

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Third Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
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2. Salary. The Bureau of Public Administration shall determine from time to time with the advice of the internship committee an appropriate minimum salary for interns which shall be paid by the participating state department or agency. The Bureau of Public Administration may negotiate the placement of an intern within State Government, and to further the purposes of the intern program, may make funds from this chapter available to the intern.

3. Internship training. Participating state departments and agencies shall release intern personnel to participate on duty time in orientation or training activities planned by the Bureau of Public Administration as part of the internship program.

§ 296. Acceptance of gifts, bequests, grants, aid

The Bureau of Public Administration is authorized to accept gifts, bequests and endowments for purposes consistent with the objectives of this chapter; and to accept federal, private foundation and other grants and matching funds when determined to be in the best interests of the program.

Effective October 7, 1967

Chapter 494

AN ACT to Correct Errors and Inconsistencies in the Public Laws.

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

Sec. 1. R. S., T. 4, § 5, amended. The 2nd sentence of section 5 of Title 4 of the Revised Statutes is amended to read as follows:

~~Such justice shall terminate his service before his 71st birthday unless he be a justice who has attained or hereafter shall attain the age of 70 years during his continuance in office as such justice under an appointment made prior to August 6, 1949, in which case to be entitled to compensation as provided, he shall terminate his service before his 72nd birthday.~~

Sec. 2. R. S., T. 4, § 103, amended. The 2nd sentence of section 103 of Title 4 of the Revised Statutes is amended to read as follows:

~~Such justice shall terminate his service before his 71st birthday unless he be a justice who has attained or hereafter shall attain the age of 70 years during his continuance in office as such justice under an appointment made prior to August 6, 1949, in which case to be entitled to compensation as provided, he shall terminate his service before his 72nd birthday.~~

Sec. 3. R. S., T. 4, § 103, amended. The 3rd sentence of section 103 of Title 4 of the Revised Statutes is repealed, as follows:

~~An Active Retired Justice shall receive annually, beginning January 1, 1951, an amount equal to $\frac{3}{4}$ of the salary now paid to justices of said court.~~

Sec. 4. R. S., T. 5, § 243, sub-§ 5, amended. Subsection 5 of section 243 of Title 5 of the Revised Statutes is amended to read as follows:

5. Post-audit for state colleges, etc. To perform a post-audit of all accounts and other financial records of the state ~~teachers'~~ colleges, the Maine Port Authority and the Maine Forestry District;

Sec. 5. R. S., T. 7, § 14, amended. Section 14 of Title 7 of the Revised Statutes is amended to read as follows:

§ 14. Hearings on violations

When the commissioner becomes cognizant of the violation of any provision of this Title, Title 10, chapter 309, Title 22, sections 2151 to 2162 and Title 32, ~~chapter chapters 27 and 61~~, he shall cause notice of such fact, stating the date, hour and place of hearing, with a copy of the finding or, in case of a packer of food, a copy of the charge to be preferred, to be given to the person concerned and the person from whom the sample was obtained, and the person whose name appears upon the label, if a resident of the State, who shall be given an opportunity to be heard under such rules and regulations as may be prescribed by the said commissioner. When the hearing relates to the packing of apples, it shall be held in the county where the inspection was made.

Sec. 6. R. S., T. 7, § 3451, amended. The last paragraph of section 3451 of Title 7 of the Revised Statutes, as enacted by section 4 of chapter 193 of the public laws of 1965, is amended to read as follows:

Any person, firm or corporation maintaining a kennel ~~or corporation main-
taining a kennel~~ without having obtained a license for same or after any license has been revoked or suspended shall be punished by a fine of not more than \$50.

Sec. 7. R. S., T. 7, § 3703, amended. The first paragraph of section 3703 of Title 7 of the Revised Statutes, as amended by section 8 of chapter 193 and by section 16 of chapter 513, both of the public laws of 1965, is repealed and the following enacted in place thereof:

Each police officer or constable to whom the warrants named in section 3702 are issued shall return the same at the time specified. Such officers shall receive from the municipality the sum of \$2 for each dog killed or otherwise disposed of, and for other services rendered under this chapter and chapters 701, 703 and 711 and sections 3603 to 3605, they shall receive such compensation as the municipal officers may determine.

Sec. 8. R. S., T. 9, § 3722, sub-§ 5, amended. Subsection 5 of section 3722 of Title 9 of the Revised Statutes, as enacted by section 1 of chapter 501 of the public laws of 1965, is amended to read as follows:

5. Goods. "Goods" means all chattels personal which are furnished or used in the modernization, rehabilitation, repair, alteration or improvement of real property except those furnished or used for a commercial or business purpose or for resale, and except stoves, freezers, refrigerators, air conditioners other than those connected with a central heating system, hot water heaters and other appliances furnished for use in a home and ~~designated~~ designed to be removable therefrom without material injury to the structure;

Sec. 9. R. S., T. 9, § 3738, amended. The 2nd sentence of section 3738 of Title 9 of the Revised Statutes, as enacted by section 1 of chapter 501 of the public laws of 1965, is amended to read as follows:

No financial institution as defined in section 222, credit union, national bank or federal savings and loan association authorized to do business in this State shall be required to obtain a license or pay a license fee hereunder; however, nothing contained in this chapter shall be deemed to have any effect whatever upon any existing law regulating the power of or the conditions and limitations under which such institutions may engage in the business of a home repair financing agency.

Sec. 10. R. S., T. 12, § 51, amended. The 2nd sentence of section 51 of Title 12 of the Revised Statutes is amended to read as follows:

It shall consist of the following 7 members: The Dean of the College of Agriculture, the State Commissioner of Agriculture and the State Forest Commissioner, who shall serve ex officio; and 4 soil and water conservation district supervisors, one of which shall represent each of the following 4 areas: Area 1, composed of the soil and water conservation districts of St. John Valley, Central Aroostook, Southern Aroostook and Washington County; Area 2, composed of the districts of Piscataquis County, Somerset County, Franklin County and Kennebec County; Area 3, composed of the districts of Oxford County, Androscoggin Valley, Cumberland County and York County; Area 4, composed of Penobscot County, Waldo County, Knox-Lincoln and Hancock County.

Sec. 11. R. S., T. 12, § 54, sub-§ 8, amended. Subsection 8 of section 54 of Title 12 of the Revised Statutes is amended to read as follows:

8. Options, purchases. To obtain options upon and to acquire by purchase, exchange, lease, gift, grant, bequest, devise or otherwise any property or rights or interests therein; to maintain, administer and improve any properties acquired; to receive income from such properties and to expend such income in carrying out the purposes and provisions of this chapter; and to sell, lease, or otherwise dispose of any of its real or personal property or interests therein, in furtherance of the purpose and provisions of this chapter, including the conveyance, with or without consideration, of lands or interests therein to soil and water conservation districts for use in carrying out their authorized purposes;

Sec. 12. R. S., T. 12, § 201, sub-§ 2, amended. The first sentence of subsection 2 of section 201 of Title 12 of the Revised Statutes is amended to read as follows:

Allocation to soil and water conservation districts shall be made on the basis of a budget submitted by each district to the state committee by February 1st of each year.

Sec. 12-A. R. S., T. 12, § 2301, sub-§ 3, amended. The first sentence of subsection 3 of section 2301 of Title 12 of the Revised Statutes, as revised, is amended to read as follows:

The commissioner shall issue a hunting, trapping and fishing license to any Indian over the age of 16 years of the Passamaquoddy and Penobscot tribes without any charge or fee, providing the Indian presents a certificate from the Commissioner of ~~Health and Welfare~~ **Indian Affairs** stating that the person described is an Indian and a member of that tribe.

Sec. 13. R. S., T. 12, § 2557, amended. The last sentence of section 2557 of Title 12 of the Revised Statutes, as repealed and replaced by section 23 of chapter 448 of the public laws of 1965, is amended to read as follows:

Any violation of this section shall be ~~punished~~ **punishable** by a fine of not less than \$200 nor more than \$300 for each offense.

Sec. 14. R. S., T. 13, § 932, amended. The 2nd paragraph of section 932 of Title 13 of the Revised Statutes is repealed, as follows :

~~The limitations of this section as to the holding of real and personal property shall not apply to a corporation formed under this chapter for the purpose of fostering, encouraging and assisting the physical location, settlement and resettlement of industrial and manufacturing enterprises within the State.~~

Sec. 15. R. S., T. 13, § 3169, amended. The first sentence of section 3169 of Title 13 of the Revised Statutes is amended to read as follows :

The ministerial and school funds now held in trust by any town or by a corporation existing under section 3162 may be turned over to the Treasurer of State to be administered in accordance with the terms and provisions of such trust and which shall be invested by him in the same manner as provided for investments in securities enumerated in Title 9, sections ~~592~~ **591** to 600 and **section 603, subsection 1.**

Sec. 15-A. R. S., T. 14, § 160, additional. Title 14 of the Revised Statutes is amended by adding a new section 160, to read as follows :

§ 160. Certain cases of negligence

In actions to recover damages for negligently causing the death of a person or for injury to a person who is deceased at the time of trial of such action, the person for whose death or injury the action is brought shall be presumed to have been in the exercise of due care at the time of all acts in any way related to his death or injury, and if negligence of the deceased is to be relied on as a defense, it shall be pleaded and proved by the defendant.

Sec. 15-B. R. S., T. 15, § 2142, amended. The first sentence of the 2nd paragraph of section 2142 of Title 15 of the Revised Statutes, as enacted by section 1 of chapter 419 of the public laws of 1965, is amended to read as follows :

The appellate division shall have jurisdiction to consider the appeal with ~~or~~ ~~without~~ a hearing, review the judgment so far as it relates to the sentence imposed, and also any other sentence imposed when the sentence appealed from was imposed, notwithstanding the partial execution of any such sentence, and shall have jurisdiction to amend the judgment by ordering substituted therefor a different appropriate sentence or sentences or any other disposition of the case which could have been made at the time of the imposition of the sentence or sentences under review, but no sentence shall be increased without giving the defendant an opportunity to be heard.

Sec. 16. R. S., T. 20, § 859, amended. The 2nd paragraph of section 859 of Title 20 of the Revised Statutes, as amended by chapter 338 of the public laws of 1965, is further amended to read as follows :

In schools which offer a one-year childhood education program prior to grade one, only those children who will be 5 years of age on or before October 15th of the school year shall be admitted ~~except that not more than 5 pilot programs~~

related to school entrance age may be administered locally with approval of the State Board of Education during the 1965-66, 1966-67 school years only. Grade one age limitations shall not apply to children participating in these pilot programs.

Sec. 16-A. R. S., T. 21, § 1622, sub-§§ 2, 10, amended. Subsections 2 and 10 of section 1622 of Title 21 of the Revised Statutes are amended to read as follows:

2. Voting place. The Commissioner of ~~Health and Welfare~~ **Indian Affairs** shall provide a suitable building for use as a voting place for all elections. He shall equip it with voting booths, guardrails and other necessary equipment as required by this Title.

10. Compensation. After each election, the registration commissioner shall prepare an itemized bill stating the amount due him and the election clerks. He shall submit the bill to the Commissioner of ~~Health and Welfare~~ **Indian Affairs**, who shall pay it from funds appropriated by the State for support of the Indian tribes.

Sec. 16-B. R. S., T. 22, § 2375, sub-§ 1, amended. The last paragraph of subsection 1 of section 2375 of Title 22 of the Revised Statutes, as enacted by section 14 of chapter 390 of the public laws of 1967, is repealed.

Sec. 16-C. Effective date. Section 16-B shall be effective 91 days after the adjournment of the Legislature.

Sec. 17. R. S., T. 22, § 2484, amended. The last sentence of section 2484 of Title 22 of the Revised Statutes, as enacted by chapter 221 of the public laws of 1965, is amended to read as follows:

~~Renewal licenses~~ Licenses issued to be effective July 1, 1965 may be issued for $\frac{1}{2}$ the annual license fee, and then shall be renewed as of each January 1st thereafter, on payment of the annual license fee.

Sec. 17-A. R. S., T. 22, § 4761, sub-§ 2, amended. Subsection 2 of section 4761 of Title 22 of the Revised Statutes is amended to read as follows:

2. Adoption. By adoption into the tribe as determined by its tribal ~~committee~~ **council**, in accordance with sections 4762 and 4763;

Sec. 17-B. R. S., T. 22, § 4762, amended. Section 4762 of Title 22 of the Revised Statutes is amended to read as follows:

§ 4762. Adoption of person into tribe

The tribal ~~committee~~ **council** at any regularly held meeting may, by $\frac{3}{4}$ vote of its total membership, adopt into said tribe any person who is in whole or to the extent of at least $\frac{1}{4}$ part Indian blood, and who is the husband, wife or child of a member of said tribe, and who has his or her residence for at least one year next preceding such adoption upon any reservation of said tribe. The decision of said ~~committee~~ **council** upon such residence and Indian descent and such adoption shall not be effective until the same has been ratified and approved in writing by the commissioner. The adoption of a child by any member of the tribe

under ordinary legal process shall not of itself constitute such child a member of said tribe, but the power of adoption into the tribe shall in all cases rest with the tribal ~~committee~~ **council**, subject to approval by the commissioner.

Sec. 17-C. R. S., T. 22, § 4763, amended. The first sentence of section 4763 of Title 22 of the Revised Statutes is amended to read as follows:

Whenever said tribal ~~committee~~ **council** shall vote to adopt any person into said tribe, a certificate of such vote of adoption shall be signed by the person presiding at the meeting, and said certificate shall be filed with the commissioner.

Sec. 17-D. R. S., T. 22, § 4767, amended. The 2nd sentence of section 4767 of Title 22 of the Revised Statutes is amended to read as follows:

If at the end of 60 days said commissioner shall have refused or neglected to restore said person to membership, he shall have the right of appeal to the tribal ~~committee~~ **council** which shall thereupon forthwith hear the facts and enter such judgment as to restoration to membership as is just and right.

Sec. 17-E. R. S., T. 22, § 4781, amended. The 2nd and 4th paragraphs of section 4781 of Title 22 of the Revised Statutes are amended to read as follows:

“Know all men by these presents, that I,
Commissioner of ~~Health and Welfare~~ **Indian Affairs**, have caused to be surveyed and set off to
a portion of the lands belonging to said tribe on the islands in Penobscot River, as contemplated by Acts of the Legislature, bounded and described as follows, viz:

In witness whereof I have hereunto set my hand and seal as Commissioner of ~~Health and Welfare~~ **Indian Affairs**, this day of, nineteen hundred and

Sec. 17-F. R. S., T. 22, § 4790, amended. Section 4790 of Title 22 of the Revised Statutes is amended to read as follows:

§ 4790. Excise taxes

All excise taxes on motor vehicles owned by members of the Penobscot Tribe of Indians who live on the reservation shall be paid to the tribal clerk who shall hold and disburse the proceeds for the benefit of the tribe in accordance with the vote of the tribal ~~committee~~ **council**. The tribal clerk shall give a corporate surety bond for the faithful discharge of his duty to the tribal ~~committee~~ **council** in the sum and with such sureties as they approve.

Sec. 17-G. R. S., T. 22, § 4791, amended. Section 4791 of Title 22 of the Revised Statutes is amended to read as follows:

§ 4791. Census; annual meeting; notices; correction of lists; compensation of council

An accurate census of the Penobscot Tribe shall be taken early each January by the tribal ~~committee~~ **council** upon the best information which they can obtain, stating, as nearly as may be, the name, sex and age of each Indian as it existed on the first day of such January, each family by itself. On or before the 10th day of January, annually, the original, certified under oath, shall be delivered to the commissioner, and a copy thereof to the governor of said tribe for their use.

On the first Wednesday of January, annually, the said ~~committee~~ **council** shall hold a meeting with said tribe on Old Town Indian Island, for receiving information from such of the tribe as may attend, as to the membership of the tribe, the identity of persons and the correctness of names. Due notice in writing of the time and place of which meeting shall be given by said ~~committee~~ **council**. At said meeting 5 of said tribal ~~committee~~ **council** shall constitute a quorum thereof.

Corrections of the list, by reason of births, deaths or omissions, may, as they come to the knowledge of the ~~committee~~ **council**, be certified to the commissioner and he shall correct his list accordingly.

Sec. 17-H. R. S., T. 22, § 4792, amended. The first and 2nd sentences of section 4792 of Title 22 of the Revised Statutes are amended to read as follows:

Biennially on the even-numbered years, on the first Tuesday of September, the Penobscot Indians shall hold their election for the choice of governor and lieutenant governor of said tribe, and a representative at the Legislature of this State, and a tribal ~~committee~~ **council** to consist of 12 members of said tribe, each of whom must be at least 21 years of age. The governor shall preside over all meetings of the ~~committee~~ **council** and be a member ex officio.

Sec. 17-I. R. S., T. 22, § 4831, amended. The first and 4th sentences of section 4831 of Title 22 of the Revised Statutes are amended to read as follows:

Biennially on the even-numbered years, on the first Tuesday of November, the Passamaquoddy Tribe of Indians shall hold their election for the choice of governor and lieutenant governor of each reservation of said tribe, a representative at the Legislature of this State and a tribal ~~committee~~ **council** to consist of 6 members of said tribe from each reservation, all of whom must be at least 21 years of age.

The governor shall preside over all meetings of the ~~committee~~ **council** and be a member ex-officio.

Sec. 17-J. R. S., T. 22, § 4832, amended. Section 4832 of Title 22 of the Revised Statutes is amended to read as follows:

§ 4832. Census

An accurate census of the Passamaquoddy Tribe shall be taken early each January by the tribal ~~committee~~ **council** upon the best information which they can obtain, as provided, stating, as nearly as may be, the name, sex and age of each Indian as it existed on the first day of such January, each family by itself. On or before the 10th day of January, annually, the original, certified under oath, shall be delivered to the commissioner, and a copy thereof to the governor of said tribe for their use. On the first Wednesday of January, annually, the said ~~committee~~ **council** shall hold a meeting with said tribe, for receiving information from such of the tribe as may attend, as to the membership of the tribe, the identity of persons and the correctness of names; due notice in writing of the time and place of which meeting shall be given by said ~~committee~~ **council**. At said meeting 5 of said tribal ~~committee~~ **council** shall constitute a quorum thereof.

Corrections of the list, by reason of births, deaths or omissions, may, as they come to the knowledge of the ~~committee~~ **council**, be certified to the commissioner and he shall correct his list accordingly.

Sec. 18. R. S., T. 23, § 152, amended. The first sentence of the last paragraph of section 152 of Title 23 of the Revised Statutes is amended to read as follows:

The ~~3rd~~ 5th member of the board shall be appointed for each hearing or series of hearings within the county where the land taken lies.

Sec. 19. R. S., T. 24, § 2301, repealed and replaced. Section 2301 of Title 24 of the Revised Statutes, as repealed and replaced by section 1 of chapter 458 and amended by section 44 of chapter 513, both of the public laws of 1965, is repealed and the following enacted in place thereof:

§ 2301. Purposes

Any corporation organized under special Act of the Legislature or under Title 13, chapters 81 and 91, for the following purposes may be licensed by the commissioner on the terms and conditions provided for in this chapter:

1. **Nonprofit hospital service plans.** To establish, maintain and operate nonprofit hospital service plans, whereby hospital care may be provided by hospitals or groups of hospitals with which such corporation has a contract for such purpose, to such persons or groups of persons as become subscribers to said plan under a contract which entitles each subscriber to certain hospital care, and the hospital or hospitals so contracting with such corporation shall be governed by this section and shall be exempt from all other provisions of the insurance laws of this State, unless otherwise specifically provided in this chapter. In order to maintain and operate such plans, such corporation may act either in the capacity of principal or agent of other nonprofit hospital service corporations, or insurance companies authorized to do business in the State of Maine.

2. **Nonprofit medical service plans.** To establish, maintain and operate nonprofit medical service plans, whereby medical or surgical service or expense indemnity is provided to such persons or groups of persons as shall become subscribers to such plan under contracts with such corporation, either in the capacity of principal or agent of other nonprofit medical service corporations, or insurance companies authorized to do business in the State of Maine, and the physician or physicians so contracting with such corporation shall be governed by this section and shall be exempt from all other provisions of the insurance laws of this State, unless otherwise specifically provided in this chapter.

3. **Contracts and agreements.** To contract with any similar corporations in other states for the joint administration of their business and may enter into reciprocal arrangements for the mutual benefit of their subscribers.

4. **Services for governmental units.** With the prior approval of the Insurance Commissioner of the State of Maine, such corporation shall have the right to utilize its organization and facilities to perform services for the United States or the State of Maine Governments or the units or agencies of either. Such utilization shall be on a cost basis resulting in no profit to the corporation.

Sec. 20. R. S., T. 24, § 3304, sub-§ 2, amended. Subsection 2 of section 3304 of Title 24 of the Revised Statutes, as enacted by chapter 124 of the public laws of 1965, is amended to read as follows:

2. **Acting officers and duties.** To elect such acting ~~directors~~ officers as it may deem necessary, without regard to the number of officers which would

otherwise be required, to serve in any offices which are vacant or in place of any officers or acting officers who fail to appear and assume their duties, to fix the compensation and determine the powers and duties of acting officers and to remove acting officers but not to remove any officer or to fill any vacancy on a permanent basis or to cause the insurance organization to enter into any contract of employment for a term in excess of one year.

Sec. 21. R. S., T. 26, § 45, amended. The first sentence of section 45 of Title 26 of the Revised Statutes, as repealed and replaced by section 1 of chapter 200 of the public laws of 1965, is amended to read as follows:

The ~~work places~~ **workshops**, equipment, tools and working conditions provided by an employer shall be reasonably safe and not in such condition as to be hazardous to the employee engaged therein.

Sec. 21-A. R. S., T. 26, § 1081, sub-§ 2, amended. Subsection 2 of section 1081 of Title 26 of the Revised Statutes, as amended by chapter 328 of the public laws of 1965, is further amended to read as follows:

2. Salaries. The chairman of the commission shall receive a fixed weekly salary, at the rate of ~~\$13,000~~ **\$13,650** per year, and each of the other members shall receive a fixed weekly salary, at the rate of ~~\$12,500~~ **\$13,125** per year, and shall be paid from the Employment Security Administration Fund.

Sec. 21-B. Effective date. Section 21-A shall become effective July 2, 1968.

Sec. 22. R. S., T. 29, § 331, amended. The 7th sentence from the end of section 331 of Title 29 of the Revised Statutes is amended to read as follows:

To qualify as a dealer in used motor vehicles for the purposes of this Title, an applicant must have proper facilities for the display of used motor vehicles, a suitable office in which to conduct business, and a suitable sign identifying the place of business; must maintain a repair department capable of taking care of at least 2 motor vehicles simultaneously exclusive of grease pit or rack, and sufficient tools and equipment for proper servicing; and must keep employed at least one mechanic having a thorough knowledge of the product handled; all in accordance with the rules, regulations and standards promulgated and established by the board; provided, however, that the requirements as to dealers in used motor vehicles pertaining to repair and servicing facilities and mechanics shall not apply to ~~present~~ holders of motor vehicle dealer registration plates **on January 1, 1964**, or to holders of transporter registration plates who have filed evidence as required by law of at least 12 bona fide sales of motor vehicles during the 12 months preceding ~~September 21, 1963~~ **January 1, 1964**.

Sec. 23. R. S., T. 29, § 584, amended. The first sentence of section 584 of Title 29 of the Revised Statutes is amended to read as follows:

No person required by law to pay a ~~coll~~ **poll** tax in this State shall be granted a license to operate a motor vehicle until he shall present a receipt or certificate that he has paid his poll tax in the town where he resided or written evidence from the taxing authority of that town that he was legally exempted therefrom or that the tax has been abated.

Sec. 23-A. R. S., T. 29, § 2124, amended. The 6th paragraph of section 2124 of Title 29 of the Revised Statutes, as amended by section 8 of chapter 248 of the

public laws of 1965 and by section 2-A of chapter 68 of the public laws of 1967, is further amended to read as follows:

No person other than the holder of a valid inspection mechanic's certificate issued ~~annually~~ by the Chief of the State Police shall perform an inspection, issue or sign a certificate of inspection.

Sec. 23-B. Effective date. Section 23-A shall become effective 91 days after the adjournment of the Legislature.

Sec. 23-C. R. S., T. 30, § 2, amended. The 12th paragraph of section 2 of Title 30 of the Revised Statutes, which relates to Piscataquis County, as amended by section 1 of chapter 397 of the public laws of 1965, is further amended to read as follows:

Piscataquis County: County commissioners, ~~\$1,000~~ \$1,100; chairman, ~~\$1,100~~ \$1,350; clerk of courts, ~~\$3,600~~ \$4,000; county attorney, \$5,000; county treasurer, ~~\$1,200~~ \$1,500; sheriff, ~~\$4,500~~ \$4,800; register of deeds, ~~\$3,600~~ \$4,000; judge of probate, ~~\$3,200~~ \$3,600; register of probate, ~~\$3,600~~ \$4,000.

Sec. 23-D. Effective date. Section 23-C shall be effective January 2, 1968.

Sec. 23-E. R. S., T. 30, § 2, amended. That part of the 6th paragraph of section 2 of Title 30 of the Revised Statutes, as amended by section 1 of chapter 397 of the public laws of 1965, which relates to the deputy clerk of courts of Hancock County, is further amended to read as follows:

deputy clerk of courts, ~~\$2,850~~ \$3,100;

Sec. 23-F. R. S., T. 30, § 2, amended. That part of the 16th paragraph of section 2 of Title 30 of the Revised Statutes, which relates to the salary of the county commissioners of Washington County, is amended to read as follows:

County Commissioners, \$1,800; chairman, \$2,100;

Sec. 23-G. Effective date. Sections 23-E and 23-F shall be effective January 2, 1968.

