

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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He shall receive a salary of ~~\$400~~ \$450 per week for all official services performed by him during a regular or special session of the Legislature.

Sec. 5. 3 MRSA § 42, 2nd ¶, first sentence, as enacted by PL 1977, c. 564, § 10, is amended to read:

The Assistant Clerk of the House of Representatives shall receive a salary of ~~\$250~~ \$300 per week for all official services performed by him during a regular or special session of the Legislature.

Sec. 6. 3 MRSA § 42, last ¶, as enacted by PL 1975, c. 604, § 6, is amended to read:

The Speaker of the House of Representatives may authorize either the Clerk of the House of Representatives or the Assistant Clerk of the House of Representatives to serve on a full-time basis when the Legislature is not in regular or special session at a salary of ~~\$250~~ \$300 per week.

Sec. 7. 3 MRSA § 164, sub-§ 12, as last amended by P&SL 1973, c. 220, § 4, is further amended to read:

12. **Assistants.** The ~~Director~~ director shall appoint, with the approval of the Legislative Council, an assistant director for a term of 7 years from the date of his appointment and until his successor has been appointed and qualified, and such technical assistants, and shall appoint ~~subject to the Personnel Law~~ such clerical assistants as may be necessary to carry out this chapter.

Sec. 8. 3 MRSA § 174, last ¶, as repealed and replaced by PL 1975, c. 770, § 10, is amended to read:

The State Law Librarian shall appoint, with the approval of the Legislative Council, a deputy law librarian for a term of 7 years from the date of his appointment and until his successor has been appointed and qualified, and employ ~~subject to the Personnel Law~~ such assistants as may be necessary to carry out this subchapter.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved and shall be retroactive to January 3, 1979.

Effective June 11, 1979, unless otherwise indicated.

CHAPTER 397

S. P. 445 — L. D. 1365

AN ACT to Exempt Certain Transportation Statutes from the Maine Administrative Procedure Act.

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

Whereas, it has become critical to exempt certain traffic regulatory activities from the provisions of the Administrative Procedure Act in order to assure adequate traffic safety; 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. 23 MRSA § 1351, as last amended by PL 1973, c. 537, § 25, is further amended by adding after the 4th paragraph a new paragraph to read:

Any rule or regulation relating to traffic control or the installation or maintenance of traffic control signals, devices or signs adopted pursuant to this section shall be exempt from the rule-making provisions of the Maine Administrative Procedure Act, Title 5, chapter 375.

Sec. 2. 29 MRSA § 903, as amended by PL 1971, c. 593, § 22, is further amended by adding at the end a new paragraph to read:

Any regulation restricting the weight, equipment or use over any way or bridge issued pursuant to this section shall be exempted from the provisions of the Maine Administrative Procedure Act, Title 5, chapter 375.

Sec. 3. 29 MRSA § 948, as amended by PL 1971, c. 593, § 22, is further amended by adding after the 2nd paragraph a new paragraph to read:

Any throughway designation or sign erected pursuant to this section shall be exempt from the Maine Administrative Procedure Act, Title 5, chapter 375.

Sec. 4. 29 MRSA § 1251, first ¶, as last amended by PL 1975, c. 315, is further amended by adding after the 2nd sentence a new sentence to read:

Any adjustment to the rate of speed established pursuant to this section shall be exempt from the provisions of the Maine Administrative Procedure Act, Title 5, chapter 375.

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