

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

AT THE

**SECOND REGULAR SESSION**

January 2, 1980 to April 3, 1980

AND AT THE

**THIRD SPECIAL SESSION**

May 22, 1980

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TITLE 3, SECTION 164, SUBSECTION 6.

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**PUBLIC LAWS**  
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securities under this section, provided that such assignment shall not be made without prior notification to the contracting agency of the State and the Treasurer of State. Such assignment shall not impair the equitable rights of the contractor's surety in the retained payments or in the securities substituted therefor in the event of the contractor's default in the performance of the contract or in the payment of labor and material bills or other obligations covered by the surety's bond.

2. Settlement of claims by subcontractor. In any contract subject to this section, any subcontractor employed pursuant to that contract may file a claim with the department. The claim shall be only for final payment for goods and services received by the contractor and provided by the subcontractor employed pursuant to the contract and may be filed any time 90 days after delivery of final goods and services. The department shall submit the dispute to arbitration and both the contractor and subcontractor shall be bound by the decision of the arbitrator. The department shall pay any amount awarded by the arbitrator from money due and securities deposited pursuant to subsection 1, up to the full value of the money and securities. In addition, the contractor shall pay to the subcontractor any interest or other income which was earned and received by the contractor on the money or securities awarded by the arbitrator from the date of receipt of final goods and services to the date of payment of the award by the contractor.

The membership of the American Arbitration Association shall be used as arbitrators and the procedures used for arbitration shall be in conformity with the Construction Industry Arbitration Rules as administered by the American Arbitration Association.

Effective July 3, 1980

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## CHAPTER 581

H. P. 1614 — L. D. 1724

**AN ACT Relating to the Reconstruction of Interstate and International Bridges.**

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

Whereas, from time to time it is necessary to reconstruct interstate and international bridges; and

Whereas, statutory authority to reconstruct these bridges is necessary; and

Whereas, the Thoroughfare Bridge at Orient is in need of reconstruction; and

Whereas, the following legislation is vitally necessary to prevent undue hazards

and dangers to the traveling public between Orient, Maine and Fosterville, New Brunswick, Canada and the work on the bridge should be commenced as soon as possible: 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 § 352 is repealed.

**Sec. 2.** 23 MRSA § 354, as amended by PL 1971, c. 593, § 22, is further amended to read:

**§ 354. Reconstruction of bridges generally**

The department shall have authority to reconstruct any intrastate bridge wholly or partly under the control of the State when, in its opinion, such reconstruction is necessary, and the cost of the work shall be paid from any funds available for the construction of intrastate bridges.

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

Effective February 13, 1980

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## CHAPTER 582

H. P. 1619 — L. D. 1729

**AN ACT to Amend the School Administrative Districts Reapportionment Procedure.**

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

20 MRSA § 301, 2nd ¶, as repealed and replaced by PL 1973, c. 750, § 3, is amended by inserting at the end the following new sentence:

**If the request or petition is received within 12 months before Federal Decennial Census or Federal Estimated Census figures are due to be issued, then the board**