

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 978

S. P. 340

In Senate, February 23, 1981

Referred to the Committee on Judiciary. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary of the Senate

Presented by Senator Devoe of Penobscot.

Cosponsor: Representative Hobbins of Saco.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Make 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 that these uncertainties and this confusion be resolved in order to prevent any injustice or hardship to 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Sec. 1. 2 MRSA § 6, sub-§ 5, as last amended by PL 1979, c. 651, § 1 and as last repealed and replaced by PL 1979, c. 663, § 3, is repealed and the following enacted in its place:

5. Range 86. The salaries of the following state officials and employees shall be within salary range 86:

Adjutant General;

Director of Labor;

General Counsel of the Public Utilities Commission;

Deputy Chief of the State Police;

Director of Transportation of the Public Utilities Commission;

Director of State Lotteries;

State Archivist;

Director of Maine Geological Survey;

Executive Director, Land Use Regulation Commission;

Director of Finance of the Public Utilities Commission;

Executive Director of the Maine Labor Relations Board; and

Chairman, Maine Employment Security Commission.

Sec. 2. 4 MRSA § 152, first sentence, as last amended by PL 1979, c. 663, § 7 and as repealed and replaced by PL 1979, c. 700, § 1, is repealed and the following enacted in its place:

The District Court shall possess the civil jurisdiction exercised by all trial justices and municipal courts in the State on September 16, 1961, and in addition, original jurisdiction, concurrent with that of the Superior Court of all civil actions in which neither damages in excess of \$20,000, nor, except as herein provided, equitable relief is demanded of proceedings under Title 14, section 6651 to 6658 and of actions for divorce, annulment of marriage or judicial separation and of proceedings under Title 19 and original jurisdiction, concurrent with that of the Superior Court, of actions to quiet title to real estate under Title 14, sections 6651 through 6658, and in these actions the District Court may grant equitable relief; and original jurisdiction, concurrent with that of the Superior Court, for breach of implied warranty and covenant of habitability under Title 14, section 6021, and in these actions the District Court may grant equitable relief; and original jurisdiction, concurrent with that of the Superior Court, of actions to quiet title to real estate under Title 36, section 946, and in such actions the District Court may grant equitable relief, of actions to foreclose mortgages under Title 14, chapter 713, subchapter VI; and of small claims actions under Title 14, chapter 738, and in these actions the District Court may grant equitable relief.

Sec. 3. 4 MRSA § 553, as amended by PL 1973, c. 625, § 12, is repealed as follows:

~~§ 553.—Bond~~

~~Each clerk shall give a corporate surety bond or bonds to the State, to be lodged in the office of the State Auditor, in amounts and form approved by the Chief Justice of the Supreme Judicial Court, conditioned that he will faithfully perform all the duties of his office, pay over all moneys and safely keep and immediately deliver all records, files, papers, muniments in said office and property of the county as required by law~~

Sec. 4. **5 MRSA § 10, last sentence**, as enacted by P&SL 1975, c. 147, Pt. C, § 6, is repealed as follows:

~~The manner and timing of conversion to biweekly payroll will be determined by the State Controller in such a manner as to minimize any adverse cash flow impact on state employees or the State as a result of this chapter~~

Sec. 5. **7 MRSA § 489**, as amended by PL 1979, c. 663, § 20, is further amended to read:

§ 489. Exceptions

No person shall be prosecuted under chapter 401, and sections 481 to 488 and 640 to 643, 791 to 795, 911 to 913 and 1081 to 1085 when he can establish proof of purchase, and a guaranty signed by the person residing in the United States from whom the purchase was made, to the effect that the article in question is not adulterated or misbranded within the meaning of this Title.

Sec. 6. **7 MRSA § 3704**, as amended by PL 1979, c. 127, § 47, and c. 492, § 13, is repealed and the following enacted in its place:

§ 3704. Official refusal or neglect of duty

Any mayor, selectman, clerk, constable, police officer, sheriff or animal control officer who refuses or intentionally fails to perform the duties imposed by sections 3402, 3451, 3701 to 3703 and 3804 commits a civil violation for which a forfeiture of not less than \$10 nor more than \$50, and costs, shall be adjudged.

Sec. 7. **8 MRSA § 329, 2nd ¶, 4th sentence** is repealed and the following enacted in its place:

A judge of the Administrative Court may revoke any license for good cause upon notice and hearing.

Sec. 8. **9 MRSA § 3751, last sentence**, as enacted by PL 1977, c. 694, § 155-C, is amended to read:

Actions of the ~~commissioner~~ **superintendent** pursuant to this section shall be conducted in accordance with the provisions of the Maine Administrative Procedure Act, Title 5, chapter 375.

Sec. 9. **9 MRSA § 4064, sub-§ 1, ¶ C, sub-¶ (5)**, as enacted by PL 1975, c. 429, § 1, is amended to read:

(5) The balance payable by the insured, the sum of subparagraphs (3) and (4); and

Sec. 10. 9 MRSA § 4064, sub-§ 1, ¶ D, as enacted by PL 1975, c. 429, § 1, is repealed.

Sec. 11. 9 MRSA § 4064, sub-§ 1, as enacted by PL 1975, c. 429, § 1, is amended by adding before the last paragraph a new paragraph to read:

If an insurance premium finance agreement is payable to, or to the order of, an insurance agent or broker not licensed as an insurance premium finance company, payments under the agreement must be payable at the office of an insurance premium finance company authorized under this Part to do business in the State to whom the agreement is by its terms to be and is subsequently assigned.

Sec. 12. 9-A MRSA § 2-201, sub-§ 9, last ¶, as enacted by PL 1979, c. 661, § 1, is amended to read:

“Motor vehicle” means any self-propelled vehicle not operated exclusively on tracks, except agricultural machinery and any other ~~devises~~ **devices** which do not constitute consumer goods, as defined in Title 11, section 9-109, subsection 1.

Sec. 13. 9-A MRSA § 2-307, sub-§ 2, first sentence, as enacted by PL 1979, c. 660, § 6, is amended to read:

With respect to a supervised loan in which the amount financed is \$1,000 or less, a lender may not take a security interest in the ~~principle~~ **principal** residence of the consumer.

Sec. 14. 10 MRSA Pt. 9, first line, as enacted by PL 1969, c. 430, is repealed and the following enacted in its place:

PART 9

DEPARTMENT OF BUSINESS REGULATION

Sec. 15. 10 MRSA § 803, sub-§ 4 is amended to read:

4. Amortization. Contain complete amortization provisions satisfactory to the authority requiring periodic payments by the mortgagor which shall include principal and interest payments, cost of local property taxes and assessments, land lease rentals if any, and hazard insurance on the property and such mortgage insurance premiums as are required under section 805; **and**

Sec. 16. 10 MRSA § 803, sub-§ 6, as enacted by PL 1977, c. 489, § 11, is repealed.

Sec. 17. 10 MRSA § 803, as last amended by PL 1979, c. 228, §§ 5 and 6, is further amended by adding before the 3rd paragraph from the end a new paragraph to read:

All payments required to be paid under the terms of any mortgage or other agreement for the extension of credit or making of a loan by the authority for a project financed by revenue obligation securities or of notes issued in anticipation

of such securities as provided in chapter 104 shall at all times that these securities or notes are outstanding be eligible for insurance pursuant to this chapter. The authority may insure any eligible mortgage or other agreement by designating such mortgage in the resolution authorizing the notes or bonds issued to provide funds to finance the eligible project or by endorsing an appropriate certificate on such mortgage or other agreement. In the case of a default in payment with respect to any mortgage or other agreement so insured, the amount of the payment shall immediately, and at all times during the continuance of the default, constitute a charge on the mortgage insurance fund and shall be applied by the authority to the payment of taxes or insurance on the eligible project or the payment of the mortgage loan secured by the mortgage or other agreement. The authority may make the payments from any current revenues or surplus and may pledge moneys in the mortgage insurance fund to the payments as aforesaid. The authority shall take or cause to be taken all reasonable steps to enforce the payment of amounts in default on any such mortgage or other agreement and to exercise all available remedies necessary to enforce the mortgage or other agreement and protect the security of the authority's obligations. The trustee for any bond or note issued in anticipation thereof or, if there be no such trustee, the holder of any such bond or note shall have the right to bring suit against the authority for payment.

Sec. 18. 10 MRSA § 1174, sub-§ 3, ¶¶ K and L, as enacted by PL 1975, c. 573, are amended to read:

K. To compete with a motor vehicle dealer operating under an agreement or franchise from ~~such the~~ manufacturer, distributor or wholesaler in the relevant market area, ~~such the~~ area to be determined exclusively by equitable principles; provided ~~however~~ that a manufacturer, distributor or wholesaler shall not be deemed to be competing when operating a dealership either temporarily for a reasonable period in any case not to exceed one year or in a bona fide relationship in which an independent person has made a significant investment subject to loss in the dealership and can reasonably expect to acquire full ownership of ~~said the~~ dealership on reasonable terms and conditions; and provided ~~further~~ that a distributor shall not be deemed to be competing when a wholly owned subsidiary corporation or ~~such the~~ distributor sells motor vehicles at retail, if, for at least 3 years prior to January 1, 1975, ~~such the~~ subsidiary corporation has been a wholly owned subsidiary of ~~such the~~ distributor and engaged in the sale of motor vehicles at retail; or

L. To require a motor vehicle dealer to assent to a release assignment, novation, waiver or estoppel which would relieve any person from liability imposed by this chapter; or

Sec. 19. 10 MRSA § 1174, sub-§ 4, first sentence, as enacted by PL 1975, c. 573, is amended to read:

~~It shall be deemed a violation for a motor~~ **Motor** vehicle dealer:

Sec. 20. 10 MRSA § 1174, sub-§ 4, ¶ B, as enacted by PL 1975, c. 573, is amended to read:

B. To represent and sell as a new motor vehicle any motor vehicle which has been used and operated for demonstration purposes or which is otherwise a used motor vehicle; or

Sec. 21. 10 MRSA § 1254, sub-§ 1, ¶F is amended to read:

F. The addresses of the places where its stamps are redeemable therein; and

Sec. 22. 10 MRSA § 1254, sub-§§ 2 and 3 are repealed:

Sec. 23. 10 MRSA § 1254 is amended by adding at the end 2 new paragraphs to read:

The statement of registration shall be filed with the Secretary of State annually by July 1st of each year.

If the company has not previously done business as a trading stamp company in this State, or if its gross income from such business in this State during its last fiscal year was less than \$100,000, it shall pay a registration fee of \$100 to the Secretary of State at the time of filing each registration statement. If the gross income exceeded \$100,000 but was not in excess of \$250,000, the registration fee shall be \$250. If the gross income exceeded \$250,000 but was not in excess of \$500,000, the registration fee shall be \$500. If the gross income exceeded \$500,000 but was not in excess of \$750,000, the registration fee shall be \$750. If the gross income exceeded \$750,000, the registration fee shall be \$1,000.

Sec. 24. 10 MRSA § 1474, sub-§ 3, as last amended by PL 1977, c. 696, § 116, is repealed and the following enacted in its place:

3. Dealer to furnish certain written statements concerning warranty. No dealer shall sell, offer for sale or transfer a used motor vehicle to a person unless he furnishes to such person a written statement containing the warranty required by subsection 1. Any other warranty, in addition to that required by subsection 1, that may be extended or agreed to by the dealer must be set forth in this written statement in accordance with further requirements of this section.

A. Every written statement shall contain, fully and conspicuously disclosed, the following information:

(1) The name and address of the dealer's place of business, where repairs, replacement of parts and other service under the warranty are to be performed or, if such repairs, replacement of parts and other service under the warranty are not to be performed at such place of business, the name, address and other identifying information of each facility within a radius of 50 miles of the dealer's place of business to which the vehicle may be brought for repairs, replacement of parts and other service under the warranty; and

(2) The following notice: "If a dealer fails to perform his obligation under the warranty, the purchaser shall give the dealer written notice of such failure before the purchaser initiates a civil action in accordance with section 1476. The notice must be sent by registered or certified mail to the dealer's last known business address."

B. In addition, the written statement required by this subsection shall contain, fully and conspicuously disclosed, the following information concerning any additional warranty not required by subsection 1:

- (1) The date or number of days or mileage at which the warranty will terminate;**
- (2) The parts or systems of the vehicle that are warranted against mechanical defects, or the parts or systems of the vehicle excluded from the warranty; and**
- (3) A statement of what the dealer will do in the event of a mechanical defect and at whose expense.**

Sec. 25. 10 MRSA § 9001, sub-§ 1, ¶ C, as enacted by PL 1977, c. 550, § 1, is amended to read:

C. ~~That the~~ The production and use of manufactured housing utilizing production technologies, techniques, methods and materials requires the application and enforcement of uniform building codes and installation standards within this State.

Sec. 26. 10 MRSA § 9021, sub-§ 2, as enacted by PL 1977, c. 550, § 1, is amended to read:

2. Effective date. Licenses shall be required for all persons, as outlined in subsection 1 within 60 days after the effective date of the licensing regulation set forth in subchapter I, section 9005; such regulations to be filed with the Secretary of State no later than 180 days after ~~the effective date of this chapter~~ **October 24, 1977.**

Sec. 27. 12 MRSA § 7101, sub-§ 5, ¶ A, as amended by PL 1979, c. 663, § 66 and c. 704, § 2, is repealed and the following enacted in its place:

A. Resident junior hunting license \$1
(10 years of age or older and under 16)

Sec. 28. 12 MRSA § 7101, sub-§ 5, ¶ H, as amended by PL 1979, c. 675, § 1 and c. 704, § 2, is repealed and the following enacted in its place:

H. Alien big game hunting license\$105
(Permits hunting of all species, including deer and bear)

Sec. 29. 12 MRSA § 7101, sub-§ 5, ¶¶ I, J and K, as enacted by PL 1979, c. 675, § 2 and c. 704, § 3, are repealed and the following enacted in their place:

I. Nonresident combination hunting and fishing license \$87

J. Alien small game hunting license \$50
(Permits hunting of all species, except deer and bear)

K. Alien combination hunting and fishing license\$140

Sec. 30. 12 MRSA § 7102, sub-§ 3, ¶D, as enacted by PL 1979, c. 675, § 3 and c. 704, § 6, is repealed and the following enacted in its place:

D. Alien archery license \$50

Sec. 31. 12 MRSA § 7131-A, as enacted by PL 1979, c. 723, § 6, is repealed.

Sec. 32. 12 MRSA § 7151, sub-§ 5, ¶I, as enacted by PL 1979, c. 675, § 4 and c. 704, § 10, is repealed and the following enacted in its place:

I. Alien season fishing..... \$50
(16 years of age or older)

Sec. 33. 12 MRSA § 7406, sub-§ 20, ¶B, as enacted by PL 1979, c. 420, § 1, is repealed and the following enacted in its place:

B. The following are exceptions concerning subsection 17.

- (1) Paragraphs A, B, C, D, E and F shall not apply to military organizations authorized by law to bear arms or to the National Guard in the performance of its duty.
- (2) Paragraphs B, D and E shall not apply to firearms using the .22 caliber rim fire cartridge or to any auto-loading pistol having a barrel less than 8 inches in length.
- (3) Paragraph K does not affect or restrict the legitimate possession and sale of flashlights.
- (4) Paragraph L does not affect chapter 709, subchapter IV or any rule issued in accordance with section 7035, subsection 1.

Sec. 34. 12 MRSA § 8409, sub-§ 3, last sentence, as enacted by PL 1979, c. 545, § 3, is amended to read:

In the even that the director finds that the owner or claimant is in noncompliance with the terms upon which the application was granted, then an amount equal to the tax, interest and penalty as provided for in section 8406, subsection-6 4, for each year the parcel was designated as a silvicultural treatment area shall immediately become due and payable and his land shall be subject to a lien as provided for in section 8406, subsection-7 5.

Sec. 35. 13-B MRSA § 714, sub-§ 3, 2nd sentence, as enacted by PL 1977, c. 525, § 13, is amended to read:

Such determination shall be made by the board of directors by a majority vote of a quorum consisting of directors who were not parties to such action, suit or proceeding, or if such a quorum is not obtainable, or even if obtainable, if a quorum of disinterested directors so directs, by independent legal counsel in a written opinion ~~or by the shareholders.~~

Sec. 36. 14 MRSA § 5536 is amended to read:

§ 5536. No rearrest after discharge

No person discharged by ~~habeas corpus~~ **post-conviction review**, except as provided in ~~sections 5502 to 5508~~ **Title 15, chapter 305-A**, shall be again imprisoned or restrained for the same cause, unless indicted therefor, convicted thereof or committed for want of bail; or unless, after a discharge for defect of proof or some material defect in the commitment in a criminal case, he is arrested on sufficient proof and committed by legal process for the same offense.

Sec. 37. 15 MRSA § 3101, sub-§ 4, ¶ D, as repealed and replaced by PL 1979, c. 681, § 4 and as last amended by PL 1979, c. 681, § 38, is repealed and the following enacted in its place:

D. The Juvenile Code shall consider the following factors in deciding whether to bind a juvenile over to Superior Court:

- (1) Seriousness of the crime: The nature and seriousness of the offense, greater weight being given to offenses against the person than against property; whether the offense was committed in an aggressive, violent, premeditated or willful manner;**
- (2) Characteristics of the juvenile: The record and previous history of the juvenile; his emotional attitude and pattern of living; and**
- (3) Dispositional alternatives: Whether future criminal conduct by the juvenile will be deterred by the dispositional alternatives available to the Juvenile Court; whether the dispositional alternatives available to the Juvenile Court would diminish the gravity of the offense; and whether the protection of the community requires commitment of the juvenile to a facility which is more secure than those available as dispositional alternatives to the Juvenile Court.**

Sec. 38. 17 MRSA § 1228, sub-§ 3, first sentence, as enacted by PL 1977, c. 445, is amended to read:

By The animal may be destroyed by shooting, provided that:

Sec. 39. 17-A MRSA § 7, sub-§ 4, ¶ C, as enacted by PL 1979, c. 512, § 19, is amended to read:

C. The same place in which other crimes, if any, in the same criminal episode were committed; and

Sec. 40. 17-A MRSA § 1203-A, as enacted by PL 1979, c. 512, § 41 and repealed by PL 1979, c. 707, § 2, is reenacted to read:

§ 1203-A. Suspension of last portion of sentence with probation

The court, at the time of imposing a term of imprisonment for 4 years or more for a Class A or Class B crime, may suspend any portion of the last 2 years with probation. The term of probation shall not exceed one year and shall commence on release from the unsuspended term of imprisonment. The total of the unsuspended

term of imprisonment and the suspended term of imprisonment shall not exceed the maximum term authorized for the crime.

Sec. 41. 17-A MRSA § 1203-B, as enacted by PL 1979, c. 701, § 27, is repealed.

Sec. 42. 18-A MRSA § 1-602, ¶ (2), sub-¶ (ii), as repealed and replaced by PL 1979, c. 719, § 2, is amended to read:

(ii) ~~\$10,001~~ \$10,000 to \$20,000, \$10;

Sec. 43. 19 MRSA § 532, 3rd ¶, as amended by PL 1979, c. 325, § 1, is repealed as follows:

~~When a surrender and release has been executed and approved in accordance with section 532-A, the consent to adoption may be given by the child placing agency duly licensed in Maine or State Department of Human Services to whom a child has been surrendered and released or to whom a surrendered and released child has been transferred~~

Sec. 44. 19 MRSA § 771, as enacted by PL 1979, c. 677, § 17, is reallocated to 19 MRSA § 770-A.

Sec. 45. 19 MRSA c. 14, as enacted by PL 1979, c. 668, § 6, is reallocated to 19 MRSA c. 14-A.

Sec. 46. 20 MRSA § 215, sub-§ 4, 3rd ¶ from the end is amended to read:

When affirmative action is taken in accordance with the preceding articles in each of the participating municipalities, said district shall, upon the date that it takes over the operation of the public schools within its jurisdiction, become eligible to the benefits of sections ~~3456~~ 213-A and 3457 and become responsible for assessing in all the participating municipalities in the new School Administrative District, collecting and paying over to the trustees of the community school district each year the funds necessary to amortize all outstanding capital outlay indebtedness existing at the time when the operation of the community school district was suspended.

Sec. 47. 20 MRSA § 223, as repealed and replaced by PL 1979, c. 127, § 133, is amended to read:

§ 223. Regulations

Subject to this chapter and sections 1901, 1902, ~~3456~~ 3457 to 3460 and 4742 to 4758, the State Board of Education may make such reasonable regulations as it may find necessary for carrying out the purposes, provisions and intent of these sections. The State Board of Education shall adopt these regulations in accordance with section 21.

Sec. 48. 20 MRSA § 4755, sub-§ 3, ¶ B, as enacted by PL 1977, c. 625, § 8, is amended to read:

B. The format of the school budget may be determined in accordance with section 226, subsection 3 or section ~~362~~ 379.

Sec. 49. 22 MRSA § 46, first ¶, last sentence, as enacted by PL 1971, c. 622, § 69-B, is amended to read:

The only exception to the above specific procedures ~~will be~~ is those instances in which the charitable or benevolent organization by agreement with the department elects to return its state appropriation, either in whole or in part, to the department for matching with federal funds.

Sec. 50. 22 MRSA § 253, first ¶, as enacted by PL 1967, c. 243, is amended to read:

~~The Department of Health and Welfare~~ department is authorized to develop and administer, and continuously adapt, modify or otherwise revise as conditions and circumstances indicate, a plan for providing comprehensive health services, and continued comprehensive health planning in accordance with the ~~Federal United States Public Health Services Act~~, as amended by PL 89-749.

Sec. 51. 22 MRSA § 253, last ¶, as enacted by PL 1967, c. 243, is amended to read:

~~The Department of Health and Welfare~~ department is authorized to accept and expend federal funds allotted or otherwise made available under the ~~said~~ Act to states for the purposes of the Act in accordance with the ~~said~~ Act and any amendments thereof, and the applicable State of Maine laws, rules, regulations or fiscal policies or practices.

Sec. 52. 22 MRSA § 254, sub-§ 6, as amended by PL 1975, c. 771, § 212, is repealed.

Sec. 53. 22 MRSA § 254, as last amended by PL 1979, c. 726, §§ 1-5, is further amended by inserting before the 2nd paragraph from the end a new paragraph to read:

The Commissioner of Human Services shall establish, or shall require the person responsible for administration of this program to establish, a planned program of solicitation of funds and drugs for this program from agencies of government, individuals, groups and corporations. A register of solicitations shall be kept, which shall include at least the name, address and business of the agency, individual, group or corporation from whom funds and drugs are solicited, as well as the date, time and result of the solicitation. This register shall be a public record and shall be sent to the Governor every 6 months for his inspection.

Sec. 54. 22 MRSA § 353, sub-§ 1, ¶ C, as enacted by PL 1977, c. 691, § 1, is amended to read:

C. One member shall have had at least 5-years' experience in the field of health insurance or in the administration of a health care service plan within the 10 years preceding the ~~initital~~ initial appointment; and

Sec. 55. 22 MRSA § 459, first sentence, as amended by PL 1975, c. 293, § 4, is further amended to read:

The local health officer of each municipality shall annually on a day or days specified by him during the month of March, or ~~oftener~~ **more often** if he deems it prudent, provide for the free vaccination with cowpox of all inhabitants within his jurisdiction; and shall provide for free inoculation with suitable material, as defined by the Department of Human Services, against diphtheria, whooping cough, tetanus and poliomyelitis of all children under 16 years of age at a time specified by him.

Sec. 56. 22 MRSA § 1021, first sentence, as enacted by PL 1977, c. 304, § 2, is amended to read:

When ~~the~~ a departmental or a municipal health officer knows that an individual having a dangerous communicable disease has failed or refused to comply with a rule or proper order or is unable to unwilling to conduct ~~himself~~ **himself** and to live in a manner so as not to expose members of his family or household, or other individuals with whom he may be associated or in contact to the danger of infection, the health officer immediately shall investigate the circumstances.

Sec. 57. 22 MRSA § 1317-A, last ¶, as enacted by PL 1975, c. 239, § 4, is amended to read:

~~Provided, however, nothing~~ **Nothing** in this section should be construed to authorize or require the physical examination of any child whose parent or guardian objects thereto on the grounds ~~such~~ **the** examination conflicts with the tenets and practices of a ~~well-recognized~~ **well-recognized** church or religious denomination of which he is an adherent.

Sec. 58. 22 MRSA § 1320-A, sub-§ 1, as enacted by PL 1975, c. 239, § 7, is amended to read:

1. Lead poisoning found. A case of lead poisoning has been found in any dwelling unit within the dwelling; **or**

Sec. 59. 22 MRSA § 1321, sub-§ 3, last sentence, as repealed and replaced by PL 1975, c. 239, § 8, is amended to read:

If, at the discretion of the commissioner, ~~such~~ **the** lead base substances cannot be removed, replaced or securely and permanently covered within 30 days, an extension of reasonable time may be granted; **and**

Sec. 60. 22 MRSA § 1471-B, sub-§ 1, next to last sentence, as enacted by PL 1979, c. 644, § 3, is repealed and the following enacted in its place:

The term shall be for 4 years, except that of the initial appointees, 2 shall serve 4-year terms, 2 shall serve 3-year terms, 2 shall serve 2-year terms and one shall serve a one-year term.

Sec. 61. 22 MRSA § 1471-D, sub-§ 8, ¶¶ G and H, as enacted by PL 1975, c. 397, § 2, is amended to read:

G. Has made false or fraudulent records or reports requires by the board under this chapter or under regulations pursuant thereto; ~~or~~

H. Has been subject to a criminal conviction under section 14 (b) of the amended FIFRA or a final order imposing a civil penalty under section 14 (a) of the amended FIFRA; or

Sec. 62. 22 MRSA § 1471-M, sub-§ 1, ¶ D, last sentence, as enacted by PL 1975, c. 397, § 2, is amended to read:

~~Such~~ **These** standards shall include, but not be limited to, requirements concerning transportation of pesticides, the applicant's knowledge of applicable federal and state statutes and regulations, and the applicant's understanding of the dangers involved and the precautions necessary for the safe storage and distribution of pesticides; and

Sec. 63. 22 MRSA § 1471-M, sub-§ 2, ¶ C, as enacted by PL 1975, c. 397, § 2, is amended to read:

C. On its own or in cooperation with other persons, publish such information as it deems appropriate, including information concerning injury which might result from improper application or handling of pesticides, and methods and precautions designed to prevent ~~such~~ the injury; and

Sec. 64. 22 MRSA § 1701, sub-§ 2 is amended to read:

2. Cooperate with Federal Government. Cooperate with the Federal Government through the United States Public Health Service in matters of mutual concern pertaining to general public health, including such methods of administration as are found to be necessary for the efficient operation of the plan for ~~such~~ the aid; and

Sec. 65. 22 MRSA § 1818, as amended by PL 1973, c. 303, § 3, is further amended to read:

§ 1818. Appeals

Any person who is aggrieved by the decision of the department in refusing to issue a license or the renewal of a license may file a statement or complaint with the Administrative Court Judge designated in Title 5, ~~chapters 301, to 307~~ chapter 375.

Sec. 66. 22 MRSA § 1903, sub-§ 3, as enacted by PL 1973, c. 624, § 1, is amended to read:

3. Refusal. Nothing in this chapter shall inhibit a physician from refusing to furnish family planning services when ~~such~~ the refusal is for medical reasons; and

Sec. 67. 22 MRSA § 1952, sub-§ 1 is amended to read:

1. Federal aid. Apply for federal aid under Title V of the ~~Federal United States~~ Social Security Act (Public No. 271, 74th Congress);

Sec. 68. 22 MRSA § 1952, sub-§ 2 is amended to read:

2. Cooperation with Federal Government. Cooperate with the Federal Government in matters of mutual concern pertaining to maternal and child health services, including such methods of administration as are found to be necessary for the efficient operation of the plan of such aid; **and**

Sec. 69. 22 MRSA § 2002, sub-§§ 1 and 2 are amended to read:

1. Federal aid. Apply for federal aid under Title V of the ~~Federal United States Social Security Act~~ (Public No. 271, 74th Congress);

2. Cooperation with Federal Government. Cooperate with the Federal Government in matters of mutual concern pertaining to services for crippled children, including such methods of administration as are found to be necessary for the efficient operation of the plan for such aid; **and**

Sec. 70. 22 MRSA § 2013, sub-§§ 1, 2, 3 and 5, as repealed and replaced by PL 1975, c. 218, are amended to read:

1. Governmental. Medical laboratories operated by the United States Government, the State of ~~Maine~~ or municipalities of the State of ~~Maine~~;

2. Hospitals. Laboratory facilities and laboratory services operated in a hospital licensed by the State of ~~Maine~~;

3. Physicians. Physicians registered in the State of ~~Maine~~ who operate a medical laboratory exclusively for the examination of their own patients, provided if referred work is received in the laboratory all ~~provisions~~ provisions of this Act shall apply;

5. Research and teaching. Laboratories operated and maintained for research and teaching purposes which are recognized by the department after consultation with the commission or involve no patient or public health service; **and**

Sec. 71. 22 MRSA § 2037, sub-§ 1, as repealed and replaced by PL 1975, c. 218, is amended to read:

1. Unlicensed. Operate, maintain, direct or engage in the business of operating a medical laboratory, as defined, unless he has obtained a medical laboratory license from the department; **or**

Sec. 72. 22 MRSA § 2040, as repealed and replaced by PL 1975, c. 218, is amended to read:

§ 2040. Appeal

Any person aggrieved by a decision of the department or the commission may appeal to the Administrative Court Judge under Title 5, ~~chapters 301 to 307~~ chapter 375.

Sec. 73. 22 MRSA § 2055, sub-§ 14, as amended by PL 1979, c. 680, § 13, is further amended to read:

14. Apportionment. To charge to and equitably apportion among participating hospitals and participating institutions for higher education its administrative costs and expenses incurred in the exercise of the powers and duties conferred by this chapter; **and**

Sec. 74. 22 MRSA § 2095, first and 2nd sentences, as enacted by P&SL 1975, c. 90, § A, are amended to read:

The office shall establish in accordance with the purpose and intent of this chapter, with the advice of the council and subject to the direction of the commissioner, the overall planning, policy, objectives and priorities for all functions and activities relating to dental health, which are conducted by or supported by the State of Maine. It is the purpose and intent of this chapter that the office shall have the objectives of reducing dental disease in Maine residents to a minimal and acceptable level and of improving and expanding dental health services in ~~Maine~~ **the State**.

Sec. 75. 22 MRSA § 2095, sub-§ 10, last sentence, as enacted by P&SL 1975, c. 90, § A, is amended to read:

Such report shall be submitted to the Governor in accordance with Title 5, sections 43, 44, 45 and 46 and to the Legislature; **and**

Sec. 76. 22 MRSA § 2099, sub-§ 3, as enacted by P&SL 1975, c. 90, § A, is amended to read:

3. Assist the director. Assist the director in reviewing and evaluating state and federal policies regarding dental health programs and other activities affecting people, conducted or assisted by any state department or agency; **and**

Sec. 77. 22 MRSA § 2155, sub-§ 8 is amended to read:

8. Alteration, etc. of label. The alteration, mutilation, destruction, obliteration or removal of the whole or any part of the labeling of, or the doing of any other act with respect to a food, if such act is done while such article is held for sale and results in such article being misbranded; **or**

Sec. 78. 22 MRSA § 2156, sub-§ 3, last sentence is amended to read:

This subsection shall not apply to any confectionery by reason of its containing less than 1/2 of 1%, by volume of alcohol derived solely from use of flavoring extracts, or to any chewing gum by reason of its containing harmless nonnutritive masticatory substances; **or**

Sec. 79. 22 MRSA § 2157, sub-§ 10 is amended to read:

10. Dietary properties. If it purports to be or is represented for special dietary uses, unless its label bears such information concerning its vitamin, mineral and other dietary properties as the ~~Commissioner of Agriculture~~ **commissioner** determines to be, and by regulation prescribed as necessary in order to fully inform purchasers as to its value for such uses; **or**

Sec. 80. 22 MRSA § 2164, sub-§ 3 is repealed.

Sec. 81. 22 MRSA § 2164 is amended by adding at the end a new paragraph to read:

In the event that any samples or specimens of food are removed from any vehicle of transport, it shall be the duty of the commissioner to notify the consignor, consignee and the carrier of the action taken and of the amount and kind of sample or specimen taken.

Sec. 82. 22 MRSA § 2364, as last amended by PL 1975, c. 499, §§ 42 and 43, is repealed.

Sec. 83. 22 MRSA § 2364-A is enacted to read:

§ 2364-A. Preparations exempted

1. Authorization. Subject to the limitations in subsection 2, the following is expressly authorized:

A. Prescribing, administering, dispensing or selling at retail of any medicinal preparation that contains in one fluid ounce, or if a solid or semi-solid preparation, in one avoirdupois ounce:

- (1) Not more than 2 grains of opium;**
- (2) Not more than 1/4 of a grain of morphine or of any of its salts;**
- (3) Not more than one grain of codeine or of any of its salts;**
- (4) Not more than 1/2 grain of dihydrocodeine or any of its salts; and**
- (5) Not more than one of the drugs named in subparagraphs (1) to (4).**

A record shall be kept of the sale of exempt narcotic preparations, such record to contain the date of sale, the signature and address of the purchaser, the name of the preparation, the purpose for which purchased and the signature of the person making the sale; and

B. Prescribing, administering, dispensing or selling at retail of liniments, ointments and other preparations that are susceptible of external use only and that contain narcotic drugs in such combinations as prevent their being readily extracted from such liniments, ointments or preparations, except that this authorization shall not apply to any liniments, ointments and other preparations that contain coca leaves in any quantity or combinations.

2. Application. The authorization contained in this section shall apply to the following:

A. Prescribing, administering, dispensing or selling to any one person, or for the use of any one person or animal, any preparation or preparations included within this section, when the actor knows or can by reasonable diligence ascertain that such prescribing, administering, dispensing or selling will

provide the person to whom or for whose use, or the owner of the animal for the use of which, such preparation is prescribed, administered, dispensed or sold, within any 48 consecutive hours, with more than 4 grains of opium, or more than 1/2 grain of morphine, or of any of its salts, or more than 4 grains of codeine or any of its salts, or will provide that person or the owner of the animal, within 48 consecutive hours, with more than one preparation authorized by this section; and

B. A medicinal preparation or liniment, ointment or other preparation susceptible of external use only, prescribed, administered, dispensed or sold which does not contain, in addition to the narcotic drug in it, some drug or drugs conferring upon it medicinal qualities other than that possessed by the narcotic drug alone; and any preparation which is prescribed, administered, dispensed or sold not in good faith as a medicine and for the purpose of evading the law.

3. Further authorization. The board may by regulation provide for further authorization to such extent as it determines to be consistent with the public welfare, pharmaceutical preparations found by the board after due notice and opportunity for hearing:

A. Either to possess no addiction-forming or addiction-sustaining liability sufficient to warrant imposition of all of the requirements of law; and

B. Does not permit recovery of a narcotic drug having such an addiction-forming or addiction-sustaining liability, with such relative technical simplicity and degree of yield as to create a risk of improper use.

In exercising the authority granted in paragraph A, the board by regulation and without special findings may grant authorizations relating to such pharmaceutical preparations as determined to be exempt under the federal narcotic law and regulations.

If the board shall subsequently determine that any such pharmaceutical preparation does possess a degree of addiction liability that, in its opinion, results in abusive use, it shall by regulation publish the determination in the state papers. The determination shall be final and the authorization shall cease to apply to the particular pharmaceutical preparation.

Sec. 84. 22 MRSA § 2369, sub-§ 1 is amended to read:

1. **Character.** That the applicant is of good moral character or, if the applicant be an association or corporation, that the managing officers are of good moral character; and

Sec. 85. 22 MRSA § 2370, sub-§ 1, ¶C is amended to read:

C. To a person in charge of a hospital, but only for use by or in that hospital; or

Sec. 86. 22 MRSA § 2370, sub-§ 2, ¶B is amended to read:

B. To a master of a ship or a person in charge of any aircraft upon which no physician is regularly employed, or to a physician or surgeon duly licensed in

some state, territory or the District of Columbia to practice his profession, or to a retired commissioned medical officer of the United States Army, Navy or Public Health Service employed upon such ship or aircraft, for the actual medical needs of persons on board ~~such the~~ ship or aircraft, when not in port; provided ~~such the~~ narcotic drugs shall be sold to the master of ~~such the~~ ship or person in charge of ~~such the~~ aircraft or to a physician, surgeon or retired commissioned medical officer of the United States Army, Navy or Public Health Service employed upon ~~such the~~ ship or aircraft only in pursuance of a special order form approved by a commissioned medical officer or acting assistant surgeon of the United States Public Health Service; or

Sec. 87. 22 MRSA § 2387, sub-§ 1, ¶ A, as last amended by PL 1975, c. 740, § 126, is further amended to read:

A. All materials, products and equipment of any kind which are used, or intended for use, in manufacturing, trafficking or furnishing any substance in violation of Title 17-A, chapter 45; and

Sec. 88. 22 MRSA § 2495, next to last ¶, as enacted by PL 1975, c. 496, § 3, is amended to read:

The department shall, during the 2-year period following ~~the effective date of this Act~~ **October 1, 1975**, redistribute the expiration dates of the existing licenses so that an equal number expire in each month of the year thus allowing for distributing the work of relicensure evenly throughout the year.

Sec. 89. 22 MRSA § 2882, 2nd sentence, as amended by P&SL 1973, c. 52, is further amended to read:

When no medical schools of the State are in active operation, the Superintendent of the Bangor Mental Health Institute, the Superintendent of the Augusta Mental Health Institute, the Superintendent of the Eastern Maine ~~General Hospital~~ **Medical Center**, the Superintendent of the Maine ~~General Hospital~~ **Medical Center** and the Superintendent of the Central Maine ~~General Hospital~~ **Medical Center** shall constitute such board.

Sec. 90. 22 MRSA § 3056, sub-§ 2, as enacted by PL 1969, c. 457, § 1, is amended to read:

2. Perform for Federal Government. ~~May perform~~ **Perform** functions and services for the Federal Government in addition to those provided for in this section.

Sec. 91. 22 MRSA § 3461, sub-§ 2, as enacted by PL 1973, c. 631, § 2, is amended to read:

2. Incapacitated person. "Incapacitated person" means any person who is 18 years of age or over, and who is impaired by reasons of advanced age, mental or physical illness or incapacity, or other cause, to the extent that he lacks sufficient understanding or capacity to make, communicate or implement responsible decisions concerning his person or property, except that this chapter shall not

include those persons who are provided for in ~~Title 18, chapter 501, subchapter III-A~~ **Title 18-A, Article V, Part 6.**

Sec. 92. 22 MRSA § 3461, sub-§ 5, as repealed and replaced by PL 1973, c. 790, § 6, is amended to read:

5. Ward. "Ward" means a person for whom the department has been duly appointed guardian pursuant to ~~Title 18, chapter 501, subchapter III-B~~ **Title 18-A, Article V, Part 6.**

Sec. 93. 22 MRSA § 3463, as enacted by PL 1973, c. 631, § 2, is amended to read:

§ 3463. Appointment of guardian

The bureau shall serve as public guardian for incapacitated adults under ~~Title 18, chapter 501, subchapter III-B~~ **Title 18-A, Article V, Part 6.**

Sec. 94. 22 MRSA § 3505, sub-§ 4, as enacted by PL 1971, c. 88, is amended to read:

4. Jurisdiction. "Jurisdiction" means the control of the ~~maintainance~~ **maintenance**, operation and protection of public buildings and property of the State of ~~Maine~~ or of any county or municipality.

Sec. 95. 22 MRSA § 3752 is amended to read:

§ 3752. Payments to guardian or conservator

When a relative with whom a child is living is found by the department to be incapable of taking care of his money, payment shall be made only to a legally appointed guardian or conservator and, notwithstanding ~~Title 18, section 3701~~ **Title 18-A, Article V, Part 4**, in the matter of infirmities of age or physical disability to manage his estate with prudence and understanding, the probate court may appoint any suitable person as a conservator.

Sec. 96. 22 MRSA § 4065, as enacted by PL 1979, c. 733, § 18, is amended to read:

§ 4065. Department's responsibility after death of committed child

If a child in the custody of the department dies, the department shall arrange and pay for a decent burial for the child. If administration of the deceased child's estate is not commenced, within 60 days after the date of death, by an heir or a creditor, then the department may petition the Probate Court to appoint an administrator and settle the estate of the deceased child pursuant to ~~Title 18 or 18-A.~~

Sec. 97. 22 MRSA § 5106, sub-§ 2, ¶ D, last sentence, as enacted by PL 1973, c. 793, § 6, is amended to read:

This function shall include: The unduplicated count, location and characteristics

of people served by each facility, program or service; and the amount, type and source of resources supporting functions related to the elderly; **and**

Sec. 98. 22 MRSA § 5106, sub-§ 2, ¶ E, 4th sentence, as enacted by PL 1973, c. 793, § 6, is amended to read:

Included shall be activities as authorized by this and so much of the several Acts and amendments to them enacted by the people of the State of ~~Maine~~, and those authorized by United States Acts and amendments to them such as the:

Sec. 99. 22 MRSA § 5106, sub-§ 2, ¶ E, sub-¶¶ (4)-(7), as enacted by PL 1973, c. 793, § 6, are amended to read:

- (4) ~~U.S.~~ **United States Social Security Act of 1935;**
- (5) ~~U.S.~~ **United States Housing Act of 1937;**
- (6) ~~U.S.~~ **United States Older Americans Act of 1965; and**
- (7) ~~U.S.~~ **United States Age Discrimination Act of 1967.**

Sec. 100. 22 MRSA § 5106, sub-§ 3, ¶ B, last sentence, as enacted by PL 1973, c. 793, § 6, is amended to read:

Such findings and comments shall recommend what modification in proposals or actions shall be taken to make proposed legislation, fiscal activities and administrative activities consistent with such policies and priorities; **and**

Sec. 101. 22 MRSA § 5106, sub-§ 6, first ¶, as enacted by PL 1973, c. 793, § 6, is amended to read:

Function as the organizational unit of ~~Maine~~ State Government with sole responsibility for conducting and coordinating, with the advice of the committee and subject to the direction of the commissioner, programs authorized by this Part and so much of the several Acts, amendments and successors to them enacted by the people of the State of ~~Maine~~ and those authorized by the United States Acts, amendments and successors to them as relate to older people:

Sec. 102. 22 MRSA § 5106, sub-§ 6, last ¶, as enacted by PL 1973, c. 793, § 6, is amended to read:

The bureau is designated as the single agency of ~~Maine~~ State Government solely responsible for administering, subject to the direction of the commissioner, any state plans as may be required by the above Acts, and for administering programs of Acts of the State of ~~Maine~~ or United States relating to older people which are not the specific responsibility of another state agency under state or federal law.

Sec. 103. 22 MRSA § 5106, sub-§ 10, last sentence, as enacted by PL 1973, c. 793, § 6, is amended to read:

Such adoption, amendment and rescission shall be made as provided under the **Maine Administrative Code Procedure Act**, Title 5, ~~chapters 301 to 307~~ **chapter 375;**

Sec. 104. 22 MRSA § 5106, sub-§ 14, as enacted by PL 1973, c. 793, § 6, is amended to read:

14. Establish and maintain an office. Establish and maintain an office at the department's general headquarters; **and**

Sec. 105. 22 MRSA § 5114, sub-§ 1, first sentence, as enacted by PL 1973, c. 630, § 1, is amended to read:

“Coordinated community program” means a system for providing all necessary social services in a manner designed to:

Sec. 106. 22 MRSA § 5118, sub-§ 1, ¶ C, sub-¶ (2), as enacted by PL 1973, c. 630, § 1, is amended to read:

(2) Employs a specially trained staff to inform older persons of the opportunities and services which are available, and assists ~~such these~~ persons to take advantage of ~~such these~~ opportunities and services; **and**

Sec. 107. 22 MRSA § 5118, sub-§ 1, ¶ D, first sentence, as enacted by PL 1973, c. 630, § 1, is amended to read:

~~Provides~~ **Provide** that the area agency will:

Sec. 108. 22 MRSA § 5118, sub-§ 1, ¶¶ E-I, as enacted by PL 1973, c. 630, § 1, are amended to read:

E. ~~Provides~~ **Provide** that the use of such methods of administration as are necessary for the proper and efficient administration of the plan;

F. ~~Provides~~ **Provide** that the area agency will make such reports, in such form and containing such information as the director may from time to time require, and comply with such requirements as the director may impose to assure the correctness of ~~such these~~ reports;

G. ~~Establishes~~ **Establish** objectives consistent with the purposes of this Title, toward which activities under the plan will be directed, ~~identifies~~ **identify** obstacles to the attainment of those objectives and ~~indicates~~ **indicate** how it proposes to overcome those obstacles;

H. ~~Provides~~ **Provide** that no social service will be directly provided by the state agency or an area agency, except where, in the judgment of the state agency, provision of ~~such that~~ service by the state agency or an area agency is necessary to assure an adequate supply of ~~such that~~ service; **and**

I. ~~Provides~~ **Provide** that preference shall be given to persons aged 60 or over for any staff positions, full-time or part-time, in area agencies for which ~~such these~~ persons qualify;

Sec. 109. 22 MRSA § 5118, sub-§ 1, ¶¶ J-M, as enacted by PL 1973, c. 630, § 1, are repealed.

Sec. 110. 22 MRSA § 5118, sub-§§ 2-5 are enacted to read:

2. **Approval of area plan.** The director shall approve any area plan which he finds fulfills the requirements of subsection 1, paragraphs A to I.

3. **Notice and opportunity for hearing.** The director shall not make a final determination disapproving any area plan, or any modification thereof, or make a final determination that an area agency is ineligible under section 5116, without first affording the area agency reasonable notice and opportunity for a hearing.

4. **Findings.** Whenever the director, after reasonable notice and opportunity for hearing to the area agency, finds that:

A. The area agency is not eligible under section 5116;

B. The area plan has been so changed that it no longer complies with subsection 1, paragraphs A to I; or

C. In the administration of the plan, there is a failure to comply substantially with any such provision of subsection 1, paragraphs A to I, the director shall notify the area agency that no further payments from its allotments under section 5115 and section 306 will be made to the agency or, in his discretion, that further payments to the agency will be limited to projects under or portions of the area plan not affected by the failure, until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, no further payments shall be made to the agency from its allotments under section 5115, or payments shall be limited to projects under or portions of the area plan not affected by the failure. The director shall, in accordance with regulations he shall prescribe, disburse funds so withheld directly to any public or nonprofit private organization or agency of the area, submitting an approved plan in accordance with section 5116. Any payment or payments shall be matched in the proportions specified in section 5116.

5. **Final action; dissatisfaction.** An agency which is dissatisfied with a final action of the director under subsection 2, 3 or 4 may appeal to the commissioner by filing a petition with the commissioner within 60 days after final action. A copy of the petition shall be forthwith transmitted by the commissioner to the director. The director thereupon shall file with the commissioner the record of the proceedings on which he based his action. Upon the filing of the petition, the commissioner shall have jurisdiction to affirm the action of the director or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record the director may modify or set aside his order. The findings of the director as to the facts, if supported by substantial evidence, shall be conclusive, but the commissioner, for good cause shown, may remand the case to the director to take further evidence, and the director may thereupon make new or modified findings of fact and may modify his previous action, and shall file with the commissioner the record of the further proceedings. The new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the commissioner affirming or setting aside, in whole or in part, any action of the director shall be final.

Sec. 111. 22 MRSA § 8404, as enacted by PL 1975, c. 709, § 2, is repealed.

Sec. 112. 23 MRSA § 2, as amended by PL 1973, c. 537, § 24, is repealed and the following enacted in its place:

§ 2. Rules of construction

The rules of construction in Title 1, chapter 3, shall apply to chapters 1 to 19. As used in chapters 1 to 19, unless the context otherwise indicates, the following terms have the following meanings.

1. **Compact or built-up section.** "Compact" or "built-up section" means a section of the highway where structures are nearer than 200 feet apart for a distance of 1/4 of a mile, unless otherwise defined.

2. **Highway.** "Highway" means all of the right of way that may have been laid out by the State, county or town.

3. **Maintenance.** "Maintenance" includes the restoring of reconstructed and improved highways to their condition when improved and shall be applicable only to highways to the improvement of which the State has contributed or shall hereafter contribute, except as otherwise provided.

4. **Municipal officers.** "Municipal officers" includes county commissioners having jurisdiction over highways in unincorporated townships.

5. **Town.** "Town" includes cities, towns, organized plantations and unincorporated townships, except as otherwise indicated.

6. **Valuation.** "Valuation" means the valuation last made by the State Tax Assessor.

Sec. 113. 23 MRSA § 64, last sentence, is amended to read:

The fines or forfeiture recovered in such cases shall be paid to the Treasurer of State for the use of the State Highway Maintenance Fund.

Sec. 114. 23 MRSA § 153, first ¶, as amended by PL 1971, c. 593, § 22, is further amended to read:

The Department of Transportation, on behalf of the State of ~~Maine~~, may take over and hold for the State of ~~Maine~~, such property as it may deem necessary to:

Sec. 115. 23 MRSA § 153, sub-§ 5, as repealed and replaced by PL 1965, c. 492, § 1, is amended to read:

5. **Automobile graveyards.** Secure the relocation, removal or disposal of automobile graveyards and junkyards which are not in conformity with Title 30, sections 2451 to 2459; and

Sec. 116. 23 MRSA § 154, 2nd ¶, last sentence, as amended by PL 1971, c. 593, § 22, is further amended to read:

With ~~said~~ **that** copy there shall be served on each individual owner of record a copy of so much of the plan as relates to the particular parcel or parcels of land taken from him and a statement by the department with respect to the particular parcel or parcels of land taken from him which shall ~~state~~:

Sec. 117. 23 MRSA § 154, sub-§ 1 is amended to read:

1. Date of proposed possession. ~~State~~ **The** the proposed date of taking possession;

Sec. 118. 23 MRSA § 154, sub-§ 2, ¶E, sub-¶ (1) is amended to read:

(1) The fair market value of the real property taken; **and**

Sec. 119. 23 MRSA § 154, sub-§ 2, ¶H, last sentence, as enacted by PL 1965, c. 297, § 2, is amended to read:

Acceptance and cashing this check will not jeopardize negotiation and will not be construed as acceptance of the offer; **and**

Sec. 120. 23 MRSA § 154, sub-§ 3, ¶F, last sentence, as enacted by PL 1965, c. 297, § 3, is amended to read:

Acceptance and cashing this check will not jeopardize negotiation and will not be construed as acceptance of the offer; **and**

Sec. 121. 23 MRSA § 154, sub-§ 4, ¶C is amended to read:

C. Cost of removal; and

Sec. 122. 23 MRSA § 156, sub-§ 7, as enacted by PL 1965, c. 297, § 8, is amended to read:

7. Award. The award which shall be the net damage, less the amount paid the owner or owners at the date of taking plus interest on the net amount of the award; **and**

Sec. 123. 23 MRSA § 158, sub-§ 2 is amended to read:

2. Statement of encumbrances. A statement of the mortgages, tax liens or other encumbrances on the property involved; **and**

Sec. 124. 23 MRSA § 241, first sentence, as enacted by PL 1971, c. 333, § 1, is amended to read:

The prompt and equitable relocation and reestablishment of persons, businesses, farm operations and nonprofit organizations displaced as a result of state or state aid highway projects ~~is~~ **are** necessary to insure that a few individuals do not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole.

Sec. 125. 23 MRSA § 244-A, sub-§ 1, ¶B, last sentence, as enacted by PL 1971, c. 333, § 1 is amended to read:

The discount rate shall be the prevailing interest rate paid on savings deposits by commercial banks in the general area in which the replacement dwelling is located; and

Sec. 126. 23 MRSA § 1915, sub-§ 6, as amended by PL 1979, c. 477, § 12, is further amended to read:

6. Maintenance of lawfully erected signs. Any sign lawfully erected as of the effective date of this ~~Act~~ **chapter** in accordance with section 1924, subsections 1 and 2, may be maintained until removed by the commissioner under subsection 7 or by section 1916.

Sec. 127. 23 MRSA § 2753, last sentence is amended to read:

This section shall not apply to bridges built or rebuilt under sections ~~352~~ 353, 355, 451, to 455 and 457 to 459.

Sec. 128. 26 MRSA c. 7, sub-c. IV, first 4 lines, are repealed and the following enacted in their place:

SUBCHAPTER V

EMPLOYMENT OF MINORS

ARTICLE 1. GENERAL PROVISIONS RELATING TO MINORS

Sec. 129. 26 MRSA § 704 is enacted to read:

§ 704. Penalty for employers

Any person who violates sections 701 and 702 commits a civil violation for which the following forfeiture shall be adjudged:

1. First offense. For the first offense a forfeiture of not less than \$25 nor more than \$50;

2. Second offense. For the second offense a forfeiture of not less than \$50 nor more than \$200; and

3. Subsequent offenses. For a 3rd offense and subsequent offenses a forfeiture of not less than \$250 nor more than \$500.

Sec. 130. 26 MRSA § 738, as amended by PL 1975, c. 701, § 15 is repealed.

Sec. 131. 26 MRSA § 1193, sub-§ 3, first ¶, 2nd sentence, as amended by PL 1979, c. 651, § 46, and as repealed and replaced by PL 1979, c. 663, § 161, is amended to read:

If the ~~commissioner~~ **deputy** determines that refusal has occurred for cause of necessitous and compelling nature, the individual shall be ineligible while such inability or unavailability continues, but shall be eligible to receive prorated benefits for that portion of the week during which he was able and available.

Sec. 132. 29 MRSA § 2442, sub-§ 1, as last amended by PL 1979, c. 663, § 184 and c. 673, § 11, is repealed and the following enacted in its place:

1. Penalty. A person who, with fraudulent intent:

A. Alters, forges or counterfeits a certificate of title;

B. Alters or forges an assignment of a certificate of title, or an assignment or release of a security interest, on a certificate of title or a form the Secretary of State prescribes;

C. Has possession of or uses a certificate of title knowing it to have been altered, forged or counterfeited;

D. Uses a false or fictitious name or address, or makes a material false statement, or fails to disclose a security interest, or conceals any other material fact, in an application for a certificate of title; or

E. Sells or exchanges, offers to sell or exchange or gives away any certificate of title or any manufacturer's vehicle identification number plate of any vehicle; is guilty of a Class D crime.

Sec. 133. 30 MRSA § 4101, sub-§ 3, as amended by PL 1979, c. 545, § 9, is further amended to read:

3. Application. Public dumping grounds established under this section shall be subject to Title 12, chapter 807, subchapter ~~V~~ IV, Article 1.

Sec. 134. 30 MRSA § 4552, sub-§ 11, last sentence, as enacted by PL 1979, c. 712, § 1, is amended to read:

When this term is used in connection with loans made to improve or rehabilitate, for the purpose of energy conservation, owner-occupied one-family to 4-family residential housing in the State, including ~~Title 30~~ section 4651, subsection 13, sections 4712 and 4757, it shall not include families whose adjusted income exceeds 150% of the median family income for the State, as developed by the United States Bureau of the Census for the United States Department of Health, Education and Welfare for use in establishing eligibility for social services funded under the United States Social Security Act, Title XX.

Sec. 135. 32 MRSA § 1104, 3rd ¶, first sentence, as amended by PL 1973, c. 303, § 3 and as repealed and replaced by PL 1973 c. 363, is amended to read:

The decision of the Administrative Court Judge on an appeal as provided shall be final and not subject to appeal under Title 5, chapter ~~307~~ 375, subchapter 7.

Sec. 136. 32 MRSA § 1202, sub-§ 1, ¶ A, first sentence, as last amended by PL 1979, c. 278, is amended to read:

A. For a journeyman electrician's or limited license at least 2 years' service as an apprentice or helper electrician or at least 2 years' experience in electrical installations as defined in section 1101, except that the board may give such credit as it deems justified toward such service for satisfactory completion of a course of instruction in the trade in a school approved by the

board; provided ~~however~~ that any person qualified under Title 20, section ~~2361~~ **2269**, shall be eligible to write the journeyman's examination.

Sec. 137. 32 MRSA § 3501, sub-§ 2, ¶ A, last sentence, as enacted by PL 1977, c. 469, § 15, is amended to read:

Any person qualified under Title 20, section ~~2361~~ **2269**, shall be eligible to write the journeyman plumber's examination; or for a master plumber's license, at least one year's service as a journeyman plumber or at least 3 years' service as an apprentice or trainee plumber or its equivalency; and

Sec. 138. 32 MRSA § 5012, as last amended by PL 1979, c. 118, § 4, is repealed and the following enacted in its place:

§ 5012. General requirements for registration

The minimum qualifications and requirements for registration as a registered professional forester shall be as follows: Graduation from a curriculum in forestry of 4 years or more in a school or college approved by the board or graduation from a post-graduate curriculum in forestry leading to a degree higher than a bachelor's degree in a school or college approved by the board. Applicants who have not graduated from such a curriculum may substitute 2 years' experience in forestry work of a character satisfactory to the board for each year of the undergraduate requirement of this section.

Sec. 139. 36 MRSA § 1760, sub-§ 28, as repealed and replaced by PL 1975, c. 773, is amended to read:

28. Community mental health facilities and community mental retardation facilities. Sales to mental health facilities and mental retardation facilities which receive support under the Federal Community Mental Health Centers Act, as amended, or its successors, or from the Department of Mental Health and Corrections pursuant to Title 34, chapters 183 or ~~184-C~~ **227**.

Sec. 140. 36 MRSA § 1959, first ¶, last sentence, as last amended by PL 1977, c. 165, § 2, is further amended to read:

~~Such~~ **The notice shall be given as required by section ~~1906~~ 111, subsection 2 and shall warn the person that if he does not make payment as demanded, the State Tax Assessor may proceed to have the amount due collected by warrant as provided or may certify the amount due to the Attorney General for collection and, in addition, in the case of an amount due in respect to any vehicle, that if he does not make payment as demanded, suspension of the registration certificate and plates issued for such that vehicle may result.**

Sec. 141. 36 MRSA § 2111, first ¶, is repealed and the following enacted in its place:

The State Tax Assessor may, by filing a complaint, apply for the revocation of registration and injunction from doing business of any person required to register by this Part or any rule promulgated pursuant thereto, who has omitted to

register within 15 days after the State Tax Assessor has made demand as provided by section 111, subsection 2; or has omitted to file with the State Tax Assessor any overdue report within 15 days after the State Tax Assessor has made demand therefor as provided by section 111, subsection 2, or has knowingly filed a false report; or has omitted to pay any tax required of him by this Part when the tax is shown to be due on a report filed by the taxpayer, or admitted to be due by the taxpayer, or has been determined to be due and that determination has become final under this Part. The existence of other civil or criminal remedies shall be no defense to this proceeding.

Sec. 142. 36 MRSA § 2964, 4th and 5th sentence, as enacted by PL 1973, c. 7, § 3, are repealed as follows:

~~If any motor carrier shall fail to pay tax when due, there shall be added to the tax a penalty of 10% and interest at the rate of 1/2% per month or fraction thereof. The State Tax Assessor may waive penalties for cause~~

Sec. 143. 36 MRSA § 4508, as amended by PL 1979, c. 452, § 5, and as repealed by PL 1979, c. 378, § 30-A, is repealed.

Sec. 144. 36 MRSA § 4509, as last amended by PL 1979, c. 378, § 30-B and c. 452, § 5, is repealed and the following enacted in its place:

§ 4509. Reports; payment of tax

Every dealer shall, on or before the 20th day of each month, report to the State Tax Assessor the quantity of milk received by him during the preceding calendar month. Upon application to the State Tax Assessor, dealers who sell less than 100 quarts of milk per day may be permitted by the State Tax Assessor to file reports quarterly upon the 20th day of the month following the quarter. Reports shall be on forms to be furnished by the State Tax Assessor and shall contain such further information as the State Tax Assessor may prescribe. On the filing of a report, each dealer shall pay to the State Tax Assessor a tax at the rate imposed by section 4505 upon all milk so reported. The State Tax Assessor shall pay over all receipts from such tax to the Treasurer of State daily.

Sec. 145. 38 MRSA § 582, sub-§ 9-C, as reallocated by PL 1979, c. 663, § 232 is repealed.

Sec. 146. 38 MRSA § 582, sub-§ 11-A, as enacted by PL 1979, c. 385, § 1, is reallocated to 38 MRSA § 582, sub-§ 11-C.

Sec. 147. 38 MRSA § 622, sub-§ 5, as enacted by PL 1979, c. 465, is amended to read:

5. **Small hydroelectric power project.** “Small ~~Hydroelectric~~ hydroelectric power project” means any hydroelectric power project which is located at the site of any existing dam, which uses the water power potential of the dam, which has not more than 1,500 kilowatts of installed capacity, and which, prior to its construction or operation must secure a permit under any of the following

statutes: Site location of development statutes, sections 481 to 488; the wetlands laws, sections 471 to 478; the great ponds laws, sections 391 to 394; or the stream alteration laws, Title 12, sections ~~2206 to 2211~~ 7776 to 7780.

Sec. 148. 38 MRSA § 626, last ¶, as enacted by PL 1979, c. 465, is amended to read:

Any small hydroelectric facility receiving approval of the board under this subarticle shall not require permits under the site location development statutes, sections 481 to 488; the wetlands statutes, sections 471 to 478; the great ponds statutes, sections 391 to 394; or the ~~Stream Alteration~~ stream alteration statutes, Title 12, sections ~~2206 to 2211~~ 7776 to 7780, as any of these statutes may apply, notwithstanding their terms.

Sec. 149. 38 MRSA § 1303, sub-§ 14, as amended by PL 1979, c. 663, § 235, and as repealed and replaced by PL 1979, c. 699, § 8, is repealed and the following enacted in its place:

14. Waste facility. “Waste facility” means any land area, structure, location, equipment or combination of them, including dumps, used for handling hazardous or solid waste, sludge or septage. A land area or structure shall not become a waste facility solely because:

- A. It is used by its owner for disposing of septage from his residence; or
- B. It is used to store hazardous wastes, generated on the same premises for less than 3 months.

Sec. 150. 38 MRSA § 1303-A, as enacted by PL 1979, c. 699, § 9, is repealed and the following enacted in its place:

§ 1303-A. Hazardous waste; handling and transporting

1. Identification of hazardous wastes.

A. The board may adopt rules identifying hazardous wastes. These rules may identify any substance as a hazardous waste if that substance is identified as hazardous by a particular substance, by characteristics, by chemical class or as waste products of specific industrial activities in proposed or final rules of the United States Environmental Protection Agency.

B. The board may identify other substances as hazardous wastes under the following conditions:

- (1) The substance exhibits hazardous characteristics included in proposed or final United States Environmental Protection Agency rules; and
- (2) The substance is identified by a particular substance, by chemical class or as waste products of specific industrial activities.

C. Rules identifying hazardous wastes under paragraph B shall be submitted to the Joint Standing Committee on Energy and Natural Resources for review.

These rules shall remain in effect until 90 days after the adjournment of the next regular session of the Legislature, unless these rules are approved by Joint Resolution.

2. Handling of hazardous wastes. The board may adopt rules relating to the handling of hazardous wastes, including:

- A. Containerization and labeling of hazardous wastes, consistent with applicable rules of other federal and state agencies;
- B. Reporting of handling of hazardous wastes; and
- C. Wastes which are not compatible.

3. Transportation of hazardous wastes. The board may adopt rules relating to transportation of hazardous wastes, including:

- A. Licensing of transporters of hazardous wastes, conveyances used for the transportation of hazardous wastes and the operators of these conveyances;
- B. A manifest system for hazardous wastes which takes into consideration the requirements of the United States Resource Recovery and Conservation Act of 1976, Public Law 94-580, and this subchapter. The manifest system shall provide a means by which hazardous waste is accounted for, from its point of generation through all intermediate points to its point of ultimate disposal, shall allocate responsibilities and liabilities at each point among persons handling the hazardous waste and shall require recordkeeping and regular reporting to the department at each point by the person handling the hazardous wastes.

4. Waste facilities for hazardous wastes. The board may adopt rules relating to the interim and final licensing and operation of waste facilities for hazardous wastes. These rules may include:

- A. Standards for the safe operation and maintenance of the waste facilities, including, but not limited to, recordkeeping, monitoring before and during operation of the facility and after its termination of use or closure, inspections and contingency plans to minimize potential damage from hazardous waste;
- B. The training of personnel and the certification of supervisory personnel involved in the operation of the waste facilities; and
- C. The termination, closing and potential future uses of the waste facilities.

5. Evidence of financial capacity. The board may adopt rules relating to evidence of financial capacity of hazardous waste facilities' operators or owners, and those who transport hazardous waste, to protect public health, safety and welfare and the environment, including, but not limited to:

- A. Liability insurance;
- B. Bonding; and

C. Financial ability to comply with statutory and regulatory requirements or conditions.

Sec. 151. 38 MRSA § 1304, sub-§ 1, 2nd ¶, as repealed and replaced by PL 1979, c. 663, § 236, and as repealed by PL 1979, c. 699, § 10, is repealed as follows:

~~The board may adopt by rule any or all of the final regulations of the United States Environmental Protection Agency defining hazardous waste. Rules adopted by the board shall be effective although enforcement of the United States Environmental Protection Agency of its regulations has been stayed or enjoined by court order during the pendency of any suit brought to determine the legality of the regulations.~~

Sec. 152. 38 MRSA § 1310-B, sub-§ 1, as enacted by PL 1979, c. 699, § 17, is amended to read:

1. **Public records.** Except as provided in subsections 2 and 3, information obtained by the department under this subchapter shall be a public record as provided by Title 1, chapter 13, subchapter I.

Sec. 153. 38 MRSA § 1310-B, sub-§ 5, as enacted by PL 1979, c. 699, § 17, is amended to read:

5. **Rules.** The board may adopt rules to carry out the purposes of this section. The rules shall be consistent with the provisions of Title 1, chapter 13, subchapter I.

Sec. 154. PL 1979, c. 649, § 2 is amended to read:

Sec. 2. Effective date. The provisions of this Act shall become effective with regard to tax years beginning on or after January 1, 1980.

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

STATEMENT OF FACT

Sec. 1. Resolves a conflict between the Errors Bill of last session and 2 substantive bills from last session.

Sec. 2. Corrects a conflict between the Errors Bill and PL 1979, chapter 700.

Sec. 3. Deletes a statutory section whose subject matter is now covered elsewhere in the statutes.

Sec. 4. Removes statutory language which is now obsolete.

Sec. 5. Deletes references to statutory sections which have been repealed.

Sec. 6. Corrects reference in the Revised Statutes to statutory section which has been reallocated.

- Sec. 7. Corrects a reference to the Administrative Court.
- Sec. 8. Corrects a reference to the Superintendent of Banks and Banking.
- Sec. 9, 10 and 11. Relocate a provision which was incorrectly included in a series.
- Sec. 12. Corrects a printing error.
- Sec. 13. Corrects a printing error.
- Sec. 14. Adds a heading to a Statutory Part.
- Sec. 15, 16 and 17. Rewords statutory section to correct faulty sentence structure.
- Sec. 18, 19 and 20. Rewords statutory section to correct faulty sentence structure.
- Sec. 21, 22 and 23. Relocates 2 subsections which are incorrectly included as items in a series.
- Sec. 24. Restructures a section which was incorrectly divided into lettered paragraphs.
- Sec. 25. Deletes a redundant word.
- Sec. 26. Corrects a reference to the effective date of a statutory chapter.
- Sec. 27. Corrects a conflict between the Errors Bill and Public Law 1979, c. 704.
- Sec. 28. Corrects a conflict between Public Law 1979, chapter 675, and Public Law, chapter 704.
- Sec. 29. Corrects a conflict between Public Law 1979, chapter 675 and chapter 704.
- Sec. 30. Corrects a conflict between Public Law 1979, chapter 675 and chapter 704.
- Sec. 31. Corrects a conflict between 2 bills dealing with trapping fee schedules.
- Sec. 32. Corrects a conflict between 2 bills enacted in the 109th second regular session.
- Sec. 33. Clarifies an internal reference.
- Sec. 34. Corrects a reference to statutory provisions which have been reallocated.
- Sec. 35. Removes an obsolete reference to "shareholders."
- Sec. 36. Corrects references to statutory sections which have been reallocated.

Sec. 37. Corrects a conflict between the Errors Bill and Public Law 1979, chapter 681, section 4.

Sec. 38. Adds language to make an incomplete sentence into a complete sentence.

Sec. 39. Deletes an unnecessary word.

Sec. 40. Reallocates a statutory provision and clarifies the headnote.

Sec. 41. Reallocates a statutory provision.

Sec. 42. Inserts a probate filing fee which was omitted when the fee schedule was enacted.

Sec. 43. Reallocates a chapter of the Maine Revised Statutes which was assigned the same chapter number as a chapter enacted by another bill.

Sec. 44. Repeals a paragraph of a statute which was not repealed when the section was reorganized.

Sec. 45. Reallocates a statutory section which was assigned the same section number as a section enacted by another bill.

Sec. 46. Corrects a reference to a statutory section which has been reallocated in the Maine Revised Statutes.

Sec. 47. Removes a reference to a statutory section which has been repealed.

Sec. 48. Corrects reference to statutory section which has been reallocated.

Sec. 49. Changes a verb tense from future to present tense.

Sec. 50 and 51. Correct a reference to a state department; removes redundant word and corrects reference to Federal Act.

Sec. 52 and 53. Correct faulty structure within a section.

Sec. 54. Corrects an error in spelling.

Sec. 55. Corrects an error in grammar.

Sec. 56. Changes a "the" to an "a" and corrects a spelling error.

Sec. 57. Makes corrections in grammar and corrects an error in hyphenization.

Sec. 58. Adds an "or" to clearly indicate that items in a series are disjunctive.

Sec. 59. Adds an "and" to clearly indicate that items in a series are conjunctive.

Sec. 60. Clarifies initial term of members of the Board of Pesticides Control.

Sec. 61. Corrects the placement of the word "or" between items in a series.

Sec. 62 and 63. Adds “and” in 2 places to clearly indicate that items in a series are conjunctive.

Sec. 64. Adds “and” to clearly indicate that items in a series are conjunctive.

Sec. 65. Corrects a reference to the Maine Administrative Procedures Act.

Sec. 66. Adds an “and” to clearly indicate that items in a series are conjunctive.

Sec. 67 and 68. Corrects reference to federal law by changing “Federal” to “United States” before the popular name of the federal law; and adds “and” to clearly indicate that items in a series are conjunctive.

Sec. 69. Corrects reference to federal law by changing “Federal” to “United States” before the popular name of the federal law; and adds “and” to clearly indicate that items in a series are conjunctive.

Sec. 70. Deletes unnecessary and redundant language, corrects error in spelling and adds an “and” to clearly indicate that items in a series are conjunctive.

Sec. 71. Adds an “or” to clearly indicate that items in a series are conjunctive.

Sec. 72. Corrects a reference to the Maine Administrative Procedures Act.

Sec. 73. Adds an “and” to clearly indicate that items in a series are conjunctive.

Sec. 74 and 75. Deletes unnecessary and redundant language and adds an “and” to clearly indicate that items in a series are conjunctive.

Sec. 76. Adds an “and” to clearly indicate that items in a series are conjunctive.

Sec. 77. Adds “or” to clearly indicate that items in a series are disjunctive.

Sec. 78. Adds “or” to clearly indicate that items in a series are disjunctive.

Sec. 79. Adds “or” to clearly indicate that items in a series are disjunctive.

Sec. 80 and 81. Corrects faulty structural breakdown of a statutory section.

Sec. 82 and 83. Corrects faulty structure in a section by repealing and enacting a new section correctly structured.

Sec. 84. Adds “and” to clearly indicate that items in a series are conjunctive.

Sec. 85 and 86. Adds an “or” in 2 places to clearly indicate that items in a series are disjunctive; replaces the word “such” with the word “the” in several places.

Sec. 87. Adds an “and” to clearly indicate that items in a series are conjunctive.

- Sec. 88. Corrects reference to the effective date of an Act.
- Sec. 89. Corrects reference to the names of 3 hospitals whose names have been changed.
- Sec. 90. Language deleted to correct improper parallel sentence structure.
- Sec. 91. Corrects a reference to the Probate law which was reallocated to Title 18-A.
- Sec. 92. Corrects a reference to the Probate law which was reallocated to Title 18-A.
- Sec. 93. Corrects a reference to the Probate law which was reallocated to Title 18-A.
- Sec. 94. Corrects a spelling error and deletes unnecessary language.
- Sec. 95. Corrects a reference to the Probate law which was reallocated to Title 18-A.
- Sec. 96. Deletes a reference to Title 18 which has been repealed.
- Sec. 97 to 104. Rewords statutory section to correct a reference to the Maine Administrative Procedures Act and to make several corrections in grammar.
- Sec. 105. Amends statute to add "to" in introductory phrase preceding a series.
- Sec. 106 to 110. Rewords a statutory section to correct faulty sentence structure.
- Sec. 111. Repeals a statutory section which only had application until July 1, 1977.
- Sec. 112. Reorganized statutory definition section using standard definition language.
- Sec. 113. Conforms statute to standard language adopted by the Maine Criminal Code.
- Sec. 114 and 115. Deletes redundant language and adds an "and" to clearly indicate that items in a series are conjunctive.
- Sec. 116 to 121. Adds "and" in several places to clearly indicate that items in a series are conjunctive and also clarifies language in the section.
- Sec. 122. Adds an "and" to clearly indicate that items in a series are conjunctive.
- Sec. 123. Adds an "and" to clearly indicate that items in a series are conjunctive.
- Sec. 124. Changes a verb to agree with a plural subject of a sentence.

Sec. 125. Adds an "and" to clearly indicate that items in a series are conjunctive.

Sec. 126. Corrects a reference to a chapter of the Maine Revised Statutes.

Sec. 127. Deletes a reference to a repealed statutory section.

Sec. 128. Changes chapter title to reflect changes which have been made in chapter content.

Sec. 129. Reallocated penalty provision and designates the penalty as a civil violation in accordance with the provisions of the Maine Criminal Code.

Sec. 130. Repeals section which is being reallocated elsewhere in this bill.

Sec. 131. Changes "commission" to "deputy" pursuant to Public Law 1979, chapter 651, section 161.

Sec. 132. Corrects a conflict in the use of a verb tense between two bills enacted during the last session.

Sec. 133. To correct an erroneous reference to another statutory section.

Sec. 134. Corrects an internal statutory reference.

Sec. 135. Corrects a reference to the Maine Administrative Procedure Act.

Sec. 136. Corrects a reference to a statutory section which has been reallocated in the Maine Revised Statutes.

Sec. 137. Corrects a reference to a statutory section which has been reallocated in the Maine Revised Statutes.

Sec. 138. Repeals and replaces a statutory section to clarify a provision concerning the effective period of the section.

Sec. 139. Corrects a reference to a statutory chapter which has been relocated in the Maine Revised Statutes.

Sec. 140. Corrects a reference to a statutory chapter which was relocated in the Maine Revised Statutes.

Sec. 141. Corrects reference to statutory provisions which has been relocated and simplifies language.

Sec. 142. Repeals obsolete statutory language.

Sec. 143. Corrects a conflict between Public Law 1979, chapter 378, section 30-A and Public Law 1979, chapter 462, section 5.

Sec. 144. Corrects a conflict between Public Law 1979, chapter 378, section 30-B and Public Law 1979, chapter 452, section 5.

Sec. 145. Corrects a conflict between the Errors Bill and Public Law 1979, chapter 718.

Sec. 146. Reallocates a statutory provision which was assigned to the same subsection number as another provision.

Sec. 147. Corrects a reference to statutory sections which have been reallocated.

Sec. 148. Corrects a reference to statutory sections which have been reallocated.

Sec. 149. Corrects a conflict between the Errors Bill of last session and Public Law 1979, chapter 699.

Sec. 150. Adds a section number and headnote to a statutory provision.

Sec. 151. Corrects a conflict between the Errors Bill of last session and Public Law 1979, chapter 699.

Sec. 152. Corrects a reference to the Freedom of Access law.

Sec. 153. Corrects a reference to the Freedom of Access law.

Sec. 154. Corrects effective date provisions of a public law.