

MAINE STATE LEGISLATURE

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(EMERGENCY)
SECOND REGULAR SESSION

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 2132

S. P. 692

In Senate, February 3, 1978

Referred to the Committee on Judiciary and sent down for concurrence.

MAY M. ROSS, Secretary

Presented by Senator Collins of Knox.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-EIGHT

**AN ACT to Make Additional Corrections of Errors and Inconsistencies in the Laws
of Maine.**

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

Whereas, Acts of this and previous Legislatures have resulted in certain technical errors and inconsistencies in the laws of Maine; and

Whereas, these errors and inconsistencies create uncertainties and confusion in interpreting legislative intent; and

Whereas, it is vitally necessary such uncertainties and confusion be resolved in order to prevent any injustice or hardship on the citizens of Maine; 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. 1 MRSA § 402, sub-§ 3, ¶¶ C and D, as enacted by PL 1975, c. 758, are amended to read:

C. Records, working papers and interoffice and intraoffice memoranda used or maintained by any Legislator, legislative agency or legislative employee to prepare proposed Senate or House papers or reports for consideration by the Legislature or any of its committees during the biennium in which the proposal or report is prepared; ~~and~~

D. Material prepared for and used specifically and exclusively in preparation for negotiations, including the development of bargaining proposals to be made and the analysis of proposals received, by a public employer in collective bargaining with its employees and their designated representatives; and

Sec. 2. 1 MRSA § 521, sub-§ 2, as enacted by PL 1975, c. 360, is amended to read:

2. Dissemination. A copy of every executive order shall be filed with the Legislative Council, the Law and Legislative Reference Library and ~~with~~ every county law library in this State within one week after the Governor has issued that order.

Sec. 3. 1 MRSA c. 29, as enacted by PL 1977, c. 490, § 2, is repealed.

Sec. 4. 1 MRSA c. 31, is enacted to read:

CHAPTER 31

REVIEW OF STATUTORY PROVISIONS

§ 2601. Review of statutory provision

The following statutory provisions shall be reviewed according to the schedule below:

36. Title 36.

A. Title 36, sections 653, 654 and 655, as amended, shall be reviewed by January 1, 1982;

B. Title 36, sections 652 and 656, as amended, shall be reviewed by January 1, 1979;

C. Title 36, section 1760, subsections 3 to 14, 24 and 30 to 36, as amended, shall be reviewed by January 1, 1981; and

D. Title 36, section 1760, subsections 15 to 23 and 25 to 28, as amended, shall be reviewed by January 1, 1980.

§ 2602. Committee review reports

Any legislative committee having jurisdiction over a statutory provision listed in section 2601 shall prepare and submit to the Legislature, within 30 legislative days after the convening of the first regular session after the date set out in

section 2601 for review of that provision, a report evaluating the advisability of retaining the statutory provision. The appropriate departments of State Government are respectfully requested to provide all necessary assistance in preparing the report required by section 2603 and other statutory sections.

§ 2603. Contents of report

1. Report. A report prepared pursuant to section 2602 shall include:

A. An evaluation of the past effectiveness of the statutory provision;

B. An evaluation of the future need for the statutory provision;

C. An examination of alternative methods of attaining the purpose of the provision;

D. An estimate of the cost of retaining the provision; and

E. A recommendation of the committee as to the amendment, repeal, replacement or retention of the provision. If amendment or repeal is recommended, the report shall include the necessary legislation.

2. Hearing. The committee preparing this report shall devote at least part of one public hearing on the provision being reviewed prior to making its report.

Sec. 5. 3 MRSA c. 23, as enacted by PL 1977, c. 367, is reallocated to 3 MRSA c. 25.

Sec. 6. 4 MRSA § 4, 1st sentence, as amended by P&SL 1973, c. 209, § 5, is repealed and the following enacted in its place:

Each Justice of the Supreme Judicial Court shall receive an annual salary of \$29,000 until June 30, 1978, and an annual salary of \$32,000 thereafter; and the Chief Justice of the Supreme Judicial Court shall receive an annual salary of \$30,500 until June 30, 1978, and an annual salary of \$33,500 thereafter.

Sec. 7. 4 MRSA § 102, 1st sentence, as amended by P&SL 1973, c. 209, § 6, is repealed and the following enacted in its place:

Each Justice of the Superior Court shall receive an annual salary of \$28,500 until June 30, 1978, and an annual salary of \$31,500 thereafter.

Sec. 8. 4 MRSA § 157, 4th sentence, as amended by P&SL 1973, c. 209, § 7, is repealed and the following enacted in its place:

Each judge shall receive an annual salary of \$26,000 until June 30, 1978, and an annual salary of \$29,000 thereafter; and the Chief Judge shall receive an annual salary of \$27,000 until June 30, 1978, and an annual salary of \$30,000 thereafter.

Sec. 9. 4 MRSA § 164, sub-§ 15, as enacted by PL 1977, c. 544, § 10, is reallocated to 4 MRSA § 164, sub-§ 16.

Sec. 10. 5 MRSA § 191, 4th ¶ from the end, as amended by PL 1975, c. 770, § 20, is further amended to read:

For approval of certificate of organization of corporations under Title 9 9-B, section ~~996~~ 313, subsection 3, \$10 in advance;

Sec. 11. 5 MRSA § 1585, as amended by PL 1977, c. 8 and as repealed and replaced by c. 576, § 1, is repealed and the following enacted in its place:

§ 1585. Transfer of unexpended appropriations

1. Transfers authorized. Any balance of any appropriation or subdivision of an appropriation made by the Legislature for any state department or agency, which at any time may not be required for the purposes named in such appropriation or subdivision, may be transferred at any time prior to the closing of the books, to any other appropriation or subdivision of an appropriation made by the Legislature for the use of the same department or agency for the same fiscal year subject to the limitations in subsections 2 and 3.

2. Governor. The Governor may transfer funds from one appropriation or subdivision of an appropriation to another appropriation or subdivision, if the aggregate sum of the funds transferred from the appropriation or subdivision or to another appropriation or subdivision in any one fiscal year does not exceed the smaller of:

A. \$100,000; or

B. 10% of the appropriation or subdivision in the appropriation, as approved by the Legislature, from which or to which the funds are to be transferred.

3. Governor and Legislature. A transfer of funds greater than that authorized in subsection 2 shall occur only after compliance with the following procedures.

A. If a department or agency head desires a transfer of appropriated funds, he shall recommend the transfer to the Governor. If the Governor desires such a transfer, he shall recommend the transfer to the Legislature.

B. Included with any recommendation for a transfer described under paragraph A, shall be a written statement as to why the funds to be transferred are not needed in the appropriation or subdivision of the appropriation for which they were appropriated, and a specification as to the uses to which the transferred funds shall be put.

C. When the Legislature is in regular or special session and the Governor desires to recommend a transfer of appropriated funds, the Governor shall recommend the transfer to the Legislature by submitting his written recommendation, including a written statement which contains the information

set forth in paragraph B, to the Joint Standing Committee on Appropriations and Financial Affairs of the Legislature.

If the Legislature does not act by majority vote of both Houses to disapprove the recommended transfer within 30 days of the date of submission of the recommended transfer to the Joint Standing Committee on Appropriations and Financial Affairs, the transfer shall be deemed to have been approved.

D. When the Legislature is not in regular or special session and the Governor desires to recommend a transfer, the Governor shall submit his written recommendation to the Legislative Council, the members of the Joint Standing Committee on Appropriations and Financial Affairs and the Legislative Finance Officer. Included with the Governor's recommendations, shall be a written statement which contains the information set forth in paragraph B and the reasons why the need for the transfer could not have been anticipated while the Legislature was in session and why the transfer is essential before the Legislature will be in session.

Transfers recommended while the Legislature is not in session shall also take effect 30 days after the date of submission of the recommended transfer to the Legislature, unless disapproved by majority vote of both Houses.

Sec. 12. 5 MRSA § 2301, sub-§ 1, as amended by PL 1977, c. 78, §§ 17 and 18; c. 347, § 1; c. 463, § 1; c. 543, § 1 and c. 564, § 34, is repealed.

Sec. 13. 5 MRSA § 8002, sub-§ 7, ¶ B, as enacted by PL 1977, c. 551, § 3, is amended to read:

B. Any person participating in the adjudicatory proceeding pursuant to section ~~9051~~ 9054, subsection 1 or 2; and

Sec. 14. 5 MRSA c. 373, §§ 8001 — 8015, as enacted by PL 1977, c. 568, § 1, is reallocated to 5 MRSA, Pt. 19, c. 401, §§ 15001 — 15015 as follows:

PART 19

SMALL BUSINESS LOANS

Chapter 373	Chapter 401
§ 8001	§ 15001
§ 8002	§ 15002
§ 8003	§ 15003
§ 8004	§ 15004
§ 8005	§ 15005
§ 8006	§ 15006
§ 8007	§ 15007
§ 8008	§ 15008

§ 8009	§ 15009
§ 8010	§ 15010
§ 8011	§ 15011
§ 8012	§ 15012
§ 8013	§ 15013
§ 8014	§ 15014
§ 8015	§ 15015

Sec. 15. 7 MRSA § 2504, as amended by PL 1977, c. 157, § 4 and as repealed and replaced by c. 564, § 36, is repealed and the following enacted in its place:

§ 2504. Violations

A violation of chapter 503, 505 or 507 is a civil violation for which a forfeiture of not more than \$50 and costs may be adjudged for each violation.

Sec. 16. 7 MRSA § 3403, as last amended by PL 1975, c. 771, § 102, is repealed.