Sec. 24. R. S., T. 30, § 4602, amended. The last sentence of the first paragraph of section 4602 of Title 30 of the Revised Statutes is repealed and the following enacted in place thereof:

The commissioners who are first appointed pursuant to this section shall be designated to serve for terms of one, 2, 3, 4 and 5 years, respectively, from the date of their appointment, and thereafter said commissioners shall be appointed for a term of 5 years, except that all vacancies shall be filled for the unexpired term. All such appointments shall be made in the same manner as the original appointment. Those commissioners who were not appointed to terms of one, 2, 3, 4 and 5 years, but were instead all appointed to terms of 5 years under then existing law shall serve out their terms, and succeeding appointments shall be for terms of one, 2, 3, 4 and 5 years, respectively, and thereafter said commissioners shall be appointed for a term of office of 5 years, except that all vacancies shall be filled for the unexpired term, all such appointments to be made in the same manner as the original appointment.

Sec. 24-A. R. S., T. 30, § 5105, sub-§ 2, amended. Subsection 2 of section 5105 of Title 30 of the Revised Statutes is amended to read as follows:

2. **Hospital.** ~~Supporting~~ **Constructing, maintaining, operating and supporting** a hospital serving its residents.

Sec. 25. R. S., T. 32, § 579, sub-§ 2, amended. Subsection 2 of section 579 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 430 of the public laws of 1965, is amended to read as follows:

2. **Filing of appeal.** The filing of an appeal from an order of the commissioner rejecting an application for a license by a collection agency engaged in business as of ~~the effective date of this Act~~ **January 1, 1966**, or rejecting an application for the renewal of a license, or suspension or revoking a license within 60 days after the date of such order, shall operate as a ~~supersedeas~~ **stay of such order** which shall continue pending final determination of such appeal.

Sec. 25-A. R. S., T. 34, § 2421, sub-§ 3, amended. Subsection 3 of section 2421 of Title 34 of the Revised Statutes is amended to read as follows:

3. **Fees for transportation.** In instances of indorsement on the certificate of the licensed physicians by a **Justice of the Superior Court, a judge of probate**, the District Court or by a complaint justice, under section 2332 or 2333, for the purpose of authorizing a health or police officer to transport a patient to a hospital, fees for such transportation shall be charged in the first instance to the department. Any fee so charged shall be first approved in writing by a **Justice of the Superior Court, a judge of probate**, the District Court or by a complaint justice. Reimbursement shall be sought for such expenditures as in cases of expenses incurred in probate court commitment proceedings.

Sec. 26. R. S., T. 34, § 3002, amended. The first paragraph of section 3002 of Title 34 of the Revised Statutes is amended to read as follows:

Patients may be admitted to these sanatoriums upon application to the Department of Health and Welfare, if found to be suffering from tuberculosis or if suspected of having tuberculosis. All patients in said sanatoriums, the parents of minor children or the spouse, shall pay to the State for treatment, including board, supplies and incidentals necessary to the prescribed medical and surgical treatment both for inpatient and outpatient services, the amount determined by ~~the said department~~ **Department of Health and Welfare** may, if it finds that such patient or relatives liable by law are unable to pay the amount determined, in whole or in part, waive payment or so much thereof as the circumstances appear to warrant.

Sec. 27. R. S., T. 36, § 2903, amended. The last 2 sentences of section 2903 of Title 36 of the Revised Statutes are repealed, as follows:

~~Six cents of the tax so paid, and no more, upon such internal combustion engine fuel used in commercial motor boats, in tractors used for agricultural purposes not operating on public ways, or in such vehicles as run only on rails or tracks, or in stationary engines or in the mechanical or industrial arts, shall be refunded as provided. Three cents of the tax so paid, and no more, upon such internal combustion engine fuel used in vehicles used in common carrier passenger service shall be refunded as provided in section 2909.~~

Sec. 28. R. S., T. 36, § 2908, amended. Section 2908 of Title 36 of the Revised Statutes, as amended by section 3 of chapter 395 of the public laws of 1965, is further amended to read as follows:

§ 2908. Refund of 6/7 of tax in certain cases; time limit

Any person, association of persons, firm or corporation who shall buy and use any internal combustion engine fuel as defined in this chapter for the purpose of operating or propelling commercial motor boats, tractors used for agricultural purposes not operating on public ways, or in such vehicles as run only on rails or tracks, or in stationary engines, or in the mechanical or industrial arts, or for any other commercial use except in motor vehicles operated or intended to be operated upon any of the public highways of this State, or turnpikes operated and maintained by the Maine Turnpike Authority, or except as provided in ~~section~~ **sections 2910 and 2911**, in the operation of aircraft, and who shall have paid any tax on internal combustion engine fuel levied or directed to be paid as provided by this chapter, either directly by the collection of such tax by the vendor from such consumer, or indirectly by adding the amount of such tax to the price of such fuel and paid by such consumer, shall be reimbursed and repaid to the extent of 6/7 of the amount of such tax paid by him upon presenting to the State Tax Assessor a sworn statement accompanied by the original invoices showing such purchases, which statement shall show the total amount of such fuel so purchased and used by such consumer other than in motor vehicles operated or intended to be operated upon any of the public highways of the State and in the operation of aircraft. Applications for refunds must be filed with the State Tax Assessor within 12 months from the date of purchase.

Sec. 29. R. S., T. 4, § 5, amended. The first sentence of section 5 of Title 4 of the Revised Statutes, as amended by section 1 of chapter 442 of the public laws of 1965, is further amended to read as follows:

Any Justice of the Supreme Judicial Court who resigns his office or ceases to serve at the expiration of any term thereof, after attaining the age of 70 years and after having served as a justice on either the Supreme Judicial Court or the Superior Court, or both, for at least 7 consecutive years, shall receive annually during the remainder of his life, whether or not he is appointed an Active Retired Justice as provided in section 6, an amount equal to $\frac{3}{4}$ of the currently effective annual salary of a Justice **or Chief Justice** of the Supreme Judicial Court, **as the case may be**, to be paid in the same manner as the salaries of the justices of said court are paid.

Sec. 30. Application. From the effective date of chapter 336 of the public laws of 1967, which repeals and replaces the Revised Statutes, Title 14, sections 1254 and 1255 until July 31, 1968, the municipal officers and jury commissioners of the several counties shall comply with said chapter 336, except that they may prepare the jury pool at a time other than during June and July.

Sec. 31. P. & S. L. 1967, c. 66, amended. The first paragraph of the Referendum of chapter 66 of the Private and Special Laws of 1967 is amended to read as follows:

This Act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the Town of Kittery at any special town election to be held on or before the ~~first~~ **16th** day of October, 1967, and warrants shall be issued for such election in the manner now

provided by law for the holding of municipal elections, notifying and warning the qualified voters of said town to meet in said town, there to cast their ballots on the approval or rejection of this Act.

Sec. 32. Effective date. Section 31 shall become effective 91 days after the adjournment of the Legislature.

Sec. 33. P. & S. L. 1967, c. 132, Article XI, § 2, amended. The first sentence of section 2 of Article XI of chapter 132 of the private and special laws of 1967 is amended to read as follows :

This Act shall be submitted for approval or rejection to the qualified voters of the City of Waterville at an election to be held on October 9 23, 1967, and warrants shall be issued for such election in the manner now provided by law for the holding of municipal elections, notifying the qualified voters of said city of the date and purpose of the referendum.

Sec. 34. Effective date. Section 33 shall become effective 91 days after the adjournment of the Legislature.

Sec. 35. R. S., T. 9, § 1, amended. The last sentence of the first paragraph of section 1 of Title 9 of the Revised Statutes, as amended, is further amended to read as follows :

He (Bank Commissioner) shall receive an annual salary of ~~\$15,796~~ \$16,588 and his actual traveling expenses incurred in the performance of his duties.

Sec. 36. Effective date. Section 35 shall become effective 91 days after the adjournment of the Legislature.

Sec. 37. P. L., 1967, c. 472, amended. Chapter 472 of the public laws of 1967 is amended by adding a new section 2, to read as follows :

Sec. 2. Effective date. This Act shall take effect on January 1, 1968.

Effective October 7, 1967

Chapter 495

AN ACT Relating to Fishing Licenses for Certain Maine Residents in Armed Forces.

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

R. S., T. 12, § 2601, sub-§ 10-A, additional. Section 2601 of Title 12 of the Revised Statutes, as revised, is amended by adding a new subsection 10-A, to read as follows :

10-A. Licenses for Maine residents in Armed Forces. A resident fishing license shall be issued, upon payment of \$1, to a Maine resident in the Armed Forces of the United States who is stationed outside the State and who is in Maine on leave or furlough, and such license shall be valid only for the duration of his leave or furlough.

Effective October 7, 1967