

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Third Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with  
the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

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KENNEBEC JOURNAL

AUGUSTA, MAINE

1967

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED BY THE  
**One Hundred and Third Legislature**  
**1967**

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7. **Approve plans for public improvements.** To approve all proposals, plans, specifications and contracts for public improvements ~~which require their submission to the Governor and Council for their final approval and acceptance which the State of Maine or any of its agencies hold in fee or by leasehold interest;~~

**Sec. 2. R. S., T. 5, § 1743, amended.** The first paragraph of section 1743 of Title 5 of the Revised Statutes is amended to read as follows:

Any contract for any public improvement involving a total cost of more than ~~\$3,000~~ \$10,000, except contracts for professional, architectural and engineering services, shall be awarded by a system of competitive bidding in accordance with chapters 141 to 155 and such other conditions and restrictions as the Governor and Council may from time to time prescribe. **Contracts in the amount of \$10,000 or less shall be awarded by a system of competitive bidding. Such contracts shall be awarded by the appropriate department or agency with the prior authorization of the Bureau of Public Improvements.**

**Sec. 3. R. S., T. 5, § 1745, amended.** The 3rd sentence of section 1745 of Title 5 of the Revised Statutes is amended to read as follows:

Sealed proposals ~~submitted in accordance with such advertisements for any public improvement in an amount in excess of \$10,000~~ shall be addressed to the trustees, commissioners or such other persons having the construction in charge and shall remain sealed until opened in the presence of a committee of the Executive Council at such time as the Governor and Council may direct.

Effective October 7, 1967

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## Chapter 410

### AN ACT Revising the Laws Relating to Arson.

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

**Sec. 1. R. S., T. 17, c. 7, repealed.** Chapter 7 of Title 17 of the Revised Statutes, relating to Arson, is repealed.

**Sec. 2. R. S., T. 17, c. 8, additional.** Title 17 of the Revised Statutes is amended by adding a new chapter 8, to read as follows:

### CHAPTER 8

#### ARSON

##### § 161. First degree

Any person who willfully and maliciously (1) sets fire to (2) burns (3) causes to be burned or (4) aids, counsels or procures, the burning of any dwelling house, mobile home or house trailer, whether occupied, unoccupied or vacant, or any kitchen, shop, barn, stable or other outhouse that is parcel thereof, or belonging to or adjoining thereto, whether the property of himself or of another, shall be

guilty of arson in the first degree and upon conviction thereof, shall be punished by imprisonment for not more than 20 years. Should the life of any person be lost in consequence of any such burning, such offender shall be deemed guilty of murder and be punished accordingly.

#### § 162. Second degree

Any person who willfully and maliciously (1) sets fire to (2) burns (3) causes to be burned or (4) aids, counsels or procures the burning of any building or structure of whatsoever class or character, whether the property of himself or of another, not included or described in section 161, shall be guilty of arson in the second degree, and upon conviction thereof, shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than 10 years, or by both.

#### § 163. Third degree

Any person who willfully and maliciously (1) sets fire to (2) burns (3) causes to be burned or (4) aids, counsels or procures the burning of any personal or real property of whatsoever class or character, and the property of another person, shall be guilty of arson in the third degree and upon conviction thereof, shall be punished by a fine of not more than \$2,000 or by imprisonment for not more than 3 years, or by both.

#### § 164. Fourth degree

Any person who willfully and maliciously (1) attempts to set fire to (2) attempts to burn (3) aids, counsels or procures the burning of any of the buildings or property mentioned in sections 161 to 163, or (4) commits any act preliminary thereto, in furtherance thereof shall be guilty of arson in the fourth degree and upon conviction thereof shall be punished by imprisonment for not more than 11 months, or by a fine of not more than \$1,000, or by both.

The placing or distributing of any flammable, explosive or combustible material or substance, or any device in, on or adjacent to any building or property mentioned in sections 161 to 163 in an arrangement or preparation with intent to eventually willfully and maliciously (1) set fire to (2) burn same, or (3) to procure the setting fire to or burning of same shall, for the purposes of this chapter, constitute an attempt to burn such building or property.

#### § 165. Liability of wife

Sections 161 to 164 are applicable to a married woman committing any of such offenses without the consent of her husband, although the property set on fire and burned belonged wholly or in part to him.

#### § 166. Assault with intent to commit

Whoever assaults another with intent to commit arson, if armed with a dangerous weapon, shall be punished by imprisonment for not more than 10 years; when not so armed, by a fine of not more than \$1,000 or by imprisonment for not more than 5 years.

#### § 167. Burning to defraud insurer

Any person who willfully and with intent to injure or defraud the insurer (1) sets fire to (2) burns (3) causes to be burned (4) attempts any of the foregoing

or (5) aids, counsels or procures, the burning of any building, structure or personal property, of whatsoever class or character, whether the property of himself or of another, which shall at the time be insured by any person, company or corporation against loss or damage by fire, shall be guilty of a felony and upon conviction thereof, be sentenced to imprisonment for not more than 5 years.

Effective October 7, 1967

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## Chapter 411

### AN ACT Providing for Paid-up Life Insurance Coverage for State Employees and Teachers.

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

Sec. 1. R. S., T. 5, § 1151, sub-§ 2, amended. Subsection 2 of section 1151 of Title 5 of the Revised Statutes, as amended by section 2 of chapter 186 of the public laws of 1965, is further amended by adding at the end thereof, the following new paragraph:

The board of trustees, upon recommendation of the Advisory Council on Group Insurance, may purchase through the payment of a single premium on behalf of eligible state employees and teachers paid-up life insurance to be effective in a prescribed level amount upon retirement for reasons other than occupational disability. The board of trustees, with the approval of the Advisory Council on Group Insurance, shall by regulation prescribe the conditions of eligibility for and the annual level amount of this additional paid-up life insurance.

Sec. 2. R. S., T. 5, § 1151, sub-§ 7, amended. Subsection 7 of section 1151 of Title 5 of the Revised Statutes is amended by adding at the end, the following paragraph:

Anything to the contrary notwithstanding, any dividends, premium rate adjustments or accumulations developed for any reason shall be used either to reduce or eliminate any contribution otherwise required from the Unappropriated Surplus of the General Fund or to increase benefits to state employees and teachers, as the board of trustees and the Advisory Council on Group Life Insurance in their sole discretion shall order by means of uniform regulations necessary to implement such usage or usages.

Sec. 3. R. S., T. 5, § 1151, sub-§ 9, amended. Subsection 9 of section 1151 of Title 5 of the Revised Statutes, as amended by sections 1 and 2 of chapter 34 of the public laws of 1965, is further amended by adding at the end a new paragraph, to read as follows:

Nothing contained in this subsection shall limit the authority of the board of trustees to purchase additional paid-up life insurance as authorized in subsection 2.

Sec. 4. R. S., T. 5, § 1153, amended. The 2nd paragraph of section 1153 of Title 5 of the Revised Statutes is amended to read as follows: