Statutes is repealed and the following enacted in place thereof:

2. **Department.** "Department" means the Parks and Recreation Department.

**Sec. 133. R. S., T. 25, § 2703, sub-§ 3, amended.** Subsection 3 of section 2703 of Title 25 of the Revised Statutes, as enacted by chapter 367 of the public laws of 1967, is amended to read as follows:

3. **New buildings.** New buildings constructed after ~~the effective date of this Act~~ **October 7, 1967** shall meet all provisions of this chapter.

**Sec. 134. R. S., T. 27, § 86, sub-§ 4, repealed.** Subsection 4 of section 86 of Title 27 of the Revised Statutes, as enacted by section 1 of chapter 502 of the public laws of 1965, is repealed as follows:

~~4. Property of existing museum to be transferred. All property in possession or belonging to the present museum in the State Capitol shall upon the effective date of this Act, be transferred to the Maine State Museum~~

**Sec. 135. R. S., T. 27, c. 10, repealed.** Chapter 10 of Title 27 of the Revised Statutes, as amended, is repealed.

**Sec. 136. R. S., T. 27, § 276, amended.** The last paragraph of section 276 of Title 27 of the Revised Statutes, as enacted by section 1 of chapter 441 of the public laws of 1965 and as repealed and replaced by section 4 of chapter 318 of the public laws of 1969, is amended to read as follows:

This section shall not affect the term of the person holding office as State Archivist on ~~the effective date of this Act~~ **October 1, 1969.**

**Sec. 137. R. S., T. 27, § 407, amended.** Section 407 of Title 27 of the Revised Statutes, as enacted by section 1 of chapter 499 of the public laws of 1965, is amended to read as follows:

#### § 407. Reports

The commission shall make a report to the Governor and the Legislature ~~not later than January, 1967, and thereafter~~ within 10 calendar days after the commencement of each regular session of the State Legislature.

**Sec. 138. R. S., T. 27, § 510, amended.** Section 510 of Title 27 of the Revised Statutes, as enacted by section 1 of chapter 536 of the public laws of 1971, is amended to read as follows:

#### § 510. Reports

The commission shall approve the report of the director to the Governor and the Legislature ~~not later than January 1, 1973 and thereafter~~ within 10 days after the commencement of each regular session of the State Legislature.

**Sec. 139. R. S., T. 28, § 804, repealed.** Section 804 of Title 28 of the Revised Statutes, as amended, is repealed.

**Sec. 140. R. S., T. 29, § 540, amended.** The last paragraph of section 540 of Title 29 of the Revised Statutes, as enacted by chapter 6 of the public laws of 1971, is amended to read as follows:

Licenses issued to persons under ~~20~~ 18 years of age shall be printed on material of a different color than those issued to persons ~~20~~ 18 years of age or older.

**Sec. 141. R. S., T. 29, § 2011, amended.** The 4th paragraph of section 2011 of Title 29 of the Revised Statutes, as repealed and replaced by section 1 of chapter 113 of the public laws of 1967, is amended to read as follows:

All motor vehicles used as school buses shall be equipped with 2 doors, one on the right side near the front of the bus to be used for all ordinary ~~exists~~ exits and entrances; the other to be located in center of rear end of bus or in rear half of left side of bus if engine is so located as to make it impossible to place door in center of rear end.

**Sec. 142. R. S., T. 29, § 2302, amended.** Section 2302 of Title 29 of the Revised Statutes is amended to read as follows:

#### § 2302. Jurisdiction

The District Court shall have original and concurrent jurisdiction with the Superior Court over all prosecutions for violation of this Title. All fines and forfeitures collected under this Title shall accrue to the ~~District Court~~ General Fund, except for overload violations, only \$5 or 13%, whichever is the greater, of each such overload fine or forfeiture collected through the District Court, shall accrue to the ~~District Court~~ General Fund and the balance thereof shall accrue to the General Highway Fund.

**Sec. 143. R. S., T. 30, § 403, amended.** The last paragraph of section 403 of Title 30 of the Revised Statutes, as enacted by section 4 of chapter 541 of the public laws of 1967, is amended to read as follows:

County commissioners shall forthwith report, in writing, to the State Department of Audit the purpose and anticipated amount of all accounts which are in being on ~~the effective date of this Act~~ April 26, 1968.

**Sec. 144. R. S., T. 30, § 1204, amended.** Section 1204 of Title 30 of the Revised Statutes, as enacted by section 5 of chapter 616 of the public laws of 1971, is amended to read as follows:

#### § 1204. Assessments repealed

In lieu of the assessments provided in sections 1201 ~~and~~, 1202 ~~and~~ 1203-A, said amounts are appropriated from the General Fund to be credited annually on the books of the State to the proper fiscal officer of each county as provided in Title 36, section 342.

**Sec. 145. R. S., T. 30, c. 211, repealed.** Chapter 211 of Title 30 of the Revised Statutes, as enacted by chapter 64 of the public laws of 1973, is repealed.

**Sec. 146. R. S., T. 30, c. 211-A, additional.** Title 30 of the Revised Statutes is amended by adding a new chapter 211-A to read as follows:

**CHAPTER 211-A  
MUNICIPAL RECORDS**

**§ 2211. Short title**

This chapter shall be known and may be cited as the “Municipal Records Law.”

**§ 2212. Definitions**

As used in this chapter, the following terms shall have the meanings indicated, unless the context otherwise requires.

1. **Municipality.** “Municipality” means any municipality operating under general law or charter.
2. **Municipal official.** “Municipal official” means any elected or appointed member of a municipal government.
3. **Record.** “Record” means all documentary material, regardless of media or characteristics, made or received and maintained by a municipality in accordance with law or regulation or in the transaction of its official business.

**§ 2213. General requirements**

The following provisions apply to municipal records.

1. **Omissions or errors corrected.** When omissions or errors exist in municipal or school district records, they shall be corrected under oath by the person whose duty it was to make them correctly, whether or not he remains in office.
  - A. If an original town meeting warrant is lost or destroyed, the return may be made or amended on a copy of it.
2. **Safe or vault for preservation.** Each municipality shall provide a fire-proof safe or vault for the preservation of all completed record books.
  - A. When a record book is completed, the clerk shall deposit it in the safe or vault where it shall be kept, except when required for use.
3. **Attestation.** The records of the clerk may be attested by volume. Each document is sufficiently attested when the volume in which it is recorded bears the attestation with the written signature of the clerk.
4. **Delivery to successor in office.** Municipal officials shall deliver the records of their office to their successors in office upon the expiration of their terms as provided in Title 17, section 3103.
5. **Records available for public use.** Each municipal official shall make records under his supervision available for public use at reasonable times unless the use of such records is otherwise restricted by law.

6. Protection of records. Municipal officials shall carefully protect and preserve the records of their office from deterioration, mutilation, loss or destruction.

7. Disposition of records. No record shall be destroyed or otherwise disposed of by any municipal official, except as provided by the Municipal Records Board. Records which have been determined by the board to possess sufficient archival value to warrant the permanent preservation shall be preserved by the municipality or deposited with the State Archivist.

8. Regulations of Municipal Records Board. Each municipal official shall comply with the standards, procedures and regulations issued by the Municipal Records Board.

#### § 2214. Municipal Records Board

There shall be a Municipal Records Board to consist of 3 municipal officials, one of whom represents a municipality of not more than 3,500 persons, to be appointed for terms of 3 years by the Governor upon the recommendation of the governing board of the Maine Municipal Association, the State Archivist, who shall be chairman, and the State Registrar of Vital Statistics. Any person appointed to fill a vacancy in the membership of the board shall serve for the remainder of the term for which his predecessor was appointed. The board shall meet at the call of the chairman, but not less than 4 times during each calendar year. Three members of the board shall constitute a quorum. Appointive members shall serve without compensation.

#### § 2215. Powers and duties of board

The Municipal Records Board shall establish standards, procedures and regulations for the effective management of municipal records. Such standards, procedures and regulations shall, as far as practical, follow the program established under the "Archives and Records Management Law" to govern the creation, utilization, maintenance, retention, preservation and disposal of state records, except as otherwise provided in this chapter. The board may revise such standards, procedures and regulations as it shall deem necessary. Administrative services shall be provided by the Maine State Archives which shall serve as secretariat of the board.

#### § 2216. Assistance to municipalities

The State Archivist shall provide advice and assistance to municipalities in the establishment and administration of municipal records programs. He shall provide program services to municipalities similar to those furnished the agencies of State Government to the extent he deems desirable in his administration of the state program and facilities. The State Archivist may acquire and maintain sufficient microfilm equipment and supplies to microfilm records that the board may order microfilmed in accordance with section 2205. Such services shall be furnished to municipalities at cost.

#### § 2217. Violation

Whoever violates any provisions of this chapter or rules and regulations of the Municipal Records Board promulgated under section 2205 shall be guilty

of a misdemeanor and shall be punished by a fine of not less than \$100 nor more than \$500, or by imprisonment for not more than 90 days, or by both.

**Sec. 147. Effective date.** Sections 145 and 146 of this Act shall become effective 91 days after adjournment of the Legislature.

**Sec. 148. R. S., T. 30, § 2320, amended.** Section 2320 of Title 30 of the Revised Statutes, as enacted by section 1 of chapter 438 of the public laws of 1969, is amended to read as follows:

**§ 2320. Application**

All municipalities operating under the repealed subchapter II shall be deemed to have made the adoption under section 2311, subsection 1, as of the effective date of this Act **October 1, 1969.**

**Sec. 149. R. S., T. 30, § 2460, sub-§§ 1-3, amended.** Subsections 1, 2 and 3 of section 2460 of Title 30 of the Revised Statutes, as enacted by section 5 of chapter 481 of the public laws of 1965, are amended to read as follows:

1. **In existence.** Those lawfully in existence on ~~the effective date of this Act~~ **May 11, 1966** and located in areas adjacent to any portion of a highway incorporated in the Interstate or Primary Systems;

2. **On certain highways.** Those lawfully along any highway made a part of the Interstate or Primary Systems on or after ~~the effective date of this Act~~ **May 11, 1966**; and,

3. **To be established.** Those lawfully established on or after ~~the effective date of this Act~~ **May 11, 1966.**

**Sec. 150. R. S., T. 30, § 4756, amended.** The first sentence of section 4756 of Title 30 of the Revised Statutes, as enacted by section 18 of chapter 470 of the public laws of 1969, is amended to read as follows:

The state authority shall have the power to purchase or to make commitments to purchase from banks, life insurance companies, savings and loan associations, the Federal Government and other financial institutions lawfully doing business in the State of Maine, the interest bearing obligations secured by mortgages and notes which are a first lien on land and improvements in Maine constituting one family or multi-family units, except that an obligation shall not be eligible for purchase by the state housing authority if the date of said obligation is prior to ~~the effective date of this subchapter~~ **October 1, 1969.**

**Sec. 151. R. S., T. 30, § 5055, sub-§ 6, repealed.** Subsection 6 of section 5055 of Title 30 of the Revised Statutes, as enacted by section 2 of chapter 605 of the public laws of 1971, is repealed.

**Sec. 152. R. S., T. 30, § 5343, amended.** Section 5343 of Title 30 of the Revised Statutes, as enacted by section 1 of chapter 423 and as repealed and replaced by section 68 of chapter 513, both of the public laws of 1965, is amended to read as follows:

**§ 5343. Title**

This chapter may be cited as the "~~Municipal Industrial and Recreational Obligations Act~~" "**Municipal Securities Approval Act.**"

**Sec. 153. R. S., T. 32, § 871, amended.** The first paragraph of section 871 of Title 32 of the Revised Statutes, as enacted by section 10 of chapter 484 of the public laws of 1967 and as amended by section 3 of chapter 55 and by chapter 57, both of the public laws of 1973, is repealed and the following enacted in place thereof:

No security, not exempt under section 873 or section 807, shall be sold, except in a transaction exempted by section 874 or section 807, within this State, until there shall have been filed with the Bank Commissioner a notice of intention to sell such security, accompanied by a filing fee of \$50, and this prohibition shall not extend to offers, solicitations or other preliminary negotiations, with no consideration paid or received, no transfer or delivery of any security made, and no binding option, subscription or other contract entered into.

**Sec. 154. R. S., T. 32, § 1658-F, sub-§ 1, amended.** The first paragraph of subsection 1 of section 1658-F of Title 32 of the Revised Statutes, as enacted by chapter 320 of the public laws of 1969, is amended to read as follows:

Applicants who do not meet the experience qualification on ~~the effective date of this chapter~~ **October 1, 1969** may obtain a license by successfully passing a qualifying examination, provided the applicant:

**Sec. 155. R. S., T. 32, § 1663, amended.** Section 1663 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 423 of the public laws of 1967, is amended to read as follows:

**§ 1663. Other legally recognized professions not affected**

This chapter shall not be construed to affect or prevent the practice of any other legally recognized profession nor prevent any person who was duly registered as a professional engineer prior to ~~the effective date of this Act~~ **October 7, 1967** from engaging in the practice of land surveying. ~~Said registered professional engineer shall upon application and payment of fee be registered as a land surveyor under this chapter, provided application is made within 2 years after the effective date of this Act~~

**Sec. 156. R. S., T. 32, § 1683, repealed.** Section 1683 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 423 of the public laws of 1967, is repealed.

**Sec. 157. R. S., T. 32, § 2716, sub-§ 2, ¶ D, sub-¶ (5), amended.** Subparagraph (5) of paragraph D of subsection 2 of section 2716 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 257 of the public laws of 1969, is amended to read as follows:

(5) Notwithstanding the other provisions of this chapter, the above criteria for spacing and lighting shall not apply to signs as of ~~the effective date hereof~~ **October 1, 1969** in zoned and unzoned commercial and industrial areas in the compact or built-up sections of cities and towns adjacent to primary highways.

**Sec. 158. R. S., T. 32, § 2719, sub-§ 4, ¶¶ B-D, amended.** Paragraphs B, C and D of subsection 4 of section 2719 of Title 32 of the Revised Statutes,

as enacted by section 1 of chapter 257 of the public laws of 1969, are amended to read as follows:

**B.** Those lawfully in existence on ~~the effective date of this chapter~~ **October 1, 1969**;

**C.** Those lawfully on any highway made a part of the interstate or primary systems on or after ~~the effective date of this chapter~~ **October 1, 1969**;

**D.** Those lawfully erected on or after ~~the effective date of this chapter~~ **October 1, 1969**.

**Sec. 159. R. S., T. 32, § 3295, additional.** Title 32 of the Revised Statutes is amended by adding a new section 3295 to read as follows:

**§ 3295. Communications between physicians and patients**

Except at the request of, or with the consent of, the patient, no duly licensed physician shall be required to testify in any civil or criminal action, suit or proceeding at law or in equity respecting any information which he may have acquired in attending, examining or treating the patient in a professional capacity if such information was necessary to enable him to furnish professional care to the patient. However, when the physical or mental condition of the patient is at issue in such action, suit or proceeding or when a court in the exercise of sound discretion, deems such disclosure necessary to the proper administration of justice, no information communicated to, or otherwise learned by, such physician in connection with such attendance, examination or treatment shall be privileged and disclosure may be required.

Nothing in this section shall prohibit disclosure by a physician of information concerning a patient when such disclosure is required by law.

**Sec. 160. R. S., T. 32, § 3836, amended.** The first sentence of section 3836 of Title 32 of the Revised Statutes, as enacted by section 82 of chapter 544 of the public laws of 1967, is repealed as follows:

~~For a period of one year from October 7, 1967 the board shall grant, upon payment of the regular fee, a license as Psychologist to any applicant presently holding a valid certificate in psychology issued by the Maine Board of Examiners of Psychologists~~

**Sec. 161. R. S., T. 32, § 3971, amended.** The 7th sentence of section 3971 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 344 of the public laws of 1967, is amended to read as follows:

Within 90 days following ~~the effective date of this Act~~ **October 7, 1967**, the Governor, with the advice and consent of the Council, shall appoint 3 additional members to the board, who shall be noncertified public accountants and whose terms shall expire as follows: One whose term shall expire September 1st in the first year after his appointment; one whose term shall expire September 1st in the 2nd year after his appointment; and one whose term shall expire September 1st in the 3rd year after his appointment.

**Sec. 162. R. S., T. 32, § 3980, amended.** Section 3980 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 344 of the public laws of 1967, is amended to read as follows:

**§ 3980. Certificate**

Any person who shall have received from the board a certificate of his qualifications to practice as a certified public accountant, prior to ~~the effective date of this Act~~ **October 7, 1967** or as provided in section 3981, shall be styled and known as a certified public accountant, and no other persons shall assume such title or use the abbreviation C.P.A. or any other words, letters or figures to indicate that the person using the same is such certified public accountant.

**Sec. 163. R. S., T. 32, § 3994, sub-§ 11, amended.** The last sentence of subsection 11 of section 3994 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 344 of the public laws of 1967, is amended to read as follows:

A sole proprietor or partnership lawfully using such title or designation in conjunction with such names or designation on ~~the effective date of this chapter~~ **October 7, 1967** may continue to do so, if he or it otherwise complies with this chapter.

**Sec. 164. R. S., T. 32, § 4177, amended.** Section 4177 of Title 32 of the Revised Statutes, as enacted by chapter 237 of the public laws of 1969, is amended to read as follows:

**§ 4177. Without examination, other owners**

Certificates may be issued without examination to the person or persons certified by the governing body or owner to have been in direct responsible charge of a wastewater treatment plant on ~~the effective date of this chapter~~ **October 1, 1969**. A certificate so issued will be valid only for that particular classification level of treatment plant or system.

**Sec. 165. R. S., T. 32, § 4181, amended.** The first sentence of section 4181 of Title 32 of the Revised Statutes, as enacted by chapter 237 of the public laws of 1969 and as amended by section 12 of chapter 618 of the public laws of 1971, is further amended to read as follows:

On and after one year following ~~the effective date of this chapter~~ **October 1, 1969**, it shall be unlawful for any person, firm or corporation, both municipal and private, operating a wastewater treatment plant to operate same unless the competency of the operator only is certified to by the board under this chapter.

**Sec. 166. R. S., T. 32, § 4193, amended.** Section 4193 of Title 32 of the Revised Statutes, as enacted by section 65 of chapter 590 of the public laws of 1969 and as amended, is further amended to read as follows:

**§ 4193. Registration without examination**

Any person in the Armed Forces of the United States on ~~the effective date of this chapter~~ **October 1, 1969**, who was employed as a social worker prior to entrance into the Armed Forces, shall be certified as a registered or associate social worker without examination, provided he makes application for registration within 3 months after separation or release from the Armed Forces and provided he otherwise qualifies as set forth in this section.

**Sec. 167. R. S., T. 33, § 751, sub-§ 5, repealed.** Subsection 5 of section 751 of Title 33 of the Revised Statutes, as repealed and replaced by chapter 321 of the public laws of 1971, is repealed as follows:

~~5. Certain corporation certificates. Receiving and filing a certificate of election of clerk of a corporation, resignation of such clerk, or certificate of change of name or change of location of a corporation, §1;~~

**Sec. 168. R. S., T. 33, § 751, sub-§ 7, amended.** Subsection 7 of section 751 of Title 33 of the Revised Statutes, as repealed and replaced by chapter 321 of the public laws of 1971, is amended to read as follows:

7. **Organization of corporation.** Recording certificate of organization of corporations and certifying copies thereof for filing with the Secretary of State: Corporation ~~with capital stock, the sum of \$8, and~~ without capital stock, the sum of \$5;

**Sec. 169. R. S., T. 33, § 1001, sub-§ 2, amended.** Subsection 2 of section 1001 of Title 33 of the Revised Statutes is amended to read as follows:

2. **Bank.** A "bank" is a trust company, national banking association, savings bank or industrial ~~bank loan company.~~

**Sec. 170. R. S., T. 33, § 1004, amended.** The 4th paragraph of section 1004 of Title 33 of the Revised Statutes, as amended by section 122 of chapter 622 of the public laws of 1971, is further amended to read as follows:

To the extent that the custodial property is not so expended, the custodian shall deliver or pay it over to the minor on his attaining the age of ~~20~~ 18 years or, if the minor dies before attaining the age of ~~20~~ 18 years, he shall thereupon deliver or pay it over to the estate of the minor.

**Sec. 171. R. S., T. 33, § 1007, amended.** The first sentence of the 3rd paragraph from the end of section 1007 of Title 33 of the Revised Statutes, as amended by section 17 of chapter 285 of the public laws of 1967, is further amended to read as follows:

If a person designated as custodian or as successor custodian by the custodian as provided in this section is not eligible, dies or becomes legally incapacitated before the minor attains the age of ~~21~~ 18 years and if the minor has a guardian, the guardian of the minor shall be successor custodian.

**Sec. 172. R. S., T. 34, § 710, amended.** The first sentence of section 710 of Title 34 of the Revised Statutes, as last repealed and replaced by section 2 of chapter 346 of the public laws of 1969, is amended to read as follows:

If a convict sentenced to the State Prison for life or for a limited term of years or transferred thereto from the Men's Correctional Center under section 808-A or committed thereto for safekeeping under Title 15, section 453, assaults any officer or other person employed in the government thereof, or breaks or escapes therefrom, or forcibly attempts to do so, he may be punished by confinement to hard labor for any term of years, to commence after the completion of his former sentence or upon termination of such sentence by the State ~~Probation and~~ Parole Board; said termination shall not take place sooner than

the expiration of the parole eligibility hearing date applicable to his former sentence.

**Sec. 173. R. S., T. 34, § 859, amended.** The 2nd sentence of section 859 of Title 34 of the Revised Statutes, as repealed and replaced by section 20 of chapter 391 of the public laws of 1967, is amended to read as follows:

Whenever it is made to appear to the State ~~Probation and~~ Parole Board, by the superintendent, that the interests of the inmate and of the public indicate the desirability of discharge from the sentence being served at the time of escape or attempted escape, in order to commence the sentence for escape or attempted escape, it may parole the inmate and simultaneously order that the superintendent issue to such inmate a certificate of discharge from the sentence being served at the time of escape or attempted escape.

**Sec. 174. R. S., T. 34, § 859, amended.** The 2nd sentence of the 2nd paragraph of section 859 of Title 34 of the Revised Statutes, as repealed and replaced by section 20 of chapter 391 of the public laws of 1967, is amended to read as follows:

Any sentence imposed upon a prisoner as a result of conviction on the charge of escape or attempted escape shall begin at the expiration of the sentence being served at the time of escape or attempted escape, except that, upon recommendation of the superintendent, the State ~~Probation and~~ Parole Board, upon expiration of the parole eligibility hearing date applicable to the sentence being served at the time of escape or attempted escape, may enter the prisoner upon execution of the sentence for escape or attempted escape, either terminating the said former sentence or continuing execution thereof.

**Sec. 175. R. S., T. 34, § 1391, amended.** The last sentence of the first paragraph of section 1391 of Title 34 of the Revised Statutes is amended to read as follows:

The request of the prisoner shall be accompanied by a certificate of the warden, Commissioner of Mental Health and Corrections or other official having custody of the prisoner, stating the term of commitment under which the prisoner is being held, the time already served, the time remaining to be served on the sentence, the amount of good time earned, the time of parole eligibility of the prisoner and any decisions of the State ~~Probation and~~ Parole Board relating to the prisoner.

**Sec. 176. R. S., T. 34, § 2084, amended.** The first paragraph of section 2084 of Title 34 of the Revised Statutes, as enacted by chapter 219 of the public laws of 1971, is amended to read as follows:

Upon 14 ~~days~~ **days'** written notice to the parent or guardian of any person admitted to the Regional Care Facility, if the person is under the age of ~~20~~ **18** years, or to the guardian of the person if he is over the age of ~~20~~ **18** years, the administrator of the Regional Care Facility may discharge any such person to the custody of the parent or guardian, whichever is applicable, or to the custody of any suitable person, agency or institution, subject to the approval of such parent or guardian.

**Sec. 177. R. S., T. 34, § 2084, amended.** The first sentence of the 2nd paragraph of section 2084 of Title 34 of the Revised Statutes, as enacted by chapter 219 of the public laws of 1971, is amended to read as follows:

Upon ~~10 days~~ **days'** written notice to the administrator of the Regional Care Facility, any person admitted thereto, may be withdrawn therefrom by the parent or guardian of the person, if he is under the age of ~~20~~ **18** years, or by the guardian of the person, if he is over the age of ~~20~~ **18** years; provided that in the case of a person admitted to the Regional Care Facility when, in the opinion of the administrator of such facility, withdrawal of such person to the custody of the person making application therefor would be harmful to the severely or profoundly mentally retarded person, the administrator of the Regional Care Facility may petition for a judicial determination of such person's need for continuing residence at the Regional Care Facility as provided in section 2083, within 10 days from the receipt of the request for withdrawal, and in such case, the severely or profoundly mentally retarded person shall remain at the Regional Care Facility until disposition of the matter by the probate court.

**Sec. 178. R. S., T. 34, § 2512, amended.** The last paragraph of section 2512 of Title 34 of the Revised Statutes, as enacted by section 2 of chapter 62 of the public laws of 1971, is amended to read as follows:

On and after January 1, 1972, the department shall not charge any parent for the care and treatment of a child beyond the child's ~~20th~~ **18th** birthday, or beyond 6 months from the date of admission, whichever occurs later.

**Sec. 179. R. S., T. 34, § 2515, sub-§ 4, repealed.** Subsection 4 of section 2515 of Title 34 of the Revised Statutes, as enacted by section 8 of chapter 62 of the public laws of 1971, is repealed as follows:

~~4. Claims. Claims filed against such estate under Title 22, section 3453~~

**Sec. 180. R. S., T. 36, § 382, amended.** Section 382 of Title 36 of the Revised Statutes, as amended by section 6 of chapter 502 of the public laws of 1969, is further amended to read as follows:

**§ 382. Failure of assessor to furnish information**

If the assessors of any town or some one of them fail to appear before the State Tax Assessor or his agent as provided in this Title, or to transmit to him the lists named within 10 days after the mailing or publication of notice or notices to them to so appear or transmit said lists, the State Tax Assessor may in his discretion report the valuation of the estates and property and lists of polls liable to taxation in the town so in default, as ~~it~~ **he** shall deem just and equitable.

**Sec. 181. R. S., T. 36, § 653, sub-§ 1, ¶ B, amended.** Paragraph B of subsection 1 of section 653 of Title 36 of the Revised Statutes, as amended by section 5 of chapter 67 of the public laws of 1967, is further amended to read as follows:

~~B. The polls of all veterans who served in the Armed Forces of the United States in the Philippine Insurrection or any federally recognized~~

~~war period prior thereto; or~~ who receive a state pension; or who served in World Wars I, II, the Korean Campaign or the Viet Nam War and are receiving retirement pay or compensation or vocational training from the United States Government on account of disability incurred in or aggravated by service in said wars.

**Sec. 182. R. S., T. 36, § 843, amended.** The last sentence of section 843 of Title 36 of the Revised Statutes is amended to read as follows:

Either party may appeal from the decision of the board of assessment review directly to the Superior Court ~~under the conditions provided for in section 846.~~

**Sec. 183. R. S., T. 36, § 843-A, amended.** The last sentence of section 843-A of Title 36 of the Revised Statutes, as enacted by section 2 of chapter 426 of the public laws of 1965, is amended to read as follows:

Either party may appeal from the decision of said board to the Superior Court ~~under the conditions provided for in section 846.~~

**Sec. 184. R. S., T. 36, § 844, amended.** The last sentence of section 844 of Title 36 of the Revised Statutes is amended to read as follows:

Either party may appeal from the decision of said county commissioners to the Superior Court ~~under the conditions provided for in section 846.~~

**Sec. 185. R. S., T. 36, § 848-A, amended.** The first sentence of section 848-A of Title 36 of the Revised Statutes, as enacted by section 2 of chapter 343 of the public laws of 1969, is amended to read as follows:

In any proceedings under sections 841 to 845, 847 to 849, the assessment ratio of the municipality, as certified to the State Tax Assessor in accordance with section 383, shall be prima facie evidence of the proportion of just value at which property in the municipality was assessed for the year in question.

**Sec. 186. R. S., T. 36, § 849, amended.** The first paragraph of section 849 of Title 36 of the Revised Statutes is amended to read as follows:

If upon the trial provided for in sections 845 ~~to~~, 847 and 848 it appears that the applicant has complied with all provisions of law, he may be granted such abatement as the court deems reasonable, under the same circumstances as an abatement may be granted by the county commissioners.

**Sec. 187. R. S., T. 36, § 1284, amended.** The first sentence of section 1284 of Title 36 of the Revised Statutes, as amended, is further amended to read as follows:

The State Tax Assessor may bring a civil action in his own name to enforce the lien on real estate created by section 552, to secure the payment of state, county and forestry district taxes assessed under sections 1141 ~~1144~~ and 1331 upon real estate not liable to be assessed in any town.

**Sec. 188. R. S., T. 36, § 2514, amended.** The 2nd sentence of section 2514 of Title 36 of the Revised Statutes, as enacted by chapter 412 of the public laws of 1969, is amended to read as follows:

Sections 2511, 2512 and 2513 shall not apply to any premium from an insurance contract, which premium is received prior to ~~the effective date of this Act~~ **October 1, 1969**, or any consideration, regardless of when received, from any retirement annuity contracts issued by an insurance or annuity company organized and operated without profit to any private shareholder or individual exclusively for the purpose of aiding nonproprietary educational and scientific institutions pursuant to a retirement program established under section 403(b) of the United States Internal Revenue Code.

**Sec. 189. R. S., T. 36, § 2963, amended.** The last sentence of section 2963 of Title 36 of the Revised Statutes, as enacted by section 1 of chapter 198 of the public laws of 1965, is amended to read as follows:

Such credit shall lapse at the end of the last quarter of the year following that in which the credit arose ~~provided that any credit to which any motor carrier is entitled as of September 30, 1965 shall not lapse until December 31, 1966.~~

**Sec. 190. R. S., T. 36, § 4752, amended.** The 3rd sentence of the 2nd paragraph of section 4752 of Title 36 of the Revised Statutes is repealed as follows:

~~Notice and hearing of such appeal shall be given and held in the manner provided by section 846~~

**Sec. 191. R. S., T. 38, § 231, sub-§ 4, ¶ D, amended.** The first sentence of paragraph D of subsection 4 of section 231 of Title 38 of the Revised Statutes, as enacted by section 47 of chapter 403 of the public laws of 1971 and as amended by chapter 15 and by section 9 of chapter 17, both of the public laws of 1973, is repealed and the following enacted in place thereof:

**Regulations governing the horsepower of motors used to propel watercraft on all internal waters of this State.**

**Sec. 192. R. S., T. 38, § 231, sub-§ 4, ¶ D, amended.** The 2nd sentence of paragraph D of subsection 4 of section 231 of the Revised Statutes, as enacted by chapter 15 of the public laws of 1973, is repealed and the following enacted in place thereof:

**For the purpose of this paragraph, internal waters shall be the same as inland waters.**

**Sec. 193. R. S., T. 38, § 231, sub-§ 4, ¶ D, amended.** The 3rd sentence of paragraph D of subsection 4 of section 231 of the Revised Statutes, as enacted by chapter 15 of the public laws of 1973, is repealed as follows:

~~The acreage of said waters shall be those acreages as determined from data available in the records of the Department of Inland Fisheries and Game~~

**Sec. 194. Effective date.** Sections 191, 192 and 193 of this Act shall become effective on January 2, 1974.

**Sec. 195. R. S., T. 38, § 422, repealed.** Section 422 of Title 38 of the Revised Statutes, as enacted by chapter 599 of the public laws of 1971, is repealed.

**Sec. 196. R. S., T. 38, § 423, additional.** Title 38 of the Revised Statutes is amended by adding a new section 423 to read as follows :

**§ 423. Discharge of waste from watercraft**

No person, firm, corporation or other legal entity shall discharge, spill or permit to be discharged sewage, garbage or other waste material from watercraft, as defined in section 201, subsection 14, and including houseboats, into inland waters of this State, or on the ice thereof, or on the banks thereof in such a manner that the same may fall or be washed into such waters, or in such manner that the drainage therefrom may flow into such waters.

Any watercraft, as defined in section 201, subsection 14, including houseboats, operated upon the inland waters of this State and having a permanently installed sanitary waste disposal system shall have securely affixed to the interior discharge opening of said sanitary waste disposal system a holding tank or suitable container for holding sanitary waste material so as to prevent its discharge or drainage into the inland waters of the State.

Whoever violates any provision of this section or any regulation adopted under authority of this section shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$500.

**Sec. 197. R. S., T. 38, § 460, amended.** The first paragraph of section 460 of Title 38 of the Revised Statutes, as enacted by section 12 of chapter 475 of the public laws of 1967 and as amended is further amended to read as follows :

In addition to the powers and duties hereinbefore specified in this Title with respect to water, the board is authorized, empowered and directed to conduct a study or studies including such research and investigation as may be necessary relating to air pollution, its causes, effects and possible prevention, control and abatement and shall make a report of its findings, including recommendations for future action to the 104th Legislature in regular session.

**Sec. 198. R. S., T. 38, § 482, sub-§ 2, amended.** Subsection 2 of section 482 of Title 38 of the Revised Statutes, as enacted by section 2 of chapter 571 of the public laws of 1969 and as amended, is further amended to read as follows :

2. **Development which may substantially affect the environment.** "Development which may substantially affect the environment," in this Article called "development," means any state, municipal, quasi-municipal, educational, charitable, commercial or industrial development, including subdivisions, but excluding state highways and state aid highways, which ~~require~~ **requires** a license from the board, or which occupies a land or water area in excess of 20 acres, or which contemplates drilling for or excavating natural resources, on land or under water, excluding borrow pits for sand, fill or gravel, regulated by the Department of Transportation and pits of less than 5 acres, or which occupies on a single parcel a structure or structures in excess of a ground area of 60,000 square feet.

**Sec. 199. R. S., T. 38, § 542, sub-§ 2, repealed.** Subsection 2 of section 542 of Title 38 of the Revised Statutes, as enacted by section 1 of chapter 572 of the public laws of 1969, is repealed as follows :

**2. Board.** ~~"Board" shall mean the Board of Arbitration~~

**Sec. 200.** R. S., T. 38, § 551, sub-§ 2, ¶ A, amended. Paragraph A of subsection 2 of section 551 of Title 38 of the Revised Statutes, as enacted by section 1 of chapter 572 of the public laws of 1969 and as amended by section 12 of chapter 618 of the public laws of 1971, is further amended to read as follows:

**A.** If the claimant, the board and the person causing the discharge can agree to the damage claim, the board shall certify the amount of the claim and the name of the claimant to the Treasurer of State and the Treasurer of State shall pay the same from the Maine Coastal ~~Petroleum~~ Protection Fund.

**Sec. 201.** R. S., T. 38, § 551, sub-§ 6, ¶ B, amended. Paragraph B of subsection 6 of section 551 of Title 38 of the Revised Statutes, as enacted by section 1 of chapter 572 of the public laws of 1969, is amended to read as follows:

**B.** In the case of a licensee promptly reporting a discharge as required by this ~~article subchapter~~, costs involved in the abatement of any single prohibited discharge including ~~3rd~~ third party claims in excess of \$15,000 over and above payments received under any federal program.

**Sec. 202.** P. & S. L., 1971, c. 45, § 18, amended. The first paragraph of section 18 of chapter 45 of the private and special laws of 1971 is amended to read as follows:

There shall be a lien on real estate served or benefited by the sewers or sewerage treatment facilities of the district to secure the payment of rates, tolls, rents and entrance charges, established pursuant to authority of section 17 or any other lawful authority and payments due to the district under any agreement with a user under section ~~9~~ 8. Said lien shall take precedence over all other claims on such real estate, excepting only claims for taxes.

**Sec. 203.** P. L., 1971, c. 86, § 2, amended. The last sentence of section 2 of chapter 86 of the public laws of 1971 is amended to read as follows:

Hereafter elections shall continue in a manner so that each district shall at all times have a commissioner elected at large from the ~~district county~~ on the board.

## STATEMENT OF FACT

The purpose of this bill is reflected in the title.