Sec. 17. 9-B MRSA § 161, sub-§ 2, ¶ D, as enacted by PL 1977, c. 416 is amended to read:

D. The making of reports or returns required under chapter ~~61~~ 61 of the Internal Revenue Code of 1965;

Sec. 18. 10 MRSA § 1474, sub-§ 3, ¶ B, 1st ¶, last sentence, as enacted by PL 1975, c. 770, § 57, is amended to read:

The notice must be sent by registered or certified mail to the dealer's last known business address.

Sec. 19. 11 MRSA § 9-407, sub-§ (2), 2nd sentence, as amended by PL 1977, c. 90 and c. 526, § 94, is repealed and the following enacted in its place:

The uniform fee for a certificate shall be \$5 for the first page of that certificate, plus 50¢ for each additional page.

Sec. 20. 12 MRSA § 2401-B, sub-§ 19, as enacted by PL 1977, c. 503, § 17-A, is reallocated to 12 MRSA § 2401-B, sub-§ 20.

Sec. 21. 13 MRSA § 3025, first sentence, as last amended by PL 1973, c. 49, § 2, is further amended to read:

The clerk, treasurer and a majority of the board of trustees of every independent local church incorporated under sections 3021 to 3024 shall prepare a certificate in form approved by the ~~Attorney General~~ Secretary of State setting forth the name of such church, the town or city where located and the number and names of its board of trustees, and shall sign and make oath to it and shall file the same in the office of the Secretary of State.

Sec. 22. 13-A MRSA § 1304, sub-§ 1, as enacted by PL 1971, c. 439, § 1 is amended to read:

1. Any person who signs any document required or permitted to be delivered for filing with the Secretary of State by any corporation, domestic or foreign, knowing that such document contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, shall be deemed ~~guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$500.~~ to have committed a civil violation for which a forfeiture not to exceed \$500 may be adjudged

Sec. 23. 14 MRSA § 704-A, sub-§ 2, ¶ B, as enacted by PL 1975, c. 770, § 80, is amended to read:

B. Doing or causing a tortious act to be done, or causing the consequences ~~for~~ of a tortious act to occur within this State;

Sec. 24. 15 MRSA § 391 is repealed.

Sec. 25. 17 MRSA § 2911, sub-§ 1, ¶ D, sub-¶ (3), as enacted by PL 1977, c. 410, § 2, is amended to read:

(3) Considered as a whole, lacks serious literary, artistic, ~~political~~ political or scientific value.

Sec. 26. 17-A MRSA § 15, sub-§ 1, ¶ A, sub-¶ (1), as repealed and replaced by PL 1977, c. 326 and by c. 510, § 24, is repealed and the following enacted in its place:

(1) Murder;

Sec. 27. 17-A MRSA § 554, sub-§ 2, ¶ B, as enacted by PL 1975, c. 499, § 1, is amended to read:

B. The defendant was a person acting pursuant to authority expressly or impliedly granted in Title ~~12~~ 22.

Sec. 28. 18 MRSA § 2051, sub-§ 11, as enacted by PL 1977, c. 151, is amended to read:

11. Guardians; release of ward's interest in real estate. Of guardians, to sell or release any interest of the ward, which is of insignificant value to the ward but which encumbers a marketable title to the real estate.

Sec. 29. 18 MRSA § 3646, as last amended by PL 1977, c. 78, § 120 and as repealed and replaced by PL 1977, c. 528, § 5, is repealed and the following enacted in its place:

§ 3646. Duties of public guardian

Except as otherwise specifically provided in this subchapter, the general provisions of this chapter relating to the powers and duties of guardians of adult persons are applicable to the public guardian acting under this subchapter.

When the public guardian is appointed the guardian of the person of an incapacitated adult, the public guardian shall have custody of the person of the ward and shall determine the ward's place of residence. The public guardian may apply for and effect the placement of any ward in accordance with law, in an appropriate home, hospital or institution having facilities and staff adequate to provide care and supervision consistent with the need of the ward. Any placement, if in a facility described in Title 22, section 1811, shall be made only if that facility is duly licensed. In the event that the license of any facility shall be suspended or revoked, the public guardian having any ward placed therein shall remove that ward and effect an appropriate placement of the ward as soon as practicable after knowledge of the suspension or revocation of the license.

When the public guardian is appointed guardian of the estate of an incapacitated adult, the public guardian may apply for and receive on behalf of the ward any benefits, grants or public aid to which that ward is entitled. The public guardian shall keep books of account or other records showing separately the principal amount received, increments thereto and disbursements therefrom for the benefit of any ward, together with the name of the ward, the source from which the money was received and the purpose for which the money was expended. The public guardian shall settle the account of its ward in accordance with section 3901.

Upon termination of the guardianship, the public guardian shall file with the court its final accounting and shall make disposition of any assets of any ward then in its hands as ordered by the court. This section shall not abrogate any powers or duties vested by law in the head of any public institution, or vested by the settlor of a trust in the trustee thereof, for the benefit of any ward under the guardianship of the public guardian.

Sec. 30. 20 MRSA § 966, as amended by PL 1977, c. 499, § 3 and as repealed and replaced by PL 1977, c. 296, is repealed and the following enacted in its place:

§ 966. Annual pupil count; transfer of pupils and state subsidies

1. Superintendent's report to commissioner. Each superintendent of schools, school agent and principal of a private school shall semiannually, on April 15th and October 15th, report to the commissioner the number of pupils in attendance. The report shall also set forth the number of pupils residing in each of the municipalities making up the administrative unit. The report shall be filed on

forms to be furnished by the commissioner. Any resident pupil counted in a unit or school on October 15th shall maintain a minimum attendance of 85% between October 15th and April 15th, exclusive of sickness or other excused absences, to be included in the count on April 15th. Students transferring into a unit or school shall maintain a minimum attendance of 85%, exclusive of sickness or other excused absences, from the date of entry until April 15th to be counted in the April 15th count. For subsidy distribution purposes, the previous sentence shall not be in effect until the 1978-79 school year.

2. Transfer of students; student count for subsidy purposes; no tuition.

A. Whenever it is in the best interest of a resident pupil or pupils and if the parents or legal guardians approve, the superintendent of schools or the school agents may approve a transfer of the pupil or pupils from one administrative unit to another. Any approval given shall be reviewed annually by the superintendents of schools or the school agents.

B. The unit which provides the educational program for that pupil or pupils shall count them in all reports required for purposes of computing state subsidies. For purposes of state aid with state participation as defined in section 3748, subsection 4, that pupil or pupils shall be counted as though they resided in the largest municipality within the administrative unit.

C. No tuition charges between units shall be permitted.

3. Annual approval. All transfers shall be subject to annual approval as provided in subsection 2 and the superintendent or agents shall notify the commissioner whenever a transfer is approved.

Sec. 31. 20 MRS § 2273, as enacted by PL 1975, c. 769, § 1, and as repealed and replaced by PL 1977, c. 335, § 3, and c. 579, § L, § 1, is repealed and the following enacted in its place:

§ 2273. Agreement of state contract student with the State; state capitation payment; tuition grants

1. Agreement. Notwithstanding any other provision of law, any state contract student commencing his professional education on or after September, 1977, shall, as a precondition for the commencement of that education, enter into an agreement with the State under which the student shall agree to pay tuition to the institution and shall also agree that, upon the conclusion of his professional education, including internship, residency, obligated military service, obligated public health service and obligated Armed Forces' service, he shall pay the State an amount of money equal to the state capitation payment expended by the State in purchasing the student position which he occupied as a state contract student. This amount shall be payable in not more than 10 annual equal installments plus

6% simple annual interest and those installment payments shall commence at such time as the state contract student concludes his professional education under rules promulgated by the commissioner. Any state contract student commencing his professional education on or after September, 1977, who does not return to practice in Maine, shall pay the State the full amount of money expended by the State in purchasing the student position which he occupied as a state contract student, in accordance with the procedures outlined in this subsection. Further, a student who does return to practice in Maine shall be obligated to pay to the State 80% of the amount expended by the State in purchasing the student position which he occupied as a state contract student. This amount shall be payable in not more than 10 annual installments, at no interest, and those installment payments shall commence at such time as the state contract student concludes his professional education under rules promulgated by the commissioner. Payments shall be made to the State at the rate of 5% per year of the total amount expended by the State to secure the space for the first 4 years, and at 10% per year of the total amount expended by the State to secure the space for the remaining years. For the purposes of this section, practicing in Maine shall mean to have practiced during the full term of the reimbursement periods.

2. State capitation payment. For the purposes of this chapter, the state capitation payment is the difference between the tuition rate established by the State for the student position and the amount the State actually pays the institution to secure that position.

3. Tuition grants. Any contract student attending a contract institution who demonstrates financial need, under rules promulgated by the commissioner, shall be eligible for a tuition grant from funds made available for that purpose, the amount of that grant shall be based on the financial need of the student and in no case to exceed the amount of the state tuition charge to that student.

Sec. 32. 20 MRSA c. 308, as enacted by PL 1977, c. 361, § 10, is reallocated to 20 MRSA c. 308-A.

Sec. 33. 20 MRSA § 3744, sub-§ 1, ¶ O, as amended by PL 1977, c. 545, § 5 and c. 564, § 91, is repealed and the following enacted in its place:

O. Optional local funds without state participation raised under section 3749, subsection 1, and expended during the past year; and

Sec. 34. 20 MRSA § 3747, sub-§ 3, first ¶, as amended by PL 1977, c. 545, § 8 and repealed and replaced by P. L. 1977, c. 563, § 11, is repealed and the following enacted in its place:

3. Basic education appropriation. Establish the basic education allocation for paragraphs A through G and subsection 5 and the appropriations for paragraphs I, J and K and subsections 4 and 7.

Sec. 35. 20 MRSA § 3748, sub-§ 1, ¶ B, sub-¶¶ (1), (2) and (3), as enacted by PL 1977, c. 499, § 4 and c. 507, are repealed and the following enacted in their place:

(1) Programs for school dropouts and truants.

(a) Administrative units are encouraged to establish part-time or full-time programs for school dropouts and chronic truants of legal school age. Because many students are alienated from regular school programs or have personal barriers preventing successful continuation in these programs, any student considered for alternate programs under this section shall be involved in the process of selection and formation of these alternate programs.

(b) Students enrolled in these programs shall be counted as .2 of a pupil for enrolling in a credit course leading toward high school graduation. For subsidy purposes, no pupil shall be counted as more than one pupil under this Title. The reimbursement to the unit shall be in accordance with the provisions of this chapter.

(c) Whenever a unit has no program for these students, it may, with the approval of the superintendent of schools, tuition these students to a neighboring administrative unit or private school. The sending unit shall pay tuition, in an amount no greater than .2 of the present per pupil subsidy allocation for secondary students in the sending unit, for each course where a student is enrolled. The commissioner shall establish guidelines for the administration of this program.

(2) Adult evening school programs.

(a) Any pupil between the ages of 16 and 20, who enrolls in an adult evening school program under guidelines established by the commissioner, shall be counted as .2 of a pupil.

(b) The unit in which a student resides shall be reimbursed in accordance with the provisions of this chapter.

(c) When a unit does not offer an appropriate adult evening school course, the student may enroll in a neighboring unit or private school subject to the approval of the sending unit's superintendent of schools. The sending unit shall pay tuition to the receiving unit in an amount no greater than .2 of the present per pupil subsidy allocation for secondary students in the sending unit.

Sec. 36. 20 MRSA § 3748, sub-§ 1, ¶ C, sub-¶ (4), as repealed and replaced by PL 1977, c. 24, § 12 and amended by c. 563, § 12, is repealed and the following enacted in its place:

(4) Debt service. Principal and interest costs for approved major capital projects shall be reimbursed in the year of allocation. Reimbursement for lease expenditures shall be no greater than the expenditure during the fiscal year 1977 only.

Sec. 37. 21 MRSA § 103, as enacted by PL 1977, c. 496, § 7, is reallocated to 21 MRSA § 103-A.

Sec. 38. 21 MRSA § 1424, as repealed and replaced by PL 1977, c. 496, § 33 and c. 575, § 19, is repealed and the following enacted in its place:

§ 1424. Questions of law

1. Appeals. An appeal from a final decision by the body with final determinative powers pursuant to section 1423 may be taken to the Supreme Judicial Court on questions of law, if taken within 3 days of the final determination, in accordance with the procedure described in subsection 2.

2. Procedure. The appellant shall file the required number of copies of the record of the findings of fact and opinions and any decision issued pursuant to the final determination made by the appropriate body with the clerk of courts within 5 days after filing notice of appeal. Within 10 days after the appeal is taken, the parties shall file briefs with the clerk of courts. As soon as the record and briefs have been filed, the court shall consider the case forthwith. The court shall not recount the ballots, but shall determine questions of law. The court shall issue its decision as soon as reasonably possible. The court shall allow costs to the prevailing party as justice may require.

Sec. 39. 21 MRSA § 1579, sub-§ 15 is enacted to read:

15. Return of absentee ballots. A 3rd person, designated in an application or request for an absentee ballot and to whom the clerk of a municipality furnishes an absentee ballot in accordance with that application or request, who, without good cause, fails to return that absentee ballot to the clerk's office within the time limit provided in section 1255.

Sec. 40. 21 MRSA § 1579, sub-§ 30, as enacted by PL 1977, c. 500, § 3, is repealed.

Sec. 41. 22 MRSA §§ 1566-1571, as enacted by PL 1971, c. 521, § 1, are repealed.

Sec. 42. 22 MRSA §§ 1572-1576, as enacted by PL 1973, c. 518, §§ 1-5, are repealed.

Sec. 43. 22 MRSA § 1577, as enacted by PL 1977, c. 389, is repealed.

Sec. 44. 22 MRSA c. 263-A is enacted to read:

CHAPTER 263-A
COMPRESSED AIR

§ 1581. Purpose

The purpose of this chapter is to protect the public health; to regulate and license the suppliers of compressed air used in self-contained breathing apparatus; to set up rules and regulations to establish the maximum permissible amount of all contaminants expressed either in percentages or in parts per million of volume, or both; to set up standards for the condition of the compression equipment; and to prescribe penalties for violations of this chapter.

§ 1582. Definitions

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

1. **Breathing apparatus.** "Breathing apparatus" means any breathing device, either high or low pressure, which is used to sustain human life under adverse conditions.

2. **Department.** "Department" means the Department of Health and Welfare.

3. **Suppliers of compressed air.** "Suppliers of compressed air" means any organization, agency, individual, firm, partnership or corporation that provides compressed air to be used in self-contained breathing apparatus.

§ 1583. License

It is unlawful for any supplier of compressed air to fill or supply any breathing apparatus with life supporting gases in the State of Maine unless licensed to do so by the department. The initial license fee and the annual renewal license fee shall be \$10, except that fire departments shall be exempt from the licensing requirements of this chapter, so long as the use of the apparatus is restricted to departmental use in fighting fires.

§ 1584. Fees

All fees shall be collected by the department and remitted to the Treasurer of State and credited to the General Fund.

§ 1585. Rules and regulations

The department shall have the authority to promulgate rules and regulations as are necessary to promptly and effectively enforce this chapter.

§ 1586. Penalty

Whoever violates any of the provisions of this chapter or any rules and

regulations made thereunder shall be punished by a fine of not less than \$100, nor more than \$500, or by imprisonment for not more than 6 months, or by both.

Sec. 45. 22 MRSA c. 263-B is enacted to read:

CHAPTER 263-B

ABORTIONS

§ 1591. Immunity and employment protection

No physician, nurse or other person who refuses to perform or assist in the performance of an abortion, and no hospital or health care facility that refuses to permit the performance of an abortion upon its premises, shall be liable to any person, firm, association or corporation for damages allegedly arising from the refusal, nor shall such refusal constitute a basis for any civil liability to any physician, nurse or other person, hospital or health care facility nor a basis for any disciplinary or other recriminatory action against them or any of them by the State or any person.

No physician, nurse or other person, who refuses to perform or assist in the performance of an abortion, shall, because of that refusal, be dismissed, suspended, demoted or otherwise prejudiced or damaged by a hospital, health care facility, firm, association, professional association, corporation or educational institution with which he or she is affiliated or requests to be affiliated or by which he or she is employed, nor shall such refusal constitute grounds for loss of any privileges or immunities to which such physician, nurse or other person would otherwise be entitled nor shall submission to an abortion or the granting of consent therefor be a condition precedent to the receipt of any public benefits.

§ 1592. Discrimination for refusal

No person, hospital, health care facility, firm, association, corporation or educational institution, directly or indirectly, by himself or another, shall discriminate against any physician, nurse or other person by refusing or withholding employment from or denying admittance, when such physician, nurse or other person refuses to perform, or assist in the performance of an abortion, nor shall such refusal constitute grounds for loss of any privileges or immunities to which such physician, nurse or other person would otherwise be entitled.

§ 1593. Sale and use of fetuses

Whoever shall use, transfer, distribute or give away any live human fetus, whether intrauterine or extrauterine, or any product of conception considered live born for scientific experimentation or for any form of experimentation shall be punished by a fine of not more than \$5,000 and by imprisonment for not more than

5 years and any person consenting, aiding or assisting shall be liable to like punishment.

§ 1594. Failure to preserve life of live born persons

Whenever an abortion procedure results in a live birth, failure to take all reasonable steps, in keeping with good medical practice, to preserve the life and health of the live born person shall subject the responsible party or parties to Maine law governing homicide, manslaughter and civil liability for wrongful death and medical malpractice.

§ 1595. Live born and live birth, defined

“Live born” and “live birth” as used in this chapter, shall mean a product of conception after the complete expulsion or extraction from its mother, irrespective of the duration of pregnancy, which breaths or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached. Each product of such a birth is considered live born and fully recognized as a human person under the Maine law.

§ 1596. Abortion data

1. Definitions. As used in this section, unless the context otherwise indicates, the following words shall have the following meanings.

A. “Abortion” means the intentional interruption of a pregnancy by the application of external agents, whether chemical or physical, or the ingestion of chemical agents.

B. “Miscarriage” means an interruption of a pregnancy other than as provided in paragraph A.

2. Reports. A report of each abortion performed and a report of each miscarriage which occurs when a physician is in attendance shall be made to the Department of Human Services on forms prescribed by the department. Such report forms shall not identify the patient by name or otherwise and shall contain only the following information:

A. Weight in grams of the fetus aborted, to the extent practical;

B. Measurement in centimeters of the fetus aborted, crown to rump, sitting height, to the extent practical;

C. When an abortion is performed, the medical procedure used to abort;

D. Given menstrual age of fetus; and

E. Any resulting medical complications.

The form containing such information and data shall be prepared by the attending physician, signed by him and transmitted to the department not later than 10 days following the end of the month in which the abortion is performed or the miscarriage occurs.

The identity of any physician reporting pursuant to this section is confidential and the department shall take such steps as are necessary to insure the confidentiality of the identity of physicians reporting pursuant to this section.

A physician who reports data on an abortion pursuant to this section shall be immune from any criminal liability for that abortion under Title 17, section 51.

Sec. 46. 22 MRSA c. 403, as amended by PL 1977, c. 110 and repealed by c. 457, § 4, is reenacted to read:

CHAPTER 403 TOWN HOSPITALS

§ 1761. Municipal hospitals

A municipality may establish and maintain one or more hospitals, nursing facilities, boarding homes or any other institution, place, building or agency for the care, accomodation or hospitalization of the sick or injured or for the care of any aged or other persons requiring or receiving chronic or convalescent care. Any such facility shall be subject to all statutes and licensing requirements applicable to the particular type of facility.

§ 1762. Temporary facilities

Notwithstanding the provisions of section 1761, in the event of an outbreak of any disease or health problem dangerous to the public health, the municipal officers or local health officer, with the approval of the department, may establish temporary health care facilities, subject to the supervision of the department.

Sec. 47. 22 MRSA § 3713, last ¶, as enacted by PL 1977, c. 577, § 2, is repealed.

Sec. 48. Effective date. Section 47 of this Act shall become effective June 30, 1978.

Sec. 49. 22 MRSA § 5112, sub-§ 2, as amended by PL 1977, c. 78, § 151 and c. 480, § 1, is repealed and the following enacted in its place:

2. Serve as an advocate on behalf of older people promoting and assisting activities designed to meet at the national, state and community levels the problems of older people. The committee shall serve as an ombudsman on behalf of individual citizens and older people as a class in matters under the jurisdiction of State Government. It shall be a spokesman on behalf of older people to the

director, commissioner, Governor, Legislature, public-at-large and Federal Government.

In order to serve as advocate and ombudsman for older people, the committee shall have the power to enter onto the premises of any boarding care facility licensed according to section 7801 and any nursing home facility licensed according to section 1817 in order to investigate complaints concerning those facilities. The committee may authorize up to 25 persons, including committee members, staff of the committee and other citizens, to carry out this function of the committee. Appropriate identification shall be issued to all such persons. The committee shall renew the authorization and reissue identification annually. The findings of the committee shall be available to the public upon request.

Any person, official or institution who in good faith participates in the registering of a complaint pursuant to this subsection about an act or practice in a boarding care facility or a nursing home licensed according to section 7801 or 1817, respectively, or who participates in a judicial proceeding resulting from that complaint, shall be immune from any criminal liability that otherwise might result by reason of these actions. For the purpose of any criminal proceedings, there shall be a rebuttable presumption that any person acting pursuant to this subsection did so in good faith.

Sec. 50. PL 1977, c. 527, § 3, is repealed.

Sec. 51. 22 MRSA § 7907 is enacted to read:

§ 7907. Boarding care payments

Except as otherwise provided in section 7906, the Department of Human Services shall reimburse all boarding care facilities with 6 or fewer beds at a rate of at least \$200 per month.

Sec. 52. 23 MRSA § 1103, as amended by PL 1977, c. 112, § 1 and as repealed and replaced by c. 405, § 3, is repealed and the following enacted in its place:

§ 1103. Increase in aid

If any municipality shall in any single year increase its appropriation for state aid roads to an amount of 2, 3, 4 or 6 times the maximum amount which it may annually appropriate under section 1101, the department may, from any balance of the fund for state aid construction or reconstruction, after the appropriations contemplated in section 1102 and subject to section 1105 as to apportionment, appropriate a like increase of state aid; that appropriation shall not deprive the municipality of its right to the regular annual state aid in other years. The appropriations contemplated by this section shall be united with and become a part of the joint fund referred to in section 1102. Municipalities may, upon petition

of the municipal officers of the municipality and approval of the Department of Transportation, use a portion or all of the state aid joint fund of the municipality for the municipality's share of the cost of reconstruction of railroad grade separation structures, on nonfederal aid state aid highways, under section 3411 or toward the municipality's share of the cost of construction or reconstruction of bridges under the Bridge Act; except that not more than 3 times the maximum amount as provided by sections 1101 and 1102 may be used as the municipality's share for construction of a bridge unless it is for construction of an unimproved bridge and approaches which are located between sections of improved state aid highways.

This section shall apply to appropriations made by municipalities for improvement and construction of state highways under section 1101, and to the corresponding apportionments of state aid made under section 1102 and subject to section 1105. Any municipality may expend up to 3 times the maximum amount which it may annually appropriate under section 1101 as construction. Any municipality may expend the balance of the state aid joint fund raised in one year as reconstruction of improved state or state aid highways.

Each municipality which appropriates funds for state aid roads shall raise exactly 1, 2, 3, 4, or 6 times the maximum amount which it may annually appropriate under section 1101 and shall report to the Department of Transportation each year as to how these funds shall be expended in terms of construction or reconstruction.

Nothing in this section shall prohibit any municipality from expending exactly 1, 2, 3, 4 or 6 times the maximum amount which it may annually appropriate under section 1101 from its state aid joint fund for reconstructing improved state or state aid highways or in maintaining, including resurfacing, of improved state or state aid highways outside compact or built up sections of highways as defined in section 754, and in constructing unimproved bridges and approaches which are located between sections of improved state aid highways. The proposed locations and type of work proposed under this section shall be subject to the approval of the Department of Transportation.

The department shall increase its apportionment of state aid by 40% of the state aid joint fund so expended for reconstruction of improved state or state aid highways or for construction of unimproved bridges and approaches under the Bridge Act, provided the bridge is located between sections of improved state aid highways.

Sec. 53. 23 MRSA § 1201, sub-§ 29, as enacted by PL 1977, c. 305, is reallocated to 23 MRSA § 1201, sub-§ 30.

Sec. 54. 23 MRSA § 1924, sub-§ 1, first sentence, as enacted by PL 1977, c. 494, § 1, is amended to read:

Any license issued pursuant to repealed Title 32, section 2713, shall remain in effect for 6 years from ~~the effective date of this Act~~, **January 1, 1978**, provided a licensee shall apply annually and pay the annual fee to the commissioner provided in repealed Title 32, section 2714 ~~2713~~.

Sec. 55. 23 MRSA § 1924, sub-§ 2, as enacted by PL 1977, c. 494, § 1, is amended to read:

2. **Fee permit.** Any permit for which a fee is paid and which is issued pursuant to repealed Title 32, section ~~2713~~ 2714, shall remain in effect until the sign for which it is issued is removed pursuant to this chapter, provided a permittee shall apply annually and pay the annual fee to the commissioner provided in repealed Title 32, section ~~2713~~ 2714.

Sec. 56. 23 MRSA, sub-§ 3, as enacted by PL 1977, c. 494, § 1, is amended to read:

3. **Existing directional signs.** The commissioner may remove, or require to be removed, any existing directional sign erected and maintained pursuant to section 1153 or Title 32, section 2722, provided any such sign shall be removed no later than 6 years after ~~the effective date of this Act~~ **January 1, 1978**, unless it meets all requirements of an official business directional sign under this chapter.

Sec. 57. 24 MRSA § 2320, first ¶, as enacted by PL 1977, c. 470, § 1, is amended to read:

Every nonprofit hospital and medical service organization which issues ~~groups~~ **group** and individual health care contracts providing coverage for inpatient hospital care to residents of this State shall make available coverage for home health services by a home health care provider which has contracted with the nonprofit hospital or medical service organization under terms and conditions which the organization deems satisfactory to its membership.

Sec. 58. 24-A MRSA § 2837, first ¶ as enacted by PL 1977, c. 470, § 3, is repealed and the following enacted in its place:

Every insurer which issues or issues for delivery in this State group or blanket health insurance policies or plans, which provide coverage on an expense incurred basis for inpatient hospital care, shall make available that coverage for home health care services by a home health care provider.

Sec. 59. 26 MRSA § 41, next to last sentence, as amended by PL 1971, c. 620, § 1, is repealed as follows:

~~The director shall appoint a woman factory inspector.~~

Sec. 60. 26 MRSA § 965, sub-§ 3, ¶ D, first sentence, as enacted by PL 1975, c. 717, § 6, is amended to read:

If the parties do not agree to follow the fact-finding procedures outlined in ~~paragraphs A or B~~ **paragraph A**, they may jointly apply to the executive director or his designee to waive fact-finding.

Sec. 61. 26 MRSA § 1024, as last amended by PL 1977, c. 581, § 7, is repealed.

Sec. 62. 26 MRSA § 1024-A is enacted to read:

§ 1024-A. Bargaining units

1. Legislative intent. It is the express legislative intent that, in order to foster meaningful collective bargaining, units shall be structured in such a way as to avoid excessive fragmentation whenever possible. In accordance with this policy, bargaining units shall be structured on a university system-wide basis with one unit for each of the following occupational groups:

- A. Faculty;**
- B. Professional and administrative staff;**
- C. Clerical, office, laboratory and technical;**
- D. Service and maintenance;**
- E. Supervisory classified; and**
- F. Police.**

It is intended that Cooperative Extension Service employees be included in appropriate units.

2. Academy units. It is the express legislative intent to foster meaningful collective bargaining for employees of the Maine Maritime Academy. Therefore, in accordance with this policy, bargaining units shall be structured with one unit for each of the following occupational groups:

- A. Faculty;**
- B. Administrative staff; and**
- C. Classified employees.**

3. Vocational-technical institute and state schools for practical nursing units. It is the express legislative intent to foster meaningful collective bargaining for employees of the vocational-technical institutes and state schools for practical nursing. Therefore, in accordance with this policy, the bargaining units shall be structured with one unit in each of the following occupational groups:

- A. Faculty and instructors;
- B. Administrative staff; and
- C. Classified employees.

4. Assignment to bargaining units. In the event of a dispute over the assignment of jobs or positions to a unit, the executive director shall examine the community of interest, including work tasks among other factors, and make an assignment to the appropriate statutory bargaining unit set forth in subsection 1, 2 or 3.

5. Additional bargaining units. Notwithstanding subsections 1, 2 or 3, the Legislature recognizes that additional or modified university system-wide units, academy units, vocational-technical institute units or state schools for practical nursing units may be appropriate in the future. Therefore, the employer or employer organizations may petition the executive director for the establishment of additional or modified university system-wide units, academy units, vocational-technical institute units or state schools for practical nursing units. The executive director or his designee shall determine the appropriateness of such petitions, taking into consideration the community of interest and the declared legislative intent to avoid fragmentation whenever possible and to insure employees the fullest freedom in exercising the rights guaranteed by this chapter. The executive director or his designee conducting unit determination proceedings shall have the power to administer oaths and to require by subpoena the attendance and testimony of witnesses, the production of books, records and other evidence relative or pertinent to issues represented to them.

6. Students.

A. When collective bargaining is to take place between the university and the faculty or professional and administrative staff, the board of trustees shall appoint 3 currently enrolled students who are broadly representative of the various campuses to meet and confer with the university and who may meet and confer with the bargaining agent prior to collective bargaining.

B. During the course of collective bargaining, the student representatives designated under paragraph A shall be allowed to meet and confer with the university bargaining team at reasonable intervals during the course of negotiations. These meetings shall occur at least upon receipt by the university of the initial bargaining proposal of the bargaining agent and before final agreement on a contract or any major provisions thereof. The students shall be bound by the same rules of negotiation, including, but not limited to, those regarding confidentiality, as the participants in the negotiations.

7. Unit clarification. Where there is a certified or currently recognized bargaining representative and where the circumstances surrounding the

formation of an existing bargaining unit are alleged to have changed sufficiently to warrant modification in the composition of that bargaining unit, any public employer or any recognized or certified bargaining agent may file a petition for a unit clarification, provided that the parties are unable to agree on appropriate modifications and there is no question concerning representation.

Sec. 63. 26 MRSA § 1221, sub-§ 15, 2nd sentence, as amended by PL 1977, c. 570, § 36, is further amended to read:

Each such application shall ~~identity~~ identify and authorize a group representative to act as the group's agent for the purposes of this subsection.

Sec. 64. 28 MRSA § 807, sub-§ 1, as enacted by PL 1975, c. 540, § 4, is repealed and the following enacted in its place:

1. Issue of licenses. Licenses for the sale of spirituous and vinous liquors and malt liquor to be consumed on the premises may be issued to golf clubs, indoor tennis clubs and indoor ice skating clubs as defined in section 2, subsection 8, paragraphs E, H and I.

Sec. 65. 29 MRSA § 1, sub-§ 22, as enacted by PL 1977, c. 481, § 2, is amended to read:

22. Wrecker. "Wrecker" shall mean a motor vehicle with hoisting apparatus and special equipment designed and used for towing wrecked or disabled vehicles or freeing vehicles stalled or stuck in snow, mud or sand, including any ~~vehicles~~ vehicle designed to carry one or more vehicles upon its own body.

Sec. 66. 29 MRSA § 6, as enacted by PL 1975, c. 731, § 21, is amended to read:

§ 6. Printing or reproduction of motor vehicle documents

Any person who prints or otherwise prepares, or who causes to be printed or otherwise prepared, or who sells or transfers a paper or document in the form of a certificate of registration, operator's license or any other certificate, permit, license or form used by the Secretary of State in administering ~~Title 29 this Title~~ or who reproduces, or who causes to be reproduced, any certificate, permit, license or other form, or any part thereof, or who sells or transfers any reproduced certificate, permit, license or other form, or any part thereof, used by the Secretary of State in administering ~~Title 29 this Title~~, without the written consent of the Secretary of State, shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.

Sec. 67. 29 MRSA § 242, sub-§ 1, ¶ A-1, as enacted by PL 1973, c. 588, § 5, is repealed.

Sec. 68. 29 MRSA § 344, sub-§ 2, ¶ C, as enacted by PL 1973, c. 529, § 1, is amended to read:

C. Whether the applicant has been found guilty of any felony within the past 5-3 years involving moral turpitude, or for any misdemeanor concerning fraud or conversion, or suffering any judgment in any civil action involving fraud, misrepresentation or conversion and in the case of a corporation or partnership, all directions, officers or partners;

Sec. 69. 29 MRSA § 530 is enacted to read:

§ 530. Motor vehicle licenses; classes; qualifications

1. License required.

A. No resident of the State shall operate a motor vehicle on any way, unless licensed by the State to operate that motor vehicle. No license shall be issued until the Secretary of State is satisfied that the applicant is a proper person to receive it.

B. Any person who operates a motor vehicle on any way without being duly licensed or without holding a valid instruction permit or in violation of any condition or restriction placed on the use of an instruction permit or operator's license under the authority of this subchapter shall be guilty of a Class E crime.

2. License classes.

A. Each license issued by the Secretary of State shall indicate the class of license as described in paragraph B. The Secretary of State shall appropriately examine each applicant as provided in section 581, by examination or by such other means as the Secretary of State shall prescribe, according to the class for which the applicant applies. The Secretary of State shall appropriately endorse each applicant's license with respect to his qualifications to operate classes of vehicles.

B. There shall be 3 classes of licenses which shall entitle the holder to operate motor vehicles or a combination of vehicles as follows:

(1) Class 1 shall include any motor vehicle or combination of vehicles, including "Class 2 or 3," except school buses, motorcycles or motor driven cycles;

(2) Class 2 shall include any single unit vehicle of over 18,000 pounds registered weight or any such vehicle towing another of 8,000 pounds g.v.w. or less, any bus carrying passengers, including "Class 3," except school bus, motorcycle or motor drive cycle; and

(3) Class 3 shall include any motor vehicle or combination of vehicles not exceeding registered weight of 18,000 pounds or any registered farm motor truck bearing the letter F, except school bus, motorcycle or motor driven cycle.

C. School buses, motorcycles or motor driven cycles shall not be given a separate class, but their use shall be provided for by special endorsement on their operator's license. This endorsement shall be made only after the applicant has successfully passed the examination designed for the specific vehicle as provided elsewhere in this Title.

D. Mopeds shall not be operated by any person who does not possess a valid operator's license of any class or who does not possess a license specially endorsed to operate a motorcycle or motor driven cycle. Mopeds shall not be operated upon interstate highways or upon any way upon which a bicycle is prohibited.

3. Need for immediate examination. Any applicant who has made an application for a "Class 1" or "Class 2" license and provides the Secretary of State with satisfactory evidence that an immediate examination is needed for employment purposes shall be examined as provided in this section within 7 days of such notification.

4. Operation of vehicle not within license class prohibited. Any person who operates a vehicle or combination of vehicles not included within the class of license issued to him is deemed to be operating a vehicle without being duly licensed.

5. Exceptions.

A. Nothing in this section shall prevent a member of an organized or volunteer fire department from operating any fire apparatus, or any law enforcement officer from operating any motor vehicle or combination of vehicles in the performance of his law enforcement duties, on a "Class 3" operator's license.

B. Nothing in this section shall prevent any employer from imposing more stringent or additional qualifications, requirements, examinations or certificates than are imposed herein.

Sec. 70. 29 MRSA § 531, as last amended by PL 1977, c. 402, § 3, is repealed.

Sec. 71. 29 MRSA § 545, as last repealed and replaced by PL 1977, c. 558, § 1, is reallocated to 29 MRSA § 545-A.

Sec. 72. 29 MRSA § 947, sub-§ 3 ¶ C, 1st sentence, as last repealed and replaced by PL 1977, § 1, is amended to read:

All vehicular traffic facing a steady circular red signal at an intersection may cautiously enter the intersection to make a right turn after **stopping** as required by paragraph A, unless such a turn is prohibited by an appropriate sign such as "NO RIGHT TURN ON RED."

Sec. 73. 29 MRSA § 1312, sub-§ 11, as enacted by PL 1977, c. 498, § 2, is amended by adding the following new paragraph:

Any officer authorized to arrest for violations of this section may arrest, without a warrant, any person involved in a motor vehicle accident, if the officer has probable cause to believe that the person has violated this section.

Sec. 74. 29 MRSA § 2123, as last repealed and replaced by PL 1977, c. 485, and as amended by PL 1977, c. 564, § 109, is repealed and the following enacted in its place:

§ 2123 Penalties

1. **Penalties. Notwithstanding the provisions of Title 17-A, Section 4, whoever violates or fails to comply with any provision of sections 1369, 2122, 2124 or 2125, or any rules or regulations established thereunder, shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment for not more than 90 days, or by both, except as provided in subsection 2.**

2. **Warnings. The owner or operator of a vehicle operated with an expired inspection sticker in violation of section 2122-A during the first month immediately after the expiration of the inspection sticker shall not be issued a summons to court but shall be issued a warning in a form to be designated by the Chief of the State Police. This warning shall state that the owner or operator shall within 2 business days therefrom cause the vehicle to be inspected in accordance with this chapter and that the person inspecting the vehicle shall sign the warning notice and forward it to the Chief of the State Police. Failure to comply with the provisions of a warning issued pursuant to this subsection shall constitute a violation of this section punishable in accordance with subsection 1.**

Sec. 75. 29 MRSA § 2272, sub-§ 1, ¶ 1, as enacted by PL 1971, c. 410, is amended to read:

I. Failure of the driver of a motor vehicle involved in an accident resulting only in damage to an attended or unattended vehicle or other property ~~in excess of \$100~~ to stop close to the scene of such accident and report his identity or otherwise report such accident in violation of law.

Sec. 76. 30 MRSA § 346, sub-§ 1, as enacted by PL 1973, c. 289, § 1, is amended to read:

1. **Delivery to successor in office.** County officials shall deliver the records of their office to their successors in office upon the expiration of their terms ~~as provided in Title 17, section 3103.~~

Sec. 77. 30 MRSA § 505, as amended by PL 1973, c. 567, § 15, is further amended to read:

§ 505. Annual Report to Attorney General

The district attorney shall, annually, by the 20th day of November, make such a report to the Attorney General of the business done in his office during the year ending on the first day of said November ~~as is required by Title 5, section 204~~; and failing to do so, he forfeits $\frac{1}{2}$ of his salary for the current quarter, to be deducted by Attorney General, unless he is satisfied that there was reasonable cause therefor.

Sec. 78. 30 MRSA § 958, as amended by PL 1977, c. 67, § 8 and as repealed and replaced by c. 431, § 11, is repealed and the following enacted in its place:

§ 958. Full-time or part-time deputies; special deputies; compensation

1. Full-time deputies. Full-time deputies shall be compensated at a rate not less than \$21 per day, based on a 7-day work week, or at a rate not less than \$23 per day, based on a 7-day work week, if the deputy has:

A. An associate degree in criminal justice, with an emphasis on law enforcement from an accredited college or university; or

B. Successfully completed the basic training course at the Maine Criminal Justice Academy or its equivalent, as determined by the board or trustees of the academy and has served at least 3 years as a full-time law enforcement officer in the preceeding 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 such incidental expenses as 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 day compensation rate of a full-time deputy in the county. No part-time deputy shall be compensated under this section more than \$2,500 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 \$2,500 limitation on compensation. Compensation paid to a part-time deputy for serving as a court officer shall not be included in the \$2,500 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. 79. 30 MRSA § 2213, sub-§ 4, as enacted by PL 1973, c. 625, § 201, is amended to read:

4. Delivery to successor in office. Municipal officials shall deliver the records of their office to their successors in office upon the expiration of their terms ~~as provided in Title 17, section 3103.~~

Sec. 80. 30 MRSA § 4956, sub-§ 4, as last amended by PL 1977, c. 564, § 118-D, is further amended by adding after the first paragraph a new paragraph to read:

Any person, firm, corporation or other legal entity who sells, leases, develops, builds upon, or conveys for consideration, offers or agrees to sell, lease, develop, build upon or convey for consideration any land in a subdivision which has not been approved as required by this section shall be punished by a fine of not more than \$1,000 for each such occurrence. The Attorney General, the municipality, the planning board of any municipality or the appropriate municipal officers may institute proceedings to enjoin the violations of this section and, if a violation is found by the court, the municipality, municipal planning board or the appropriate municipal offices may be allowed attorney fees.

Sec. 81, 30 MRSA § 4956, last ¶, as amended by PL 1977, c. 564, § 118-E, is repealed.

Sec. 82. 30 MRSA § 5153, 3rd sentence, as last amended by PL 1977, c. 476, § 3, is further amended to read:

Notwithstanding any provisions in a charter or special Act of the Legislature, but subject to the constitutional limit on indebtedness, any ~~municipality~~ plantation organized prior to November 1, 1977 or municipality which has contracted for and accepted an offer or a grant of federal or state aid or both, for a particular project, may by vote of its municipal officers incur indebtedness in anticipation of the receipt of such aid for the particular project by issuing its general obligation notes payable in not more than one year, which notes may be ~~renewal~~ renewed from time to time by the issue of other notes, provided that no notes shall be issued or renewed in an amount which at the time of such issuance or renewal exceeds the unpaid amount of the federal or state aid in anticipation of which such notes are issued or renewed, as the case may be.

Sec. 83. 30 MRSA § 5356, 1st ¶, is amended to read:

A candidate for municipal office of a city of 10,000 or more population is

governed by Title 21, sections ~~1392-1391~~ to ~~1397-1402~~, except that notices of appointment of a treasurer and campaign reports must be filed with the clerk instead of the Secretary of State.

Sec. 84. 31 MRSA § 312, as enacted by PL 1973, c. 377, § 1, is repealed.

Sec. 85. 31 MRSA 312-A is enacted to read:

§ 312-A. Dissolution by decree of court

1. Application by or for a partner. On application by or for a partner, the court shall decree a dissolution whenever:

- A. A partner has been declared a lunatic in any judicial proceeding or is shown to be of unsound mind;**
- B. A partner becomes in any other way incapable of performing his part of the partnership contract;**
- C. A partner has been guilty of such conduct as tends to affect prejudicially the carrying on of the business;**
- D. A partner willfully or otherwise so conducts himself in matters relating to the partnership business that it is not reasonably practicable to carry on the business in partnership with him;**
- E. The business of the partnership can only be carried on at a loss; or**
- F. Other circumstances render a dissolution equitable.**

2. Application of the purchaser of a partner's interest. On the application of the purchaser of a partner's interest under sections 307 and 308, the court shall decree a dissolution:

- A. After the termination of the specified term of particular undertaking; or**
- B. At any time if the partnership was a partnership at will when the interest was assigned or when the charging order was issued.**

Sec. 86. 31 MRSA § 315, as enacted by PL 1973, c. 377, § 1, is repealed.

Sec. 87. 31 MRSA § 315-A is enacted to read:

§ 315-A. Power of partner to bind partnership to 3rd persons after dissolution

1. Partnership; appropriate act; binding transactions. After dissolution, a partner can bind the partnership except as otherwise provided in this section:

- A. By any act appropriate for winding up partnership affairs or completing transactions unfinished at dissolution; or**

B. By any transaction which would bind the partnership if dissolution had not taken place, provided the other party to the transaction:

(1) Had extended credit to the partnership prior to dissolution and had no knowledge or notice of the dissolution; or

(2) Though he had not so extended credit, had nevertheless known of the partnership prior to dissolution, and, having no knowledge or notice of dissolution, the fact of dissolution had not been advertised in a newspaper of general circulation in the place, or in each place if more than one, at which the partnership business was regularly carried on.

2. Unknown as a partner; unknown and inactive. The liability of a partner under this section shall be satisfied out of partnership assets alone when that partner had been prior to dissolution:

A. Unknown as a partner to the person with whom the contract is made; and

B. So far unknown and inactive in partnership affairs that the business reputation of the partnership could not be said to have been in any degree due to his connection with it.

3. Partnership; dissolved; bankrupt; lack of authority. The partnership is in no case bound by any act of a partner after dissolution:

A. Where the partnership is dissolved because it is unlawful to carry on the business, unless the act is appropriate for winding up partnership affairs;

B. Where the partner has become bankrupt; or

C. Where the partner has no authority to wind up partnership affairs, except by a transaction with one who:

(1) Had an extended credit to the partnership prior to dissolution and had no knowledge or notice of his want of authority; or

(2) Had not extended credit to the partnership prior to dissolution, and, having no knowledge or notice of his want of authority, the fact of his want of authority has not been advertised in the manner provided for advertising the fact of dissolution under this section.

Nothing in this section shall affect the liability under section 296 of any person who, after dissolution, represents himself or consents to another representing him as a partner in a partnership engaged in carrying on business.

Sec. 88. 32 MRSA § 1553, sub-§ 4, last sentence, as enacted by PL 1977, c. 398, § 10, is amended to read:

The Administrative Court Judge shall have the power to suspend or revoke the certificate of any school or instructor found guilty of violating any provision of this section or of violating any lawful order, rule or regulation rendered or adopted by

Sec. 89. 32 MRSA § 1658, as enacted by PL 1977, c. 398, § 10, is reallocated to 32 MRSA § 1657-A.

Sec. 90. 32 MRSA § 1658-A, sub-§ 1, first sentence, as repealed and replaced by PL 1975, c. 463, § 3, is amended to read:

No person shall engage in the sale of or practice of fitting and dealing in hearing aids or display a sign or in any other way advertise or represent himself as a person who practices the fitting, dealing and sale of hearing aids after ~~the effective date of this Act~~ **October 1, 1975**, unless he holds a valid license issued by the department as provided in this chapter.

Sec. 91. 32 MRSA § 1659, sub-§ 13, 2nd sentence, as repealed and replaced by PL 1975, c. 463, § 3, is amended to read:

Any and all violations of the department's regulations or provisions of ~~chapter 23-A~~ **this chapter** shall be grounds for refusal to issue or renew said license.

Sec. 92. 32 MRSA § 1854, first sentence is amended to read:

All reusable glass containers used in the manufacture of beverages shall, before being filled or refilled, be thoroughly cleaned and sanitized by washing in an automatic washing machine in a solution of not less than 3% caustic alkali, at a temperature not lower than 110° ~~F~~. **Fahrenheit** to be followed by a rinsing in potable water.

Sec. 93. 32 MRSA § 1870, as enacted by PL 1977, c. 381, § 2, is reallocated to 32 MRSA § 1871.

Sec. 94. 32 MRSA § 2102, as last amended by PL 1977, c. 497, § 10, is further amended by adding a new first paragraph to read:

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

Sec. 95. 32 MRSA § 3501, sub-§ 5, as enacted by PL 1977, c. 469, § 15, is repealed and the following enacted in its place:

5. Examinations. The following applicants for license shall present to the executive officer of the board a written application for examination and license, containing such information as the board may require, accompanied by the required fee of \$15 for a master plumber's examination, \$10 for journeyman plumber's examination and \$15 for a limited plumber's examination.

Examinations shall be in whole or in part in writing, shall be conducted by the board and shall be of a thorough and practical character commensurate with the responsibilities of the prospective license holder.

Applications for a first examination shall be received by the board at least 15 days prior to a scheduled meeting of the board.

The passing grade on any examination shall be not less than 70%. A candidate failing one examination may apply for reexamination, which may be granted upon payment of a fee established by the board. Any candidate for registration having an average grade of less than 50% may not apply for reexamination for one year.

When the unexpired term of license of an applicant is or will be more than one year at the time of licensure, the board may require the applicant to pay an additional fee not to extend $\frac{1}{2}$ the biennial license fee.

Sec. 96. 32 MRSA § 4151, first ¶ is repealed and the following enacted in its place:

For the purposes of this chapter, unless the context otherwise indicates, the following words shall have the following meanings.

Sec. 97. 32 MRSA § 4171, first ¶, as enacted by PL 1969, c. 237, is repealed and the following enacted in its place:

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

Sec. 98. 32 MRSA § 4661, as enacted by PL 1969, c. 395, is amended by adding a new first paragraph to read:

As used in this subchapter, unless the context otherwise indicates, the following words shall have the following meanings.

Sec. 99. 32 MRSA § 4668, as last amended by PL 1973, c. 762, § 12, is further amended to read:

§ 4668. Limitation

This subchapter shall not apply to sales where the gross sales price, including any interest or carrying charges, is less than \$25, nor to any transaction covered by Title 9-A, sections 3.501 to 3.507, nor shall it apply to any sale, by any dealer or agent or salesman of a registered dealer, registered pursuant to chapter 13, of stocks, bonds, debentures or securities representing stocks, bonds or debentures registered pursuant to chapter 13 or expressly exempt from registration thereof, nor shall it apply to any sale of insurance covered by Titles 24 and 24-A.

Sec. 100. 32 MRSA § 6051, sub-§ 6, as enacted by PL 1977, c. 508, § 3, is repealed and the following enacted in its place:

6. Polygraph examiner. “Polygraph examiner” means a person trained in the analysis of polygraph test results.

Sec. 101. 32 MRSA § 6052, sub-§ 3, as enacted by PL 1977, c. 508, § 3, is repealed and the following enacted in its place:

3. Rules and regulations; review. Each rule and regulation promulgated by the commissioner shall be reviewed as provided in Title 5, chapter 308.

Sec. 102. 32 MRSA § 6055, first ¶, last 2 sentences, as enacted by PL 1977, c. 508, § 3, are repealed and the following enacted in their place:

For the purposes of this chapter, a polygraph examiner shall be considered a private investigator and shall not engage in the practice of his profession unless licensed as a private investigator as provided in section 6057. However, a part-time or full-time police officer may act as a polygraph examiner without a license while acting in his capacity as a police officer.

Sec. 103. 32 MRSA § 6056, 3rd sentence, as enacted by PL 1977, c. 508, § 3, is amended to read:

The applicant, or if the applicant is a corporation, its resident manager, superintendent or official representative, shall be at least 18 years of age ~~and~~, shall be of good moral character ~~or~~ and shall have been regularly employed for at least one year as a full-time investigative assistant or for not less than one year as ~~a detective~~ an investigator doing investigating work, a member of an investigative service of the United States or a police officer of the State of Maine or any political subdivision thereof.

Sec. 104. 32 MRSA § 6060, sub-§ 1, ¶¶ A and B, as enacted by PL 1977, c. 508, § 3, are repealed and the following enacted in their place:

A. licensee may employ, to assist him in his business, as many persons as he may deem necessary, except that a licensed person engaged in the private investigation business may not employ more than one person to act as a private investigator or engage in the private investigation business. A person so employed or engaged shall be bonded in the amount of \$20,000 and that bond shall be on file with the Commissioner of Public Safety. The person employed or engaged shall be licensed as an assistant private investigator with the Commissioner of Public Safety for a fee of \$150, provided he is a resident of this State and meets all application requirements for license to engage in the private investigation business, excepting one year’s experience as an investigator. A license shall be issued as an assistant private investigator for a period of one year, provided the person so licensed shall remain employed by the same licensed private investigator for that period.

B. The assistant private investigator license may not be renewed. At the end of

one year, the licensed assistant private investigator may apply for a private investigator license in accordance with sections 6056 to 6059

Sec. 105. 32 MRSA c. 79, as enacted by PL 1977, c. 466, § 2, is reallocated to 32 MRSA c. 81.

Sec. 106. 33 MRSA § 465, as enacted by PL 1973, c. 505, is amended to read:

§ 465. Abutters own to centerline of road or way

Any person owning land in this State abutting a town or private way, county road or highway, whose predecessors in title have not reserved any title in such road or way as provided in sections 460 and 461, or filed the notice provided in section 462 within the time specified therein, shall be deemed to own to the centerline of such road or way except as provided in ~~the following~~ sections **466 to 469**.

Sec. 107. 33 MRSA § 561, first, as enacted by PL 1965, c. 357, is repealed and the following enacted in its place:

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

Sec. 108. 33 MRSA § 562, as enacted by PL 1965, c. 357, is amended to read:

§ 562. Application

This chapter shall be applicable only to property, the sole owner or all of the owners of which submit the same to the provisions ~~herein~~ **of this chapter** by duly executing and recording a declaration as provided.

Sec. 109. 33 MRSA § 1001, first ¶ is repealed and the following enacted in its place:

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

Sec. 110. 34 MRSA § 5, last sentence, as last amended by PL 1967, c. 391, § 5, is further amended to read:

Any prisoner or inmate who escapes from any assignments described in this section, or any other assignment beyond the walls of the State Prison or off the grounds of the ~~Men's~~ **Maine** Correctional Center shall be guilty of escape under this Title or Title ~~17~~ **71-A**, section ~~1405~~ **755**.

Sec. 111. 34 MRSA § 504 is amended to read:

§ 504. Convicts to labor; keeper; profits

The keeper of the jail, workhouse, house of correction, or, in case of a sentence to any town farm or almshouse, the overseers of the poor of such town or the

keeper or agent of such town farm or almshouse may require a convict committed thereto to labor at any lawful work within the town where such institution is situated, and may appoint any suitable person keeper over him, and may collect and receive the wages, compensation or profits of his labor, and at the expiration of his sentence pay to the convict such reasonable compensation as in thier judgment the profits of his labor will warrant, deducting therefrom the costs of commitment ~~and any fine imposed under Title 17, section 3757.~~

Sec. 112. 34 MRSA § 708, 3rd sentence, as amended by PL 1975, c. 756, § 18 and by c. 771, § 382, is repealed and the following enacted in its place:

When the warden believes that there are more convicts in the State Prison than can be confined there securely, he shall certify the fact to the commissioner, who may authorize him to transfer them, so far as is necessary, to some jail.

Sec. 113. 36 MRSA § 6, as enacted by PL 1977, c. 477, § 1, is reallocated to 36 MRSA § 6-A.

Sec. 114. 36 MRSA § 583, sub-§ 2, as amended by PL 1977, c. 509, § 11 and as repealed and replaced by PL 1977, c. 549, § 6, is repealed and the following enacted in its place:

2. Appeal to Land Classification Appeals Board. Any person aggrieved by the decision of an assessor, the State Tax Assessor or chief assessors, upon that petition may, within 30 days after notice thereof from the assessor or after the petition shall be deemed to have been denied, appeal therefrom to the Land Classification Appeals Board under chapter 101, subchapter III, Article 2.

Sec. 115. 36 MRSA § 583, sub-§ 3, first sentence, as amended by PL 1977, c. 509, § 12 and as repealed and replaced by PL 1977, c. 549, § 7, is repealed and the following enacted in its place:

Any party may appeal from the decision of the Land Classification Appeals Board under subsection 2 to the Superior Court in the county where the land or any part of the land is located.

Sec. 116. 36 MRSA § 660, as enacted by PL 1977, c. 490, § 3, is amended to read:

§ 660. Legislative review

1. Review; committee jurisdiction. The following sections of this subchapter are subject to review under Title 1, section ~~2501~~ 2601; sections 652, 653, 654, 655 and 656. The legislative committee having jurisdiction over the review provided for in Title 1, section ~~2502~~ 2602, shall be the Joint Standing Committee on Taxation. Any further property tax exemptions enacted in this Title shall be assigned a date of review in Title 1, section ~~2501~~ 2601, that is no more than 5 years from its effective date.

2. Additional contents of report. In addition to the contents of the committee report set out in Title 1, section ~~2502~~ 2603, a report on property tax exemptions shall include:

A. An evaluation of the economic impact of the exemption on the State or community; and

B. A determination of which groups or individuals are assisted by the exemption and their approximate number.

Sec. 117. 36 MRSA § 1110, as amended by PL 1977, c. 467, § 12 and by c. 509, c. 28, is repealed and the following enacted in its place:

§ 1110. Reclassification

Land subject to taxes under this subchapter may be reclassified as to land classification by the municipal assessor, chief assessor or State Tax Assessor upon application of the owner with a proper showing of the reasons justifying that reclassification or upon the initiative of the respective municipal assessor, chief assessor or State Tax Assessor where the facts justify the same. In the event that the municipal assessor, chief assessor or State Tax Assessor determines, upon his own initiative, to reclassify land previously classified under this subchapter, he shall provide to the owner or owners of the land by certified mail, return receipt requested, notice of his intention to reclassify that land and the reasons therefor.

Sec. 118. 36 MRSA § 1752, sub-§ 9-A, as enacted by PL 1977, c. 198, § 1, is reallocated to 36 MRSA § 1752, sub-§ 9-C.

Sec. 119. 36 MRSA § 1760, sub-§ 37, as enacted by PL 1977, c. 542, § 4, is reallocated to 36 MRSA § 1760, sub-§ 38.

Sec. 120. 36 MRSA § 1760-A, as enacted by PL 1977, c. 490, § 4, is amended to read:

§ 1760-A. Legislative review

1. Review; committee jurisdiction. Section 1760, except for subsections 1 and 2, is subject to review under Title 1, section ~~2501~~ 2601. The legislative committee having jurisdiction over the review provided for in Title 1, section ~~2502~~ 2602, shall be the Joint Standing Committee on Taxation. Any sales tax exemptions enacted in this Title after ~~the effective date of this section~~ **October 24, 1977**, shall be assigned a date of review in Title 1, section 2501 2601, that is no more than 5 years from its effective date.

