

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Second Legislature

OF THE

STATE OF MAINE

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county commissioners may close county roads for maintenance and preserve the right-of-way for the use of abutting landowners, and any others using said way for access to their property, and public utilities and corporations with facilities legally located within said way, at their own risk. Nothing in any city charter shall be so construed as to deprive them of the power to lay out, alter, **close for maintenance** or discontinue county roads within the limits thereof. Responsible persons may present, at their regular session, a written petition describing a way and stating whether its location, alteration, grading, **closing for maintenance** or discontinuance is desired, or an alternative action, in whole or in part. The commissioners may act upon it, conforming substantially to the description, without adhering strictly to its bounds.'

Effective September 3, 1965

Chapter 169

AN ACT Providing Public Dump for Forest City and Indian Township, Washington County.

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

R. S., T. 30, § 1202, amended. The 2nd sentence of section 1202 of Title 30 of the Revised Statutes is amended to read as follows:

'Said commissioners are authorized on behalf of the inhabitants of Lambert Lake, **Forest City, Indian Township** and Brookton Townships to enter into similar contracts or to take similar steps to provide public dumps for said townships.'

Effective September 3, 1965

Chapter 170

AN ACT Relating to the Transportation of Refrigerated Products.

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

R. S., T. 29, § 1655, amended. The first sentence of section 1655 of Title 29 of the Revised Statutes is amended to read as follows:

'The operation on the highways of any vehicle loaded entirely with firewood, pulpwood, logs or bolts or dump trucks, tractor dump trucks or transit-mix concrete trucks carrying highway construction materials **or the operation on the highways of any vehicle loaded with any products requiring refrigeration, whether by ice or mechanical equipment** shall not be deemed to be in violation of any of the provisions of sections 246, 1652 to 1654 and 1656 relating to weights of vehicles, weights of loads, tonnages or overloads if the gross weight of such vehicle and its load does not exceed 110% of the maximum gross weight for which such vehicle is then registered nor 110% of the maximum gross weight permitted for such vehicle by section 1652, and if the weight thereof imparted to any road surface by an axle or axles does not exceed 110% of the maximum axle weight permitted therefor by section 1652; provided that no vehicle loaded

as aforesaid shall be deemed in violation of the above said sections if, as to each axle, the weight imparted to any road surface is not greater than the combined total of 600 pounds per inch width tire, manufacturer's rating, of all tires attached to such axle and provided further that the maximum gross vehicle weight shall not exceed the limits and tolerances established in this Title.'

Effective September 3, 1965

Chapter 171

AN ACT Relating to Retirement of Employee Option by Local Districts under Maine State Retirement System.

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

Sec. 1. R. S., T. 5, § 1092, sub-§ 4, amended. Subsection 4 of section 1092 of Title 5 of the Revised Statutes is amended to read as follows:

'4. Retirement benefit on the straight life plan. Any participating local district, by filing with the board of trustees a duly certified copy of its action, may provide, in lieu of the retirement benefits provided elsewhere in this chapter, a retirement benefit on the straight life plan to be paid to the retirant during his lifetime, and $\frac{1}{2}$ of such benefit shall be paid to his designated beneficiary upon his death and shall continue during the lifetime of such beneficiary if said beneficiary is a spouse ~~or until attainment of age 18 if said beneficiary is a child~~ or as long as she does not remarry. If no spouse survives, a retirement allowance of an equal amount shall be paid to a child under the age of 18. When more than one child survives, the retirement allowance shall be divided equally among the children. When any child reaches age 18, the retirement allowance shall be divided equally among the remaining child or children until no eligible child remains. Payment shall be made only to a legal guardian of such child or children. Death or marriage of any child before attainment of age 18 shall cause immediate cancellation of all subsequent payments for the account of said child. The beneficiary shall be limited to a spouse or child. The cost to the district may be paid into the State Retirement System on a funded basis or on a pay-as-you-go basis, whichever plan shall be elected by the governing body of the participating local district involved.'

Sec. 2. R. S., T. 5, § 1124, sub-§ 1, ¶ B, sub-¶ (1), div. (a), amended. Division (a) of subparagraph (1) of paragraph B of subsection 1 of section 1124 of Title 5 of the Revised Statutes is amended to read as follows:

'(a) A spouse, alive and not remarried at the time of the death of the member, shall be paid ~~\$75~~ \$100 a month, commencing the first month after such death occurs, and continuing until the date of his death or remarriage, whichever happens first, providing that either the deceased member had 10 years of creditable service at the time of his death or that the surviving spouse is certified by the medical board, after a medical examination, to be mentally or physically incapacitated and that such incapacity is likely to be permanent. Such spouse may qualify for this benefit in addition to any payments received as provided by division (b), but shall not receive this benefit simultaneously with that provided by division (b).'

Effective September 3, 1965