

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

CHAPTER 584

AN ACT Implementing the Reorganization of the Department of Commerce and Industry.

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

Sec. 1. R. S., T. 10, § 401, amended. Section 401 of Title 10 of the Revised Statutes, as amended, is further amended to read as follows:

§ 401. Commissioner

The Department of Economic Development, as heretofore established and hereinafter in this chapter called the "department," is renamed the Department of Commerce and Industry and wherever the words "Department of Economic Development" appear in the Revised Statutes they shall mean Department of Commerce and Industry. The department shall be under the supervision and control of a Commissioner of ~~Economic Development Commerce and Industry~~, hereinafter in this chapter called the "commissioner." ~~He shall be appointed by the Governor with the advice and consent of the Council for a term of 4 years and shall hold office until his successor is appointed and qualified.~~

~~The commissioner may be removed by the Governor and Council. Any vacancy in said office shall be filled by appointment for a like term in the same manner as hereinbefore provided.~~

Sec. 2. R. S., T. 10, § 8101, amended. Section 8101 of Title 10 of the Revised Statutes, as enacted by section 1 of chapter 481 of the public laws of 1971, is amended to read as follows:

§ 8101. Department; commissioner

There is created and established the Department of Commerce and Industry to enhance the economic and social well-being of the people of Maine by assisting and promoting economic and community development, activities and opportunities; by encouraging new enterprises and the expansion of proven existing enterprises and activities seeking ultimately the improvement in both the quality and quantity of job opportunities ~~in~~ and community services to consist of a Commissioner of Commerce and Industry appointed by the Governor with the advice and consent of the Council to serve ~~at the pleasure of the Governor and Council~~ a term coterminous with the Governor and subject to removal for cause by the Governor and Council and the following as heretofore created and established: the Department of Economic Development, the Economic Development Advisory Council, the Office of Municipal Coordinator and the State Technical Services Program ~~the Maine Industrial Building Authority, the Maine Municipal Securities Approval Board and the Maine Recreation Authority.~~

Sec. 3. Funds and equipment transferred. Notwithstanding the Revised Statutes, Title 5, section 1585, all accrued expenditures, assets, liabilities, balances of appropriations, transfers, revenues or other available funds in any account, or subdivision of an account, of any agency to be reallocated to another department strictly as a result of the reorganization effort, shall be

transferred to the proper place in the new structure by the State Controller, upon recommendation of the department head, the State Budget Officer and upon approval by the Governor and Executive Council.

Effective June 9, 1972

CHAPTER 585

AN ACT Relating to Use of Drugs on Animals at Agricultural Fairs.

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

Whereas, there is some indication that drugs or other substances are used to influence the natural performance of animals in competition at agricultural fairs; and

Whereas, the 105th Legislature by chapter 87 of the public laws of 1971 attempted to correct this condition; and

Whereas, such legislation has been proved to be unenforceable and should be amended to carry out the legislative intent; and

Whereas, the following legislation is vitally necessary to enable the Commissioner of Agriculture to investigate such conditions and to correct them; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of the State 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:

Sec. 1. R. S., T. 7, § 74, repealed and replaced. Section 74 of Title 7 of the Revised Statutes, as enacted by chapter 87 of the public laws of 1971, is repealed and the following enacted in place thereof:

§ 74. Certain substances prohibited

No person shall feed, inject, insert or otherwise administer any drug, depressant, stimulant or sedative, which may affect the conduct, actions, endurance, strength, speed or performance of any animal, to any animal competing in any pulling competition. The Commissioner of Agriculture may require that any such animal before, during or after such competition be subjected to such tests as he may deem necessary for the detection of such drugs or substances. No person who owns or has custody of any animal competing in any such competition shall refuse to secure or restrain or shall interfere with the securing and restraining of any such animal as may be necessary for expeditious application of such tests or necessary identification. All such tests shall be administered by an authorized agent of the commissioner.