2. Additional contents of report. In addition to the contents of the committee report set out in Title 1, section ~~2502~~ 2603, a report on sales tax exemptions shall include:

A. An evaluation of the economic impact of the exemption on the State or community; and

B. A determination of which group or individuals are assisted by this exemption and their approximate number.

Sec. 121. 36 MRSA § 2908, as amended by PL 1977, c. 270 and by c. 477, § 12, is repealed and the following enacted in its place:

§ 2908. Refund of 8/9 of tax in certain cases; time limit

Any person, association of persons, firm or corporation who shall buy and use any internal combustion engine fuel as defined in this chapter for the purpose of operating or propelling commercial motor boats, tractors used for agricultural purposes not operating on public ways, or in such vehicles as run only on rails or tracts, or in stationary engines, or in the mechanical or industrial arts, or for any other commercial use except in motor vehicles operated or intended to be operated upon any of the public highways of this State, or turnpikes operated and maintained by the Maine Turnpike Authority, or except as provided in section 2910, in the operation of aircraft, and who shall have paid any tax on internal combustion engine fuel levied or directed to be paid as provided by this chapter, either directly by the collection of the tax by the vendor from the consumer, or indirectly by adding the amount of that tax to the price of that fuel and paid by that consumer, shall be reimbursed and repaid to the extent of 8/9 of the amount of the tax paid by him upon presenting to the State Tax Assessor a sworn statement accompanied by the original invoices or other evidence as the State Tax Assessor may require showing those purchases, which statement shall show the total amount of the fuel so purchased and used by that consumer other than in motor vehicles operated or intended to be operated upon any of the public highways of the State and in the operation of aircraft. Applications for refunds shall be filed with the State Tax Assessor within 15 months from the date of purchase.

Sec. 122. 37-A MRSA § 19, as enacted by PL 1971, c. 580, § 1, is amended by inserting at the end the following paragraph:

Eligible family members of servicemen who are permanently buried overseas, buried at sea, missing in action and declared dead, or whose bodies are unrecoverable for other reasons, may be buried in the Maine Veterans Memorial Cemetery providing the deceased serviceman or veteran would be eligible for burial in the cemetery.

Sec. 123. 38 MRSA § 543, 2nd ¶, as enacted by PL 1973, c. 423, § 11, is amended to read:

Notwithstanding the prohibition of this section, the Board of Environmental

Protection may license the discharge of waste, refuse or effluent, including natural drainage contaminated by oil, petroleum products or their by-products, into or upon any ~~coastal~~ waters of the State if, and only if, it finds that such discharge will be receiving the best available treatment and that discharge will not degrade existing water quality nor perceptibly violate the classification of the receiving waters, nor create any visible sheen upon the receiving waters.

Sec. 124. PL 1977, c. 509, § 30-C, 1st 2 lines, are repealed and the following enacted in their place:

Sec. 30-C. 36 MRSA § 1281, 4th sentence, as last amended by PL 1969, c. 2, § 1, is further amended to read:

Sec. 125. P&SL 1865, c. 532, § 4, 7th and 8th sentences, as last repealed and replaced by PL 1973, c. 625, § 28 are repealed and the following enacted in their place:

Subsequent terms of office shall be fixed at 7 years and each term shall expire on May 26th of the appropriate year, except that a member shall continue to serve until a successor trustee has been appointed and qualified to assume office.

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

STATEMENT OF FACT

- Sec. 1. To correct an error in form.
- Sec. 2. To remove unnecessary wording.
- Secs. 3. and 4. To reallocate a chapter.
- Sec. 5. To relocate a chapter.
- Secs. 6, 7 & 8. To conform statutory language to legislation passed last session.
- Sec. 9. To reallocate a subsection.
- Sec. 10. To correct an erroneous internal reference.
- Sec. 11. To correct 2 inconsistent laws.
- Sec. 12. To correct 6 inconsistent laws.
- Sec. 13. To correct an erroneous internal reference.
- Sec. 14. To reallocate a chapter.
- Sec. 15. To correct 2 inconsistent laws.

- Sec. 16. To correct 2 inconsistent laws.
- Sec. 17. To correct an erroneous internal reference.
- Sec. 18. To conform statutory language to language of related sections.
- Sec. 19. To correct 2 inconsistent laws.
- Sec. 20. To reallocate a subsection.
- Sec. 21. To conform statutory language to legislation passed last session.
- Sec. 22. To conform statutory language to the Maine Criminal Code.
- Sec. 23. To correct a grammatical erroer.
- Sec. 24. To conform statutory language to legislation passed last session.
- Sec. 25. To correct a spelling error.
- Sec. 26. To correct 2 inconsistent laws.
- Sec. 27. To correct an erroneous internal reference.
- Sec. 28. To clarify statutory language.
- Sec. 29. To correct 2 inconsistent laws.
- Sec. 30. To correct 2 inconsistent laws.
- Sec. 31. To correct 2 inconsistent laws.
- Sec. 32. To reallocate a chapter.
- Sec. 33. To correct 2 inconsistent laws.
- Sec. 34. To correct 2 inconsistent laws.
- Sec. 35. To correct 2 inconsistent laws.
- Sec. 36. To correct 2 inconsistent laws.
- Sec. 37. To reallocate a section.
- Sec. 38. To correct 2 inconsistent laws.
- Secs. 39 & 40. To reallocate a subsection.
- Secs. 41 - 45. To reallocate 2 chapters.
- Sec. 46. To reenact 2 sections that were inadvertently repealed.

- Secs. 47 & 48. To repeal a paragraph in the section which was inadvertently overlooked when the section was repealed.
- Sec. 49. To correct 2 inconsistent laws.
- Secs. 50 & 51. To allocate an unallocated law.
- Sec. 52. To correct 2 inconsistent laws.
- Sec. 53. To reallocate a subsection.
- Secs. 54 & 55. To correct erroneous internal references.
- Sec. 56. To insert an effective date.
- Sec. 57. To correct an error in grammar.
- Sec. 58. To correct errors in legislation passed last session.
- Sec. 59. To remove an unconstitutional provision from a section.
- Sec. 60. To correct an ambiguous reference.
- Secs. 61 & 62. To include language that was inadvertently omitted from section.
- Sec. 63. To correct an error in spelling.
- Sec. 64. To correct an erroneous internal reference.
- Sec. 65. To correct an error in grammar.
- Sec. 66. To correct internal references.
- Sec. 67. To repeal an obsolete paragraph.
- Sec. 68. To conform provisions to those passed in 1975.
- Secs. 69 & 70. To rewrite and update a section.
- Sec. 71. To reallocate a section.
- Sec. 72. To insert words inadvertently omitted from law.
- Sec. 73. To reenact a provision inadvertently repealed during the last session.
- Sec. 74. To correct 2 inconsistent laws and to correct internal references.
- Sec. 75. To correct provisions of section inconsistent with other statutes.
- Sec. 76. To correct an erroneous internal reference.
- Sec. 77. To correct an erroneous internal reference.
- Sec. 78. To correct 2 inconsistent laws.

- Sec. 79. To correct an erroneous internal reference.
- Secs. 80 & 81. To reposition a paragraph within the subsection.
- Sec. 82. To remove an incorrect word and to correct a spelling error.
- Sec. 83. To correct internal references.
- Secs. 84 & 85. To correct a problem in numbering of subsections within a section.
- Secs. 86 & 87. To correct a problem in numbering of subsections within a section.
- Sec. 88. To insert the word "or" which was omitted from the subsection.
- Secs. 89 & 90. To reallocate a section and to insert an effective date.
- Sec. 91. To correct an internal reference.
- Sec. 92. To delete the abbreviation for fahrenheit and to insert the word "fahrenheit."
- Sec. 93. To reallocate a section.
- Sec. 94. To insert language omitted from the section.
- Sec. 95. To insert language omitted from the subsection.
- Sec. 96. To insert language omitted from the subsection.
- Sec. 97. To insert language omitted from the section.
- Sec. 98. To insert language omitted from the section.
- Sec. 99. To include language inadvertently omitted from legislation last session.
- Sec. 100. To correct the improper use of the term "expert."
- Sec. 101. To clarify review of rules and regulations under sunset provisions.
- Secs. 102 & 103. To clarify ambiguous wording.
- Sec. 104. To replace the term "detective" with the word "investigator."
- Sec. 105. To reallocate a chapter.
- Sec. 106. To remove unnecessary language and correct a reference.
- Sec. 107. To insert conforming language.
- Sec. 108. To remove the word "herein" and insert "of this chapter."
- Sec. 109. To insert conforming statutory language.

- Sec. 110. To correct an erroneous internal reference and to correct an improper title.
- Sec. 111. To correct an erroneous internal reference.
- Sec. 112. To correct 2 inconsistent laws.
- Sec. 113. To reallocate a section.
- Sec. 114. To correct 2 inconsistent laws.
- Sec. 115. To correct 2 inconsistent laws.
- Sec. 116. To correct erroneous internal references.
- Sec. 117. To correct 2 inconsistent laws.
- Sec. 118. To reallocate a subsection.
- Sec. 119. To reallocate a subsection.
- Sec. 120. To correct erroneous internal references and to insert an effective date.
- Sec. 121. To correct 2 inconsistent laws.
- Sec. 122. To correct an omission in the original statute.
- Sec. 123. To conform the statutory language to that of other provisions.
- Sec. 124. To correct an erroneous allocation.
- Sec. 125. To remove surplus language.