

# 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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PORTLAND LITHOGRAPH COMPANY  
PORTLAND, MAINE  
1977

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PUBLIC LAWS  
OF THE  
**STATE OF MAINE**  
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ONE HUNDRED AND EIGHTH LEGISLATURE  
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a showing of facts by affidavit of immediate irreparable harm to the consumers of the State. The action may be brought in the Superior Court of the county in which such entity is located or has its principal place of business or may be brought in the Superior Court of Kennebec County. The courts are authorized to issue temporary or permanent injunctions to restrain and prevent violations of this section. Any district attorney or law enforcement officer receiving notice of any alleged violation of this section shall immediately forward written notice of same with any other information that he may have to the office of the superintendent. Any person or entity, who violates the terms of an injunction issued under this section, shall forfeit and pay to the State to be applied to the General Fund a civil penalty of not more than \$10,000 for each violation. For the purposes of this section, the court issuing such injunction shall retain jurisdiction, and the cause shall be continued, and in such cases the superintendent, acting in the name of the State, may petition for recovery of such civil penalty. In any action under this section where a permanent injunction is issued, the court may order the person or entity against whom the permanent injunction has been issued to pay to the State the costs of the investigation of that person or entity by the superintendent and the costs of suit, which fund shall be applied in the carrying out of the duties of the Bureau of Banking.

Effective October 24, 1977

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## CHAPTER 303

### AN ACT Relating to Bidding Procedures Involving the Bureau of Public Improvements.

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

Sec. 1. 5 MRSA § 1743, as last amended by PL 1975, c. 771, § 82, is repealed and the following enacted in its place:

#### § 1743. Competitive bids

Any contract for any public improvement in which the State or any of its agencies hold in fee or by lease hold interest, except contracts for professional, architectural and engineering services, shall be awarded by the Department of Finance and Administration through the Bureau of Public Improvements, under a system of competitive bidding in accordance with chapters 141 to 155 and such other conditions and restrictions as the Governor may from time to time prescribe.

Sec. 2. 5 MRSA § 1745, as last amended by PL 1975, c. 771, § 83, is repealed and the following enacted in its place:

#### § 1745. Advertisement for sealed proposals; bonds

The trustees, commissioners or other persons in charge of any public improvement in an amount in excess of \$25,000, which is subject to chapters 141 to 155 shall, after consultation with the Director of Public Improvements, advertise for sealed proposals not less than 2 weeks in such papers as the Governor may direct. The last advertisement shall be at least one week before the time named therein for the closing of such bids. Sealed proposals for any public improvements shall be addressed to the trustees, commissioners or such other persons having the construction in charge and shall remain sealed until opened at the time and place stated in the advertisement or as the Governor may direct.

No contract in an amount in excess of \$25,000, shall be awarded unless the faithful performance thereof shall be secured by a bond in the penal sum of not less than 20% of the amount of the contract, payable to the State and deposited with the Treasurer of State.

Effective October 24, 1977

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## CHAPTER 304

### AN ACT Relating to Communicable Diseases.

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

Sec. 1. 22 MRSA c. 251, sub-cc. I and II, as amended, are repealed.

Sec. 2. 22 MRSA c. 251, sub-cc. I-A and II-A are enacted to read:

#### SUBCHAPTER I-A

#### GENERAL PROVISIONS

#### ARTICLE I. DEFINITIONS; RULES; PENALTIES;

#### INSPECTIONS; GENERAL AUTHORITY

#### § 1011. Definitions

As used in this chapter, unless the context otherwise requires, the following words and terms shall have the following meanings.

1. Commissioner. "Commissioner" means the Commissioner of Human Services.

2. Communicable disease. "Communicable disease" means an illness due or suspected to be due to a specific infectious agent or its toxic products which results from transmission of that agent or its products to a susceptible host, directly or indirectly.