

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Fifth Legislature
AT THE
SPECIAL SESSION

January 24, 1972

to

March 10, 1972

B. The names of qualified 10-point preference veterans, who have a compensable service-connected disability of 10% or more, shall be placed at the top of the appropriate register in accordance with their respective augmented ratings, in nonprofessional and nonscientific classes below range 12 of the Compensation Plan.

4. Appointment preference. When names are certified for a position in the state service, and such certification includes a veteran preference eligible, should the appointing official pass over a veteran eligible to select a non-veteran, he shall file with the Personnel Board his reasons in writing for so doing. The Personnel Board shall determine the sufficiency of such reasons and, if found insufficient, shall require the appointing official to submit more detailed information in support of his action, and a copy shall be made available to the veteran eligible upon his request. If reasons deemed sufficient by the Personnel Board for passing over his name shall 3 times have been given by an appointing officer, certification of his name for appointment may thereafter be discontinued.

5. Retention preference. In any reduction in personnel in the state service, veteran preference employees whose service ratings are "good" or better shall be retained in preference to all other competing employees and veteran preference employees whose service ratings are less than "good" shall be retained in preference to competing nonpreference employees who have equal or lower service ratings.

In determining qualifications for examination, appointment, promotion, retention, transfer or reinstatement with respect to veteran preference eligibles under this section, the board or other examining agency may waive requirements as to age, height and weight, provided any such requirement is not essential to the performance of the duties of the position for which examination is given. The board or other examining agency, after giving due consideration to the recommendation of any accredited physician, may waive the physical requirements in the case of any veteran, provided such veteran is, in the opinion of the board or other examining agency, physically able to discharge efficiently the duties of the position for which the examination is given.

This section shall apply to all examinations for original positions in the State Police, the Department of Inland Fisheries and Game and the Department of Sea and Shore Fisheries.

Effective June 9, 1972

CHAPTER 562

AN ACT Relating to Property Tax Exemption of Certain Pollution Control Facilities.

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

Sec. 1. R. S., T. 36, § 656, sub-§ 1, ¶ E, amended. Paragraph E of subsection 1 of section 656 of Title 36 of the Revised Statutes, as repealed and re-

placed by section 2 of chapter 524 of the public laws of 1971, is amended to read as follows:

E. Pollution control facilities.

(1) Water pollution control facilities **having a capacity to handle at least 4,000 gallons of waste per day**, certified as such by the Environmental Improvement Commission, and all parts and accessories thereof.

As used in this paragraph:

(a) "Facility" means any disposal system or any treatment works, appliance, equipment, machinery, installation or structures installed, acquired or placed in operation primarily for the purpose of reducing, controlling or eliminating water pollution caused by industrial, **commercial or domestic** waste.

(b) "Disposal system" means any system used primarily for disposing of or isolating industrial, **commercial or domestic** waste and includes thickeners, incinerators, pipelines or conduits, pumping stations, force mains and all other constructions, devices, appurtenances and facilities used for collecting or conducting water borne industrial, **commercial or domestic** waste to a point of disposal, treatment or isolation, except that which is necessary to the manufacture of products.

(c) "Industrial waste" means any liquid, gaseous or solid waste substance capable of polluting the waters of the State and resulting from any process, or the development of any process, of industry or manufacture.

(d) "Treatment works" means any plant, pumping station, reservoir or other works used primarily for the purpose of treating, stabilizing, isolating or holding industrial, **commercial or domestic** waste.

(e) "Commercial waste" means any liquid, gaseous or solid waste substance capable of polluting the waters of the State and resulting from any activity which is primarily commercial in nature.

(f) "Domestic waste" means any liquid, gaseous or solid waste substance capable of polluting the waters of the State and resulting from any activity which is primarily domestic in nature.

(2) Air pollution control facilities, certified as such by the Environmental Improvement Commission, and all parts and accessories thereof.

As used in this paragraph:

(a) "Facility" means any appliance, equipment, machinery, installation or structures installed, acquired or placed in operation primarily for the purpose of reducing, controlling, eliminating or disposing of industrial air pollutants.

Facilities such as air conditioners, dust collectors, fans and similar facilities designed, constructed or installed solely for the benefit of the per-

son for whom installed or the personnel of such person shall not be deemed air pollution control facilities.

Effective June 9, 1972

CHAPTER 563

AN ACT Relating to Filing Final County Estimates after Adjournment of the Legislature.

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

Whereas, after adjournment of the Legislature there is no copy of the county estimates, as finally enacted by the Legislature, on file with any state agency; and

Whereas, the following legislation is vitally necessary so that the final actions of the Legislature as they relate to the county estimates may be determined in any dispute as to what the Legislature enacted; and

Whereas, the following legislation will prevent any attempt to disregard the changes made by the Legislature; 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. 30, § 253, amended. Section 253 of Title 30 of the Revised Statutes, as amended, is further amended by adding at the end the following new paragraph:

A copy of said estimates, with any amendments attached thereto adopted by the Legislature for the assessment of the county taxes, shall be filed by the Legislature with the State Auditor who shall retain the same for a period of 3 years, and shall be a public record at the office of the clerk of courts in all counties.

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

Effective February 7, 1972