

# 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  
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unless such surviving credit union would be in compliance with all other laws of the State regulating the organization of credit unions.

4.—certificate. When the requirements as to approval have been met, including the approval of the commissioner and any federal agency whose approval is required under federal law, in those cases where a federally chartered credit union is involved in the merger, the commissioner shall, if the surviving credit union is chartered under the laws of this State, issue an appropriate certificate which must be filed in all places where original organization certificates are required to be filed in this State. In all cases the commissioner shall cancel the charters of those credit unions which will not exist under the terms of the merger and file notice of such action in all places where organization certificates are required to be filed in this State.

5.—vesting of property. Upon the issuance by the commissioner of a certificate to the surviving credit union, all property, property rights and interests of the merged credit unions shall vest in the surviving credit union, without deed, endorsement or other instruments of transfer, and all debts, obligations and liabilities of the merged credit unions are assumed by the surviving credit union. Thereafter the charter of any merged credit union is void, and the existence of the merged credit union as a legal entity separate from the surviving credit union terminates.

Sec. 8. R. S., T. 17, § 701, amended. Section 701 of Title 17 of the Revised Statutes, as amended by section 4 of chapter 420 of the public laws of 1969, is further amended to read as follows:

#### § 701. Business prohibited

No person, firm, association or corporation shall engage in the business of budget planning. This chapter shall not apply to those admitted to the practice of law or to any bank, trust company, savings and loan association ~~or~~, credit union or any corporation organized by one or more such institutions to provide consumer financial counseling services.

Effective September 23, 1971

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## Chapter 425

### AN ACT Levying a Tax for Research and Promotion of Maine Wild Blueberries.

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

Sec. 1. R. S., T. 36, § 4303-A, additional. Title 36 of the Revised Statutes is amended by adding a new section 4303-A to read as follows:

#### § 4303-A. Additional tax

There is levied and imposed an additional tax at the rate of 1 mill per pound of fresh fruit on all blueberries grown, purchased, sold, handled or processed in this State. The tax shall be computed on a fresh fruit basis,

regardless of how the berries are processed, and shall be neither deducted from the purchase price nor collected from the seller under section 4306.

**Sec. 2. R. S., T. 36, § 4304, amended.** Section 4304 of Title 36 of the Revised Statutes is amended to read as follows:

**§ 4304. Due date**

The tax imposed by section 4303 and the additional tax imposed by section 4303-A shall be due upon any particular lot or quantity of blueberries under section 4307.

**Sec. 3. R. S., T. 36, § 4307, amended.** The 3rd sentence of section 4307 of Title 36 of the Revised Statutes, is amended to read as follows:

With said report, each processor or shipper shall forward payment of the tax at the rate of ~~1~~<sup>2</sup>/<sub>4</sub> 2<sup>1</sup>/<sub>4</sub> mills per pound upon all blueberries so reported as sold or purchased.

**Sec. 4. R. S., T. 36, § 4311, amended.** The first sentence of section 4311 of Title 36 of the Revised Statutes is amended to read as follows:

Moneys received ~~through this chapter~~ from the tax levied by section 4303 by the Treasurer of State shall be appropriated and used for the following purposes:

**Sec. 5. R. S., T. 36, §§ 4312-A and 4312-B, additional.** Title 36 of the Revised Statutes is amended by adding 2 new subsections 4312-A and 4312-B to read as follows:

**§ 4312-A. Appropriation of moneys received**

Moneys received from the tax levied by section 4303-A by the Treasurer of State shall be appropriated and used for the following purposes:

1. **Collection and enforcement.** Collection of the tax provided for by section 4303-A and the enforcement of this chapter as it pertains to processors and shippers, and actual expenses of the advisory board;

2. **Balance of funds.** The remainder for the purpose of research, extension and promotion of Maine wild blueberries under the auspices of the advisory board established in section 4312-B and these funds shall be expended in such a manner and amount as determined by a majority of this advisory board. Any unexpended balance from the apportionment shall not lapse, but shall be carried forward to the same fund for the same purpose for the next fiscal year.

**§ 4312-B. Advisory Board**

A Blueberry Industry Advisory Board consisting of 5 members shall be established and shall be appointed by the Commissioner of Agriculture. Two members shall be appointed for a term of 3 years and 3 members shall be appointed for a term of 2 years. Any vacancy on this board shall be filled for unexpired terms by the Commissioner of Agriculture. Members appointed

to this board by the Commissioner of Agriculture shall have an interest and a general knowledge of the blueberry industry as a whole and shall be a processor or shipper. One member shall be chosen from among the membership by a majority vote to serve as chairman of the advisory board and each member shall be compensated for his actual expenses. For the purpose of conducting business and carrying out the general purposes, the chairman may call meetings or any 3 members may call a meeting in the absence of the chairman.

Effective September 23, 1971

## Chapter 426

**AN ACT Permitting Indian Homes to be Licensed as Foster Homes.**

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

R. S., T. 22, § 3797, sub-§ 1-A, additional. Section 3797 of Title 22 of the Revised Statutes, as amended, is further amended by adding a new subsection 1-A, to read as follows:

1-A. Indian reservations. Subsection 1 shall also apply to homes or day care facilities located upon Indian reservations. The department shall consider for licensure such facilities as are recommended by the Governor and tribal council of the reservations on which they are located.

Effective September 23, 1971

## Chapter 427

**AN ACT Relating to Oral Settlements or Releases from Injured Persons Confined to Hospitals.**

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

R. S., T. 17, § 3964, amended. The first sentence of section 3964 of Title 17 of the Revised Statutes is amended to read as follows:

Except as provided in this section, no settlement or general release or statement either oral, in writing, or electronically recorded signed made by any person confined in a hospital or sanitarium as a patient with reference to any personal injuries for which said person is confined in said hospital or sanitarium shall be admissible in evidence, used or referred to in any manner at the trial of any action to recover damages for personal injuries or consequential damages, so called, resulting therefrom, which statement, settlement or general release was obtained within ~~10~~ 20 days after the injuries were sustained and such settlement or release shall be null and void.

Effective September 23, 1971