

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1954, Chapter 10, Section 27, Subsection VI.

The Knowlton and McLeary Company
Farmington, Maine
1963

PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundred and First Legislature

1963

'All information required by this section to appear on a package shall be prominent, definite and plain, and shall be conspicuous as to size and style of letters and numbers and as to color of letters and numbers in contrast to color of background. Such information shall appear on the principal display panel of the package. Any required information that is either in hand lettering or hand script shall be entirely clear and equal to printing in legibility.'

Sec. 3. Effective date. This act shall become effective 91 days after the adjournment of the Legislature.

Effective September 22, 1963

Chapter 298

AN ACT Relating to Release of Spouse's Right by Descent.

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

R. S., c. 170, § 9, amended. Section 9 of chapter 170 of the Revised Statutes is amended to read as follows:

'**Sec. 9. Husband or wife may bar right by deed, etc.** A husband or wife of any age may bar his or her right and interest by descent in an estate conveyed by the other by joining in the same, or in a subsequent deed, or in a deed with the guardian or conservator of the other, or by giving a sole deed with or without covenants or warranty; but he or she shall not be deprived of such right and interest by levy or sale of the real estate on execution, but may, after the right of redemption has expired, release such right and interest by ~~sole deed~~ giving or joining in a deed, with or without covenants or warranty, as aforesaid.'

Effective September 21, 1963

Chapter 299

AN ACT to Permit Towns to Choose Single Assessors and to Permit Certain Cities and Towns to Create Boards of Assessment Review.

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

Sec. 1. R. S., c. 90-A, § 36, sub-§ IV, amended. The first sentence of subsection IV of section 36 of chapter 90-A of the Revised Statutes, as enacted by section 1 of chapter 405 of the public laws of 1957, is amended to read as follows:

'The following provisions apply to selectmen ~~assessors~~ and overseers:'

Sec. 2. R. S., c. 90-A, § 36, sub-§ IV, ¶ B, amended. Paragraph B of subsection IV of section 36 of chapter 90-A of the Revised Statutes, as enacted by section 1 of chapter 405 of the public laws of 1957, is amended to read as follows:

'**B.** When others have not been elected, the selectmen shall serve as ~~assessors and~~ overseers of the poor.'

Sec. 3. R. S., c. 90-A, § 36, sub-§§ IV-A and IV-B, additional. Section 36 of chapter 90-A of the Revised Statutes, as enacted by section 1 of chapter 405 of the public laws of 1957, is amended by adding thereto 2 new subsections to read as follows:

IV-A. Assessors. The following provisions apply to assessors:

A. A town may determine at a meeting of its legislative body held at least 30 days before the annual meeting whether a single assessor, or a board of 3, 5 or 7, shall be elected and the term of office of the assessor or assessors. In towns where the legislative body is the town meeting, the determination shall be effective only if the total number of votes cast for and against the determination equals or exceeds 10% of the total vote for all candidates for Governor in the town at the next previous gubernatorial election.

1. Once a determination has been made, it shall stand until revoked at a meeting held at least 30 days before the annual meeting.

2. If a town fails to fix the number, 3 shall be elected. If a town fails to fix the term, it shall be for one year.

B. When others have not been elected, the selectmen shall serve as assessors; except that when a town has chosen a single assessor under paragraph A, and fails to elect the assessor, the selectmen shall appoint the assessor.

C. A town may, if it elects a board of assessors, designate one member as chairman of the board.

1. If no person is so designated, the board shall elect by ballot a chairman from its own membership, before assuming the duties of office. Where no member receives a majority vote, the clerk shall determine the chairman by lot.

D. If the town fails to fix the compensation of assessors at its annual meeting, they shall be paid \$10 each per day for every day actually and necessarily employed in the service of the town.

IV-B. Board of assessment review.

A. Any town choosing a single assessor may adopt a board of assessment review at a meeting of its legislative body held at least 30 days before the annual meeting.

B. The board of assessment review shall consist of 3 members to be appointed by the selectmen. The town, when adopting such board, may fix the compensation of the members. One member shall be appointed for one year, one member for 2 years and one member for 3 years, and thereafter the term of each new member shall be 3 years.

C. Any town adopting a board of assessment review may discontinue such board by vote, in the same manner and under the same conditions as in adopting such board.

Sec. 4. R. S., c. 90-A, § 58, sub-§ I-A, additional. Section 58 of chapter 90-A of the Revised Statutes, as enacted by section 1 of chapter 405 of the public laws of 1957, is amended by adding a new subsection I-A, to read as follows:

I-A. Board of assessment review.

A. Any city choosing a single assessor may adopt a board of assessment review by vote of the city council at least 30 days before the annual city election.

B. The board of assessment review shall consist of 3 members to be appointed by the city council.

C. The city council, when adopting such board, may fix the compensation of the members of such board. One member shall be appointed for one year, one member for 2 years and one member for 3 years, and thereafter the term of each new member shall be 3 years.

D. Any city adopting a board of assessment review may discontinue such board by vote of the city council at least 30 days before the annual city election, in which case the board shall cease to exist at the end of the municipal year.'

Sec. 5. R. S., c. 91-A, § 49-A, additional. Chapter 91-A of the Revised Statutes, as enacted by section 1 of chapter 399 of the public laws of 1955, is amended by adding a new section 49-A, to read as follows:

'Sec. 49-A. Appeal to board of assessment review. Where the municipality has adopted a board of assessment review, if the assessors refuse to make the abatement asked for, the applicant may apply in writing to the board of assessment review within 30 days after notice of the decision from which such appeal is being taken or after the application shall be deemed to have been denied, and if the board thinks he is over-assessed, he shall be granted such reasonable abatement as the board thinks proper. Either party may appeal from the decision of the board of assessment review directly to the Superior Court, under the conditions provided for in section 52.'

Sec. 6. R. S., c. 91-A, § 50, amended. The first sentence of section 50 of chapter 91-A of the Revised Statutes, as enacted by section 1 of chapter 399 of the public laws of 1955, is amended to read as follows:

'~~If~~ Except where the municipality has adopted a board of assessment review, if the assessors refuse to make the abatement asked for, the applicant may apply to the county commissioners at their next meeting occurring after notice of the decision from which such appeal is being taken or after the application shall be deemed to have been denied, and if they think that he is over-assessed, he shall be granted such reasonable abatement as they think proper, and if he has paid the tax he shall be reimbursed out of the municipal treasury, with costs in either case.'

Sec. 7. R. S., c. 91-A, § 51, amended. Section 51 of chapter 91-A of the Revised Statutes, as enacted by section 1 of chapter 399 of the public laws of 1955, is amended to read as follows:

'Sec. 51. Appeal to Superior Court. Any person entitled to appeal to a board of assessment review or to the county commissioners for an abatement of his taxes may, if he so elect, appeal under the same terms and conditions from the decision of the assessors to the Superior Court in and for that county.'

Sec. 8. Application. Boards of assessment review presently existing pursuant to special municipal charters may be continued in office provided the legislative body of the town or city council, as the case may be, votes to adopt a board of assessment review under the Revised Statutes, chapter 90-A, section 36, subsection IV-B, or section 58, subsection I-A. Upon completion of existing terms in such cases, the boards shall be thereafter constituted and chosen under this act. If no such vote is taken, boards of assessment review existing under special charters shall cease to exist on and after January 1, 1965.

Effective September 21, 1963

Chapter 300

AN ACT Relating to Inspection of Motor Vehicles.

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

Sec. 1. R. S., c. 22, § 13, amended. The last sentence of the next to the last paragraph of section 13 of chapter 22 of the Revised Statutes, as enacted by chapter 209 of the public laws of 1961, is amended to read as follows:

'~~Section 45~~ Chapter 15, section 13-A, shall not apply to such invalid chairs but the Secretary of State shall not issue such registration unless he is satisfied that such chair is equipped with an adequate stopping and holding device and means of giving audible signal.'

Sec. 2. R. S., c. 15, §§ 13-A – 13-G, additional. Chapter 15 of the Revised Statutes is amended by adding 7 new sections, to be numbered 13-A to 13-G, to read as follows:

'Inspection of Motor Vehicles.

Sec. 13-A. Inspection of motor vehicles. The Chief of the State Police shall require twice each year that every vehicle registered in this State be inspected at an official inspection station, duly appointed and certified as such by the Chief of the State Police, to determine the proper adjustment and sufficiency of the following required equipment: Brakes, lights, running gear, wheels, tires, horns, glazing, mechanical windshield wipers, rear view mirrors, reflectors, exhaust system and body components. If, at the time of such inspection, the condition of said vehicle conforms in each and every respect as required by law and the rules and regulations governing inspection promulgated by the Chief of the State Police, an official inspection sticker as a certificate of inspection furnished by the Chief of the State Police shall be placed in the lower left-hand corner of the windshield or in the center of the windshield back of the rear mirror. If said vehicle is not normally equipped with a windshield, the certificate of in-