

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## One Hundred and Fourth 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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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1969

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
ONE HUNDRED AND FOURTH LEGISLATURE  
1969

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Sec. 2. R. S., T. 22, § 1312, repealed. Section 1312 of Title 22 of the Revised Statutes, as enacted by chapter 121 of the public laws of 1967, is repealed, as follows:

~~§ 1312. Immunization of dogs~~

~~When in the judgment of the commissioner it appears necessary to do so for the control of rabies in the State, the commissioner may order rabies immunization of dogs as a prerequisite for licensing of said dogs, either state wide or in limited areas, and may promulgate the necessary rules and regulations therefor.~~

Effective October 1, 1969

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## Chapter 245

### AN ACT Pertaining to Live Smelt Bait Dealers.

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

R. S., T. 12, § 2558-A, additional. Title 12 of the Revised Statutes is amended by adding a new section 2558-A, to read as follows:

**§ 2558-A. Live smelts for bait; dealers licensed**

All persons dealing in live smelts for resale as bait shall be licensed to do so by the commissioner. The fee for such live smelt bait dealer's license shall be \$50 for each calendar year. Persons having a live smelt bait dealer's license under this section may take, from waters designated by the commissioner, smelts for resale. Said smelts may be taken at any time with a dip net, drop net or hook and line. The daily limit for dealers licensed under this section shall be 8 quarts and they may possess more than 8 quarts provided the taking was legal.

Effective October 1, 1969

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## Chapter 246

### AN ACT Defining the Term Just Value for Purposes of Property Assessment.

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

R. S., T. 36, § 701-A, additional. Title 36 of the Revised Statutes is

amended by adding a new section 701-A, to read as follows:

§ 701-A. Just value defined

In the assessment of property, assessors in determining just value are to define this term in a manner which recognizes only that value arising from presently possible land use alternatives to which the particular parcel of land being valued may be put. Assessors must consider the effect upon value of any enforceable restrictions to which the use of the land may be subjected. Restrictions shall include but are not limited to zoning restrictions limiting the use of land, subdivision restrictions and any recorded contractual provisions limiting the use of lands. The just value of land is deemed to arise from and is attributable to legally permissible use or uses only.

Effective October 1, 1969

## Chapter 247

### AN ACT Relating to Amount of Food Sold by Class A Restaurants Under Liquor Law.

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

R. S., T. 28, § 2, sub-§ 18, amended. Subsection 18 of section 2 of Title 28 of the Revised Statutes, as amended by chapter 87 of the public laws of 1967, is further amended by adding after the 3rd sentence, the following sentences:

In cities and towns having a population of 20,000 or less, year-round class A restaurants must do a minimum of \$40,000 per year in sale and service of food to the public on their premises; as a requirement for a part-time license not in excess of 6 consecutive months, part-time licensees must do a minimum of \$25,000 business in sale or service of food to the public on their premises.

Effective October 1, 1969

## Chapter 248

### AN ACT Repealing Right of Appeal from Decisions of Administrative Hearing Commissioner to the State Liquor Commission.

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

Sec. 1. R. S., T. 5, § 2451, sub-§ 1, amended. The first sentence of subsection 1 of section 2451 of Title 5 of the Revised Statutes is amended to