

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.

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

Chapter 332

AN ACT Relating to Fees of Local Sealers of Weights and Measures.

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

R. S., T. 10, § 2701, amended. The first paragraph of section 2701 of Title 10 of the Revised Statutes is repealed and the following enacted in place thereof:

The Commissioner of Agriculture is authorized, after consultation with municipal authorities and representatives of industry, to hold a public hearing for the purpose of establishing fees of the state sealer and the sealers of weights and measures for testing weights and measures to be paid by the person for whom the service is rendered.

Promulgation and establishment of fees shall follow the procedure and be subject to the requirements imposed by Title 5, sections 2351 to 2354.

Effective October 1, 1969

Chapter 333

AN ACT Relating to Husband or Wife of the Accused as Witness in Criminal Cases.

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

R. S., T. 15, § 1315, amended. The last sentence of section 1315 of Title 15 of the Revised Statutes is amended to read as follows:

The husband or wife of the accused is a competent witness except in regard to marital communications.

Effective October 1, 1969

Chapter 334

AN ACT Providing for Enabling Legislation for Municipal Zoning.

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

Sec. 1. R. S., T. 30, § 4952, sub-§ 1, ¶ E, amended. Paragraph E of subsection 1 of section 4952 of Title 30 of the Revised Statutes is amended to read as follows:

E. When a member is unable to act because of interest, physical incapacity, absence ~~from the State~~ or any other reason satisfactory to the chairman, the chairman of the planning board shall designate an associate member to act in his stead. When there is a permanent vacancy, the municipal officers shall appoint a person to serve for the unexpired term.

Sec. 2. R. S., T. 30, § 4953, sub-§ 2-A, additional. Section 4953 of Title 30 of the Revised Statutes, as amended, is further amended by adding a new subsection 2-A, to read as follows:

2-A. Penalty. The municipality may provide a penalty of not more than \$100 for each violation of a zoning ordinance. All zoning ordinances previously enacted by various municipalities which provide penalties in accordance with this subsection are declared to be valid.

Sec. 3. R. S., T. 30, § 4954, sub-§ 1, ¶ D, amended. Paragraph D of subsection 1 of section 4954 of Title 30 of the Revised Statutes is amended to read as follows:

D. When a member is unable to act because of interest, physical incapacity or absence ~~from the State~~, the associate member shall act in his stead. When there is a permanent vacancy, the municipal officers shall appoint a person to serve for the unexpired term.

Effective October 1, 1969

Chapter 335

AN ACT Relating to Application for Class A Restaurant Liquor License.

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

R. S., T. 28, § 2, sub-§ 18, amended. The 5th sentence of subsection 18 of section 2 of Title 28 of the Revised Statutes is amended to read as follows:

The commission, in the case of an applicant for ~~an initial~~ a "Class A restaurant" license, is authorized to and shall exercise its judgment as to the applicant's probable qualification with the income provisions of this subsection ~~during the applicant's initial license period where the applicant is the owner or operator of a year round or part time restaurant which operated in the calendar year prior to making application and substantially met the income requirements of this subsection and where the applicant is a new restaurant establishment, either year round or part time, which operated as such for a minimum of 3 months prior to making application.~~

Effective October 1, 1969