

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth 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
1971

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Fifth Legislature
1971

Sec. 2. Effective date. This Act shall become effective 90 days after adjournment of the Legislature.

Effective September 23, 1971

Chapter 260

AN ACT to Increase Fees for Junkyards and Auto Graveyards.

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

R. S., T. 30, § 2455, sub-§ A, amended. Subsection A of section 2455 of Title 30 of the Revised Statutes, as last repealed and replaced by section 3 of chapter 481 of the public laws of 1965, is amended to read as follows:

§ 1. More than 100 feet from highway. ~~Ten~~ Fifty dollars for each permit for an automobile graveyard or junkyard located more than 100 feet from any highway, plus the cost of posting and publishing said notice.

Effective September 23, 1971

Chapter 261

AN ACT Relating to Fees of Municipal Police Officers as Witnesses.

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

Sec. 1. R. S., T. 4, § 173, sub-§ 4, amended. The next to last paragraph of subsection 4 of section 173 of Title 4 of the Revised Statutes, as enacted by chapter 397 of the public laws of 1967 and amended by section 1 of chapter 521 of the public laws of 1967, is further amended to read as follows:

All ~~municipal police officers~~ sheriffs, deputy sheriffs or constables who officially appear for a scheduled trial in and for the District Court at times other than their regular working hours shall be compensated out of the District Court Fund until July 1, 1969, and thereafter the General Fund and receive the same fee as any other witnesses. **All municipal police officers so appearing at the order of a prosecuting official and whether or not they are called upon to give testimony, shall be compensated out of the General Fund on an hourly basis equal to their present rate of employment. The District Court judge shall determine and order such payment.**

Sec. 2. R. S., T. 16, § 251, amended. The first sentence of section 251 of Title 16 of the Revised Statutes, as amended by chapter 286 of the public laws of 1967, is further amended to read as follows:

Witnesses, other than municipal police officers, in the Supreme Judicial Court, the Superior Court, the District Court or in the probate court, unless the court shall otherwise order, shall receive \$5, and before referees, auditors or

commissioners specially appointed to take testimony or special commissioners on disputed claims appointed by probate courts, \$5, or before the county commissioners, \$5 for each day's attendance and 8¢ a mile for each mile's travel going and returning home.

Sec. 3. R. S., T. 16, § 252, amended. Section 252 of Title 16 of the Revised Statutes is amended to read as follows:

§ 252. Fees of police officer or constable

No police officer or constable paid a salary or paid upon a per diem basis by a municipality shall receive any fee as a complainant or witness, or for making an arrest or for attendance at court, **while on duty and being compensated therefor**, but shall be reimbursed by such municipality for his actual costs of arrest and actual expenses of travel and attendance. Whenever any fines or penalties are imposed by any court in any proceeding in which such a police officer or constable is a complainant or a witness, said court may tax costs for such complainant or witness in the usual manner to be paid by the county treasurer upon approval of the county commissioners to the municipality employing such police officer or constable. **All municipal police officers appearing at the order of a prosecuting official before the Superior Court or Grand Jury, whether or not called upon to give testimony, at times other than their regular working hours shall be compensated on an hourly basis equal to their present rate of employment.**

Effective September 23, 1971

Chapter 262

AN ACT Relating to Weight Tolerance for Vehicles Loaded with Road Salt.

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

R. S., T. 29, § 1655, amended. The first sentence of section 1655 of Title 29 of the Revised Statutes, as amended, is further amended to read as follows:

The operation on the highways of any vehicle loaded entirely with firewood, sawed lumber, dimension lumber, pulpwood, wood chips, logs, soils, unconsolidated rock materials or bolts or loaded entirely with farm produce or **loaded entirely with road salt** or loaded with manufacturers' concrete products or building materials which absorb moisture during delivery originating and terminating within the State or dump trucks, tractor dump trucks or transit-mix concrete trucks carrying highway construction materials or the operation on the highways of any vehicle loaded with any products requiring refrigeration, whether by ice or mechanical equipment, or the operation on the highways of any vehicle loaded with raw ore from mine or quarry to place of processing, shall not be deemed to be in violation of any of the provisions of sections 246, 1652 to 1654 and 1656 relating to weights of vehicles, weights of loads, tonnages or overloads if the gross weight of such vehicle and its load does not exceed 110% of the maximum gross weight for which such vehicle is then registered nor 110% of the maximum gross weight permitted for such vehicle by section 1652, and if the weight thereof imparted to any road surface by an axle or axles does not exceed 110% of the maximum axle weight per-