

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

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ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

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1977

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The court may require that the child shall have lived for one year in the home of the petitioners before the petition is granted, and may require that the child, during all or part of said probationary period, shall be under the supervision of the ~~Bureau of Social Welfare~~ Department of Human Services or a licensed child placing agency.

Effective October 24, 1977

CHAPTER 17

AN ACT to Allow the Taking of Suckers with Bow and Arrow.

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

12 MRSA § 2701, 2nd ¶, as last amended by PL 1967, c. 52, is further amended to read:

It shall be lawful to take suckers in all rivers, brooks and streams which are open to fishing between April 1st and June 30th of each calendar year by the use of a hand spear or bow and arrow by persons licensed or otherwise entitled to fish in Maine waters. If by bow and arrow, the arrow must have a barbed or prong point and must be attached to the bow with a line.

Effective October 24, 1977

CHAPTER 18

AN ACT Requiring Public Utilities Commission Regulated Motor Carriers to File a Designated Agent for Service of Process and Court Appearances.

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

Sec. 1. 29 MRSA § 1656, 3rd, 4th & 5th ¶¶'s, as last amended by PL 1971, c. 43, are repealed.

Sec. 2. 35 MRSA § 1565 is enacted to read:

§ 1565. Agents for service of process

Each carrier holding a permit or certificate from the commission under chapter 93 shall file with the commission, in writing, an appointment of a resident of this State to be its true and lawful agent, representative or attorney upon whom all lawful processes may be served, and who may be required to appear in court on behalf of the carrier with the same legal force and validity as if the carrier were itself in court. The written assent of the resident agent, representative or attorney shall be filed with the commission.

Should the carrier fail to file any appointment of a resident agent, representative or attorney as required, the commission shall refuse to issue the permit or certificate or any renewal thereof held by the carrier until such time as the carrier shall file an appointment of resident agent, representative or attorney in compliance with this section.

If any carrier holding a permit or certificate from the commission has been required to appear in any court, through its appointed lawful agent or attorney, and shall fail to comply with or satisfy any lawful order or judgment of the court, the court shall so notify the commission, which shall immediately suspend the permit or certificate held by the carrier until such time as the carrier shall have complied with or satisfied the order or judgment.

Effective October 24, 1977

CHAPTER 19

AN ACT Concerning Witness Fees Under the Public Utility Regulatory Statute.

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

35 MRSA § 300, 1st sentence, is repealed and the following enacted in its place:

Each witness who shall appear before the commission by its order shall receive for his attendance the fees and mileage provided for witnesses in civil cases in the Superior Court, except that this provision shall not apply to the employees, officers, directors, trustees and holders of more than 10% of the common stock of a public utility which is the subject of the commission proceeding. The fees shall be audited and paid by the State in the same manner as other state expenses are audited and paid upon the presentation of proper vouchers approved by the commission.

Effective October 24, 1977

CHAPTER 20

AN ACT Relating to the Definition and Licensing of Applications under the Pesticide Control Law.

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

Sec. 1. 22 MRSA § 1471-C, sub-§ 5, as amended by PL 1975, c. 644, § 2, is repealed and the following enacted in its place: