

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
the Revised Statutes of 1964, Title 3 Section 164, Subsection 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1971

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Fifth Legislature  
1971

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this section. All such receipts and disbursements shall be subject to audit and shall be set forth in the county report.

Effective September 23, 1971

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## Chapter 256

### AN ACT to Clarify the Regulation-making Power of the Environmental Improvement Commission.

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

**Sec. 1. R. S., T. 38, § 361, amended.** Section 361 of Title 38 of the Revised Statutes, as amended, is further amended by adding at the end the following new paragraph to read as follows:

The commission may, in accordance with the Administrative Code and after a public hearing, adopt, amend and repeal such reasonable regulations as it deems necessary to carry out this Title or any other laws which it is charged with the duty of administering.

**Sec. 2. R. S., T. 38, § 414, sub-§ 3, amended.** The last paragraph of subsection 3 of section 414 of Title 38 of the Revised Statutes, as repealed and replaced by section 10 of chapter 499 of the public laws of 1969, is repealed as follows:

~~The commission may make reasonable rules and regulations relating to the conduct of hearings held under this section~~

**Sec. 3. R. S., T. 38, § 453, amended.** The first sentence of section 453 of Title 38 of the Revised Statutes is amended to read as follows:

Any person, corporation or other legal entity, who shall violate any of this subchapter, except sections 416 and 417, or who shall fail, neglect or refuse to obey any order or regulation of the commission lawfully issued pursuant hereto, shall be punished by a fine of not less than \$200 nor more than \$1000 for each day of such violation, failure, neglect or refusal after the expiration of any time limit set by the commission.

**Sec. 4. R. S., T. 38, § 454, amended.** Section 454 of Title 38 of the Revised Statutes is amended to read as follows:

#### § 454. Injunctions

In the event of the violation of any of the provisions of this subchapter, or of any order, regulation or decision of the commission or decree of the court as the case may be, the Attorney General may institute injunction proceedings to enjoin the further violation thereof.

Sec. 5. R. S., T. 38, § 484, amended. The first sentence of the 3rd paragraph from the end of section 484 of Title 38 of the Revised Statutes, as enacted by section 2 of chapter 571 of the public laws of 1969, is repealed as follows:

~~The commission shall adopt, and may amend and repeal rules for the conduct of hearings held under this section in the same manner as provided for the adoption, amendment and repeal of rules of practice before it~~

Sec. 6. R. S., T. 38, §§ 595 and 596, amended. Sections 595 and 596 of Title 38 of the Revised Statutes, as enacted by section 1 of chapter 474 of the public laws of 1969, are amended to read as follows:

#### § 595. Enforcement of orders and regulations

All orders and regulations of the commission shall be enforced by the Attorney General. If any order or regulation of the commission is not complied with within the time period specified, the commission shall immediately notify the Attorney General of this fact. Thereafter the Attorney General shall commence an action in the Superior Court of any county where the violation of the commission's order or regulation has occurred, seeking injunctive relief to prohibit further violation thereof.

#### § 596. Violations of orders and regulations; penalties

Any person who violates any order or regulation of the commission shall be subject to the penalties set forth in section 453.

Effective September 23, 1971

## Chapter 257

### AN ACT Relating to Permits for Keeping Certain Wild Animals in Captivity.

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

Whereas, the State of Maine is being plagued by an outbreak of rabies; and

Whereas, the following legislation is vitally necessary to prevent further spread of this dangerous disease; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., T. 12, § 2358, amended. The 2nd and 3rd sentences of the 2nd paragraph of section 2358 of Title 12 of the Revised Statutes, as amended by section 39 of chapter 425 of the public laws of 1969, are repealed as follows: