

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

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

1973

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

Sec. 1. R. S., T. 29, § 1312, sub-§ 10, ¶ A, amended. The first sentence of paragraph A of subsection 10 of section 1312 of Title 29 of the Revised Statutes is amended to read as follows:

Whoever shall operate or attempt to operate a motor vehicle within this State while under the influence of intoxicating liquor or drugs, upon conviction for a first offense, shall be punished by a fine of not more than ~~\$200~~ \$1,000 or by imprisonment for not more than 90 days, or by both; and whoever is convicted of a 2nd or subsequent offense shall be punished by a fine of not more than ~~\$1,000~~ \$2,000 or by imprisonment for not more than 6 months, or by both.

Sec. 2. R. S., T. 29, § 1312, sub-§ 10, ¶ A, amended. Paragraph A of subsection 10 of section 1312 of Title 29 of the Revised Statutes is amended by adding after the first paragraph a new paragraph to read as follows:

The imposition of a fine or sentence for a person convicted of a 2nd or subsequent offense under this section shall not be suspended and probation shall not be granted.

Effective October 3, 1973

CHAPTER 186

AN ACT to Place the Position of Director, Bureau of Aeronautics and Director, Bureau of Waterways in the Classified Service.

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

Whereas, the Maine Transportation Act placed the Director of Aeronautics and the Director of Waterways in the unclassified service; and

Whereas, the resourceful and coordinated performance of the Department of Transportation requires that the appointment of all officers and employees within the department be made exclusively by the commissioner; and

Whereas, the following legislation is vitally necessary to expedite the determination of a permanent Director of Waterways and a permanent Director of Aeronautics in order that a routine and coordinated implementation of policy and operation may commence; 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:

Sec. 1. R. S., T. 2, § 6, sub-§ 5, amended. Subsection 5 of section 6 of Title 2 of the Revised Statutes, as enacted by chapter 542 of the public laws

of 1967, as amended by section 1 of chapter 576 of the public laws of 1969, and as amended by section 1 of chapter 531 of the public laws of 1971, is further amended by striking out all of the 12th line from the end as follows:

~~Aeronautical Director;~~

Sec. 2. R. S., T. 23, § 4206, sub-§ 4, amended. Subsection 4 of section 4206 of Title 23 of the Revised Statutes, as enacted by section 16 of chapter 593 of the public laws of 1971, is amended to read as follows:

4. **Personnel.** The commissioner may, subject to the Personnel Law, appoint such deputies, directors, assistants, general counsel and other officers and employees as may be needed for the performance of his duties; ~~except the Director of Aeronautics and the Director of Waterways shall be in the unclassified service and their appointments shall be made by the commissioner, with the advice and consent of the Governor and Council, to serve at the pleasure of the commissioner.~~

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

Effective April 10, 1973

CHAPTER 187

AN ACT Clarifying Sprinkler System Requirements in Boarding Homes.

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

R. S., T. 25, § 2452, amended. The last sentence of the first paragraph of section 2452 of Title 25 of the Revised Statutes, as enacted by chapter 301 of the public laws of 1967, is amended to read as follows:

Automatic sprinkler systems shall not be required in boarding homes prior to July 1, 1969 and thereafter shall not be required in boarding homes having 6 or less boarders or lodgers.

Effective October 3, 1973

CHAPTER 188

AN ACT Clarifying the Law as to Keeping Wild Animals in Captivity.

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

R. S., T. 12, § 1904, amended. Section 1904 of Title 12 of the Revised Statutes, as amended, is further amended by adding a new paragraph at the end to read as follows: