

# 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.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1971

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

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Whoever discharges, spills or permits to be discharged oil, petroleum products or their by-products in violation of this section, and fails to report such discharge, shall be punished by a fine of not less than \$500 nor more than \$1000.

Sec. 2. R. S., T. 38, § 417, repealed and replaced. Section 417 of Title 38 of the Revised Statutes, as amended by section 5 of chapter 431 of the public laws of 1969, is repealed and the following enacted in place thereof:

§ 417. Certain deposits and discharges prohibited

No person, firm, corporation or other legal entity shall place, deposit or discharge, directly or indirectly into the inland waters or tidal waters of this State, or on the ice thereof, or on the banks thereof in such a manner that the same may fall or be washed into such waters, or in such manner that the drainage therefrom may flow or leach into such waters, any of the following, except as otherwise provided by law:

- A. Forest products refuse. Any slabs, edgings, sawdust, shavings, chips, bark or other forest products refuse;
- B. Potatoes. Any potatoes or any part or parts thereof;
- C. Refuse. Any scrap metal, junk, paper, garbage, septic tank sludge, rubbish, old automobiles or similar refuse.

Whoever violates this section shall be punished by a fine of not less than \$100 nor more than \$500.

Effective September 23, 1971

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## Chapter 459

### AN ACT Relating to Applicability of Workmen's Compensation Law to Employers of One or More Employees.

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

Sec. 1. R. S., T. 39, § 4, amended. The first 2 sentences of section 4 of Title 39 of the Revised Statutes, as amended by section 1 of chapter 411 and section 1 of chapter 489, both of the public laws of 1965, are further amended to read as follows:

Section 3 shall not apply to employers engaged in woods operations and who employ 3 or less workmen or operatives ~~regularly in the same business~~. Said section shall not apply to actions to recover damages for the injuries aforesaid, or for death resulting from such injuries, sustained by employees engaged in domestic service or in agriculture as seasonal or casual farm laborers.

**Sec. 2. R. S., T. 39, § 21, amended.** The 2nd paragraph of section 21 of Title 39 of the Revised Statutes, as amended by section 2 of chapter 411 and section 2 of chapter 489 both of the public laws of 1965, is further amended to read as follows:

Any private employer other than those **engaged in woods operations and who employ 3 or less employees regularly in the same business** who has elected not to be an assenting employer by not securing the payment of compensation under sections 21 to 27 shall, in a civil action brought by the employee other than one engaged in domestic service or in agriculture as a seasonal or casual farm laborer to recover for personal injuries or death sustained after such election by the employer, arising out of and in the course of his employment, not be entitled to the defenses set forth in section 3.

Effective September 23, 1971

## Chapter 460

### AN ACT Relating to Public Intoxication.

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

**Sec. 1. R. S., T. 17, § 2001, amended.** The first sentence of section 2001 of Title 17 of the Revised Statutes is amended to read as follows:

Whoever is found intoxicated in any street, highway or other public place, or is found intoxicated in a motor vehicle while said motor vehicle is in any street, highway or other public place, shall be punished for the first offense by a fine of not more than \$20 or by imprisonment for not more than 30 days, or by both, and upon any subsequent conviction by a fine of not more than \$60 or by imprisonment for not more than 90 days, or by both ~~except that in any county where a county farm for the reformation of inebriates has been established, any male person who has been previously convicted of intoxication may be sentenced to such farm for a period of not less than 90 days nor more than 11 months.~~

**Sec. 2. R. S., T. 17, § 2001, amended.** Section 2001 of Title 17 of the Revised Statutes is amended by adding at the end the following new paragraph:

Within 18 hours after an accused is taken into custody, if it appears to the arresting officer that the accused is not a danger to himself or others, with the written consent of the accused, the accused may be released from custody and no complaint shall issue. After such release the arresting officer or the officer in charge may, with the written consent of the accused, make such arrangements to transport the accused to his home or some other suitable place as may be reasonable under the circumstances.

Effective September 23, 1971