

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1971

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

laws of 1969, is amended by adding a new paragraph at the end to read as follows:

Signed statements by a medical doctor or osteopathic physician relating to medical questions shall be admissible in workmen's compensation hearings before the Industrial Accident Commission providing that notice of such testimony to be used is given and service of a copy of the letter or report is made on the opposing counsel 14 days before the scheduled hearing to enable such counsel to depose or subpoena and cross-examine such doctor or physician if he so chooses.

Effective September 23, 1971

Chapter 320

AN ACT Relating to Total Incapacity Resulting from Second Injuries under Workmen's Compensation Law.

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

Sec. 1. R. S., T. 39, § 57, amended. The first sentence of the first paragraph of section 57 of Title 39 of the Revised Statutes is amended to read as follows:

If an employee who has previously ~~lost, or lost the use of, one hand, one arm, one foot, one leg or one eye, becomes permanently and totally incapacitated through the loss or loss of use of another member or organ~~ incurred a permanent incapacity by accidental injury, disease or congenital causes, sustains an industrial injury which in combination with the earlier preexisting impairment, shall result in total and permanent impairment, the employer shall be liable only for the compensation payable for such second injury.

Sec. 2. R. S., T. 39, § 57, amended. The last paragraph of section 57 of Title 39 of the Revised Statutes, as amended by chapter 90 of the public laws of 1969, is further amended to read as follows:

In every case of the death of an employee under this Act where there is no person entitled to compensation, the employer shall pay to the Industrial Accident Commission the sum of ~~\$1,000~~ \$1,500, to be deposited with the Treasurer of State for the benefit of said fund, and the commission shall direct the distribution thereof.

Effective September 23, 1971

Chapter 321

AN ACT Amending Fees Charged by Registers of Deeds.

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

R. S., T. 33, § 751, repealed and replaced. Section 751 of Title 33 of the Revised Statutes, as amended by chapter 265 of the public laws of 1965, is repealed and the following enacted in place thereof:

§ 751. Schedule

Except as provided in Title 11, registers of deeds shall receive for :

1. Deed or mortgage. Receiving, recording and indexing any deed or mortgage or any other instrument which is entitled to be recorded and for which a specific fee is not set forth in this section, the sum of \$4 for the first record page and \$1 for each additional record page or portion thereof. In addition, if more than 4 names are to be indexed, a fee of 25¢ shall be paid for each additional name, counting all grantors and grantees;

2. Assignment or discharge. Recording and indexing a discharge of mortgage, assignment of mortgage, partial or complete discharge of attachment, the sum of \$2 each;

3. Municipal quitclaim deed. Recording and indexing a municipal quitclaim deed, the sum of \$3;

4. Copy of writ of attachment in unincorporated place. Receiving from an officer a copy of writ of attachment of real estate or a copy of writ of attachment of personal property in an unincorporated place, minuting it when it is received, keeping it on file and entering it in a book kept for that purpose, \$1;

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;

6. Copy of process against domestic corporation. Filing and indexing copy of process against a domestic corporation, to be paid by the officer serving it, \$1;

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;

8. Liens for internal revenue taxes. Recording and indexing notices and discharges of liens for internal revenue taxes of the United States of America under section 664 when paid by the United States, \$2;

9. Plans. Recording, indexing and preserving plans; the sum of \$5 for plans less than 12" x 22" in size and \$10 for any plans of larger size;

10. Municipal tax liens. Recording and indexing a municipal tax lien filed in accordance with Title 36, section 942, the sum of \$2, together with an additional \$2 for recording and indexing each discharge of a municipal tax lien;

11. Mortgage foreclosure. Recording and indexing a notice of mortgage foreclosure, the sum of \$4;

12. District liens. Receiving, recording and indexing any sewer or water district lien or discharge thereof, the sum of \$1 each;

13. Secured transactions. For receiving, indexing and filing original statements in secured transactions, the sum of \$5;

For receiving, filing and indexing any subsequent statement concerning a secured transaction, such as a continuation or assignment, where the original statement thus modified is already on file, the sum of \$3; and where the original statement is not on file, the sum of \$5;

For receiving, filing and indexing the discharge or termination statement of an original financing statement filed prior to April 1, 1970, the charge prescribed in Title 11, section 9-404; of one filed on or after April 1, 1970, no charge;

14. Abstracts and copies. Making abstracts and copies from the records, a reasonable fee as determined by the county commissioners;

15. When payable. Fees provided by this section shall be paid when the instrument is offered for record, except that fees payable by the State shall be paid monthly by the department or agencies requesting the recording, upon rendition of bills by the register of deeds. Said bills shall be paid within 10 days of receipt of same by the department or agencies.

Effective September 23, 1971

Chapter 322

AN ACT to Amend the Laws Relating to Forcible Entry and Detainer.

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

Sec. 1. R. S., T. 14, § 6001, amended. Section 6001 of Title 14 of the Revised Statutes is amended by adding at the end the following 2 new paragraphs:

The process of forcible entry and detainer shall not be maintained against a tenant by a 3rd party lessee, grantee, assignee or donee of the tenant's premises, if the primary purpose of any conveyance to such lessee, assignee, grantee or donee is to accomplish eviction of the tenant.

Where the tenant proves that within the past 6 months he has complained as an individual, or that a complaint has been made in his behalf, in good faith of conditions in or affecting his dwelling unit which may constitute a violation of a building, housing, sanitary or other code, ordinance, regulation or statute, presently or hereafter adopted, to a body charged with enforcement of such code, ordinance, regulation or statute or such a body has filed a notice or complaint of such a violation, a presumption shall arise that the action of forcible entry and detainer was commenced in retaliation for such complaint or notice. No writ of possession shall issue in the absence of rebuttal of the presumption of retaliation. No writ of possession shall issue when the tenant proves that the action of forcible entry and detainer was commenced in retaliation for the tenant's membership in an organization concerned with landlord-tenant relationships.