

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

Chapter 337

AN ACT to Authorize Municipalities to Incorporate by Reference the Provisions of Nationally Known Technical Codes Prepared by State or Regional Agencies.

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

R. S., T. 30, § 2156, additional. Title 30 of the Revised Statutes is amended by adding a new section 2156, to read as follows:

§ 2156. Adoption of codes by reference

1. Definitions. As used in this section, the following terms shall have the meanings indicated, unless the context otherwise requires:

A. "Code" means any published compilation of rules which has been prepared by the American Insurance Association, the Building Officials Conference of America, the International Conference of Building Officials, the National Fire Protection Association or the Southern Building Code Congress, and shall include specifically, but shall not be limited to: Building codes, plumbing codes, electrical wiring codes, health or sanitation codes, fire prevention codes, inflammable liquids codes, together with any other code which embraces rules pertinent to a subject which is a proper municipal legislative matter.

B. "Municipality" means any municipality operating under general law or charter;

C. "Published" means printed or otherwise reproduced.

2. Adoption and amendment of codes by reference. Any municipality may adopt or repeal an ordinance which incorporates by reference any code or portions of any code, or any amendment thereof, properly identified as to date and source, without setting forth the provisions of such code in full. At least 3 copies of such code, portion or amendment, which is incorporated or adopted by reference, shall be filed in the office of the clerk of the municipality and there kept available for public use, inspection and examination. The filing requirements prescribed shall not be deemed to be complied with unless the required copies of such codes, portion or amendment or public record are filed with the clerk of such municipality for a period of 30 days prior to the adoption of the ordinance which incorporates such code, portion or amendment by reference. If such a code, portion or amendment is promulgated by a metropolitan or regional agency, the adopting municipality must be within the territorial boundaries of the agency.

3. Posting and publication of adopting ordinance. Nothing contained in this section shall be deemed to relieve any municipality of the requirement of posting or publishing in full the ordinance which adopts such code, portion or amendment by reference and all provisions applicable to such publication shall be fully and completely carried out as if no code, portion or amendment were incorporated therein.

4. Adoption of penalty clauses. Any ordinance adopting a code, portion or amendment by reference shall state the penalty for violating such code, portion or amendment, or any provision thereof separately and no part of any such penalty shall be incorporated by reference.

Effective October 1, 1969

Chapter 338

AN ACT Relating to Hunting, Fishing and Trapping by Indians.

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

R. S., T. 12, § 2301, sub-§ 3, ¶ A, additional. Subsection 3 of section 2301 of Title 12 of the Revised Statutes, as last repealed and replaced by section 26 of chapter 544 of the public laws of 1967, is amended by adding a new paragraph A, to read as follows:

A. Nothing in said chapters shall be construed to encroach upon the right of said Indians to take wild life for their own sustenance on their own reservation lands.

After having had full consultation with and the consent of the Commissioner of Inland Fisheries and Game, the tribal governor and council of each reservation shall have the right to govern by tribal ordinance hunting, fishing and trapping by Indians on their respective reservation lands. Copies of the text of any ordinances adopted shall be filed with the Commissioner of Inland Fisheries and Game and in any and all instances not covered by tribal ordinance the inland fish and game laws of Maine shall apply.

Effective October 1, 1969

Chapter 339

AN ACT Relating to Suspension of Motor Vehicle Operator's License for Nonappearance in Court.

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

Sec. 1. R. S., T. 29, § 2301, amended. The last sentence of section 2301 of Title 29 of the Revised Statutes is amended to read as follows: