

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE  
AT THE

SECOND REGULAR SESSION

January 4, 1978 to April 6, 1978

FIRST SPECIAL SESSION

(No laws enacted)

September 6, 1978 to September 15, 1978

SECOND SPECIAL SESSION

October 18, 1978

THIRD SPECIAL SESSION

December 6, 1978

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

---

K. J. Printing  
Augusta, Maine  
1979

---

---

**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED AT THE  
**SECOND REGULAR SESSION**  
of the  
ONE HUNDRED AND EIGHTH LEGISLATURE  
January 4, 1978 to April 6, 1978

---

---

Whereas, it is the intent of the Legislature that structures such as microwave towers are not telephone poles but are real property and should be taxed as such; 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:**

**36 MRSA § 2689, as amended by PL 1965, c. 362, § 8, is repealed and the following enacted in its place:**

**§ 2689. Limited property tax**

The land, buildings and microwave towers or similiar towers, owned by a telephone or telegraph company shall be taxed as real property in the municipality or unorganized territory in which they are situated.

The excise tax imposed by this chapter shall be in lieu of property taxes upon all other property of a telephone and telegraph company, including the poles, wires, conduits, cables, booths, central office equipment, and other machinery and equipment involved in the business of a telegraph or telephone company.

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

Effective February 9, 1978

---

---

**CHAPTER 596**

**AN ACT to Provide Flexibility in the Organizational Structure of the Department of Environmental Protection.**

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

**Sec. 1. 38 MRSA § 342, sub-§§ 4 and 5, as enacted by PL 1971, c. 618, § 8, are repealed and the following enacted in their place:**

**4. Organization of department.** The commissioner, subject to the approval of a majority of the Board of Environmental Protection, shall organize the department into the bureaus, divisions, regional offices and other administrative units that he deems necessary to fulfill the duties of the department and support

the duties of the Board of Environmental Protection. With the approval of a majority of the Board of Environmental Protection, he shall prescribe the functions of the bureaus and other administrative units to insure that the powers and duties of the board are administered efficiently so that all license applications and other business of the department may be expeditiously completed in the public interest.

5. Designation of deputy commissioner. The commissioner shall designate as deputy commissioner, the director of an administrative unit within the department to act as commissioner in case the commissioner is unable to act or a vacancy exists in the office of the commissioner and to perform other duties that may be assigned by the commissioner.

Sec. 2. 38 MRSA § 361, first ¶, last sentence is amended to read:

The members shall be appointed for a term of ~~3~~ 4 years and until their successors are appointed and duly qualified.

Effective July 6, 1978

## CHAPTER 597

**AN ACT to Restore Notice to Policyholders of Right to a Hearing upon Nonrenewal of their Automobile Insurance Policy.**

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

24-A MRSA § 2917, 2nd ¶, as repealed and replaced by PL 1977, c. 403, § 4, is amended by adding at the end the following new sentence:

A notice of a right to apply for a hearing before the Superintendent of Insurance within 15 days as provided herein shall accompany the notice of intent not to renew.

Effective July 6, 1978

## CHAPTER 598

**AN ACT Concerning Brake Requirements on Agricultural Vehicles.**

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