

MAINE STATE LEGISLATURE

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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.

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1979

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

B. Successfully completed the basic training course at the Maine Criminal Justice Academy or its equivalent, as determined by the board of trustees of the academy and has served at least 3 years as a full-time law enforcement officer in the preceding 4 years.

The minimum compensation rate shall not apply to any deputy sheriff who is in a probationary period or who is undergoing disciplinary action.

The compensation shall be established by the respective county commissioners and paid from the respective county treasuries, together with those incidental expenses which may be necessary for the proper enforcement of the laws, bills for which shall be audited as provided in Title 15, section 1902.

All fees received by full-time deputies for the service of civil process shall be deemed fees for the use of the county and shall be paid to the county treasurer for the use and benefit of the county.

2. Part-time deputies. Part-time deputies shall be compensated at a reasonable rate as established by the county commissioners, which shall not exceed the lowest per diem compensation rate of a full-time deputy in the county. No part-time deputy shall be compensated under this section more than \$4,000 in any one calendar or fiscal year. Incidental expenses as may be necessary for the proper enforcement of the laws shall also be paid in the same manner as provided for full-time deputies, and shall not be included in the \$4,000 limitation on compensation. Compensation paid to a part-time deputy for serving as a court officer shall not be included in the \$4,000 limitation on compensation.

3. Special deputies. Special deputies shall only be compensated when on active duty as provided under section 952. They shall be compensated at a rate equal to the rate of compensation of full-time or part-time deputies, depending on the actual duties performed while on active service.

Sec. 8. 34 MRSA § 901, 1st ¶, as repealed and replaced by PL 1977, c. 431, § 18, is amended by adding at the end the following new sentence to read:

The jailer and his subordinate assistants and employees may be deputy sheriffs.

Effective July 6, 1978

CHAPTER 651

AN ACT to Continue the Potato Tax at the Rate of \$.025 per Hundredweight.

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

Whereas, by Public Law 1975, chapter 554, the tax on potatoes will be reduced July 1, 1978, from \$.025 per hundredweight to \$.012 per hundredweight; and

Whereas, it is now apparent to the Legislature that a tax of \$.012 per hundredweight will not generate sufficient revenue to enable the State to properly promote and encourage the sale of potatoes, one of Maine's most important agricultural products; and

Whereas, it is vital to the continued success and growth of Maine's potato industry that the potato tax continue at the rate of \$.025 per hundredweight; and

Whereas, it is the purpose of this Act to continue the tax rate at \$.025 per hundredweight; and

Whereas, this Act must become effective before July 1, 1978, the date when the tax rate would otherwise decrease; 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 § 4565, as last repealed and replaced by PL 1975, c. 554, § 5, is amended to read:

§ 4565. Rate of tax

A tax is levied and imposed at the rate of \$.025 per hundredweight on all potatoes raised in this State ~~prior to July 1, 1978, and at the rate of \$.012 per hundredweight on all potatoes raised in this State after July 1, 1978,~~ except that no tax shall be imposed on any potatoes which are retained by the grower to be used by him for seed purposes or for home consumption.

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

Effective March 16, 1978

CHAPTER 652

AN ACT Providing for Notice to Parents under the Child Abuse and Neglect Statutes.

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