

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
FARMINGTON, MAINE
1969

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

or real estate salesman without ~~alleging and~~ proving that such person, partnership or corporation was a duly licensed real estate broker or real estate salesman at the time the alleged cause of action arose.

Effective October 1, 1969

Chapter 368

AN ACT Relating to Juvenile Offenses.

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

R. S., T. 15, § 2552, amended. The last paragraph of section 2552 of Title 15 of the Revised Statutes is amended to read as follows:

Juvenile courts shall have no jurisdiction over offenses in which any juvenile is charged with the violation of any provision of Title 29 or over any other traffic law or ordinance, if such offense is a misdemeanor, except that juvenile courts shall have exclusive, original jurisdiction over offenses in which any juvenile is charged with a violation of Title 29, sections 900, 1312, 1312-A, 1315, ~~and~~ 1316 and 2158, subsection 2.

Effective October 1, 1969

Chapter 369

AN ACT to Provide a Uniform Fiscal Year for Municipalities.

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

Sec. 1. R. S., T. 30, § 2055, amended. Section 2055 of Title 30 of the Revised Statutes is amended to read as follows:

§ 2055. Annual meeting

Each town shall hold an annual meeting ~~in March~~, at which time the following town officials shall be elected by ballot: Moderator, clerk, selectmen, assessors, overseers of the poor, treasurer and school committee. Other town officials may be elected by ballot or, if not so elected, they shall be appointed by the selectmen. A town official may not be elected on a motion to cast one ballot.

Sec. 2. R. S., T. 30, § 5101-A, additional. Title 30 of the Revised Statutes is amended by adding a new section 5101-A, to read as follows:

§ 5101-A. Budget

The budget for each municipality shall be submitted and adopted prior to the start of the municipal year.

Sec. 3. R. S., T. 30, § 5151, sub-§ 3, repealed and replaced. Subsection 3 of section 5151 of Title 30 of the Revised Statutes is repealed and the following enacted in place thereof:

3. Municipal year defined. The municipal year shall be the fiscal year commencing on the first day of July and ending on the 30th day of June of each year.

Sec. 4. R. S., T. 30, § 5251, amended. Section 5251 of Title 30 of the Revised Statutes is amended by adding at the end, a new paragraph, as follows:

Each municipality and quasi-municipal corporation, including but not limited to various types of districts or corporations embracing a portion of a municipality, a single municipality or several municipalities, shall adopt a uniform fiscal year commencing on the first day of July and ending on the 30th day of June of each year. The foregoing shall not apply to municipal or quasi-municipal corporations subject to the jurisdiction of the Public Utilities Commission.

Sec. 5. Transitional provisions. Following January 1, 1970 and in no event later than June 30, 1972, the appropriate authorities of each municipality in this State shall initiate and complete such changes of procedures as are necessary to assure conformity with this Act with respect to the uniform fiscal year and municipal year.

It is intended that during the transitional period municipalities shall vote to appropriate and budget moneys and arrange their fiscal affairs in order to transit from their current fiscal year basis to the uniform fiscal year basis. The transitional period is defined as the period from January 1, 1970 to June 30, 1972. During the period of transition to the uniform fiscal year basis, a municipality shall vote to appropriate moneys for periods of time sufficient to insure an orderly transition to the uniform fiscal year basis. For example, a municipality that is on a 12-month fiscal year may desire, in order to transit, to appropriate moneys for a period longer than 12 months in order that their next appropriation commence on the uniform fiscal year basis.

Municipalities may determine that taxes for the transitional period be paid in installments for periods of time as determined by their governing body.

Sec. 6. Inconsistent provisions. All laws, parts of laws, rules, regulations and procedures which are inconsistent in any respect with this Act and the rules, regulations and procedures necessary thereunder are repealed or modified on July 1, 1972 to the extent of the inconsistency. This section specifically includes the provisions of any charter of any municipality which is inconsistent herewith.

Sec. 7. Liberal construction. It is the intention of the Legislature that this Act and the statutes of Maine relating to municipal financial affairs and taxation shall be construed liberally to effect the intention of this Act.

Sec. 8. Effective date. This Act shall take effect on January 1, 1970.

Effective January 1, 1970

Chapter 370

AN ACT Relating to Adoption of Children.

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

R. S., T. 19, § 532, amended. The 2nd paragraph of section 532 of Title 19 of the Revised Statutes, as amended by section 2 of chapter 432 of the public laws of 1967, is further amended by inserting after the 6th sentence the following:

Such surrender and release shall be executed in triplicate; one of the copies shall be filed in the court in which it is executed and the original and other copy shall be given to the transferee thereunder. Such surrender and release shall, without notice to the parent or parents, be transferable, together with all rights thereunder, from the transferee agency to the Department of Health and Welfare, or from the Department of Health and Welfare as original transferee to any duly licensed child placing agency. In the event that it becomes impossible, for good and sufficient reason, to find an adoptive home for any child so surrendered and released by its parent or parents, then the child placing agency or the Department of Health and Welfare, to whom the custody and control of such child has been surrendered and released or transferred as herein provided may arrange for placement in foster care in the same manner as for children committed into custody under Title 22, section 3792.

Effective October 1, 1969

Chapter 371

AN ACT Relating to Discrimination on Account of Race or Religion.

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

R. S., T. 17, § 1301-A, additional. Title 17 of the Revised Statutes is amended by adding a new section 1301-A, to read as follows: