

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

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

---

---

No motor vehicle, or combination of motor vehicle and trailer or semi-trailer, except fire department vehicles and disabled motor vehicles being towed to a repair facility, shall exceed in length ~~55~~ 56½ feet overall including all structural parts thereof, permanent or temporary, and any load carried thereon or therein, providing that the trailer or semitrailer shall not exceed 45 feet in length.

Effective September 23, 1971

---

---

## Chapter 544

### AN ACT to Correct Errors and Inconsistencies in the Public Laws.

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

Sec. 1. R. S., T. 1, §§ 811-813, repealed. Sections 811 to 813 of Title 1 of the Revised Statutes are repealed as follows:

§ 811. ~~Real property or interest therein may be taken~~

~~The taking of real estate or of any interest therein for the use of the State by right of eminent domain may be effected as provided in sections 812 and 813.~~

§ 812. ~~Manner of taking~~

~~Whenever the public exigencies require it, the Governor and Council may adopt an order of taking which shall contain a description of the land taken, sufficiently accurate for its identification, and shall state the interest therein taken and the purpose for which such property is taken.~~

§ 813. ~~Procedure~~

~~All proceedings under sections 811 and 812 shall be in accordance with Title 35, chapter 263.~~

Sec. 2. R. S., T. 1, § 814, amended. Section 814 of Title 1 of the Revised Statutes, as repealed and replaced by chapter 380 of the public laws of 1969, is repealed and the following enacted in place thereof:

§ 814. Purchase of real estate

Whenever the Governor and Council determine that public exigencies require the construction of additional buildings, structures, parking spaces or other facilities for the expansion of State Government in the Capitol Area, it may purchase or take by eminent domain real estate in Augusta. The Capitol Area is as defined in the following description. Beginning at the intersection of the easterly line of Florence Street with the northerly line of Capitol Street; thence easterly along said northerly line of Capitol Street to a point of 150 feet westerly of the intersection of the westerly line of Federal Street projected northerly across said Capitol Street and said northerly line of Capitol Street; thence southerly and parallel to said westerly line of Fed-

eral Street about 800 feet to Kennedy Brook; thence following the thread of the stream generally easterly to its intersection with the northerly property line of land of the State of Maine, being part of the Motor Vehicle premises; thence westerly about 60 feet along said property line; thence southerly along said property line about 155 feet; thence easterly along said property line about 140 feet; thence southerly along said property line about 120 feet to the northerly line of Manley Street; thence diagonally and southwesterly across Manley Street to its intersection with the northwesterly corner of other land of the State of Maine, thence southerly along said property line extended to the northerly line of Glenwood Street; thence along said Glenwood Street easterly to the westerly line of State Street; thence northerly along said State Street about 150 feet to a point opposite the northerly line of Britt Street; thence across State Street and along the northerly line of said Britt Street easterly to its intersection with property of Augusta Sanitary District; thence northerly and easterly as said property line may run to its intersection with the westerly right-of-way line of the Maine Central Railroad Company; thence along said railroad line northerly as the same may run to its intersection with the southerly line of highway Route 201; thence southwesterly along said highway line, as the same may run, to its intersection with the northerly line of Powhattan Street; thence diagonally across State Street to the intersection of the westerly line of State Street and the northerly line of Hichborn Street; thence westerly along said Hichborn Street to the intersection of its northerly line extended with the westerly line of Higgins Street; thence southerly and westerly along Higgins Street to the intersection of its northerly line extended with the westerly line of Grove Street; thence southerly along Grove Street to its intersection with the northerly line of Wade Street; thence westerly about 400 feet in a straight line along Wade Street and its northerly line extended to the easterly line of Sewall Street; thence southerly along Sewall Street to a point opposite the northerly line of Wade Street; thence across Sewall Street and continuing westerly along the northerly line of Wade Street, and thence continuing in a straight line westerly and parallel to Capitol Street to the easterly line of Florence Street; thence southerly along Florence Street to the point of beginning.

All proceedings under this section shall be in accordance with Title 35, chapter 263.

Sec. 3. R. S., T. 3, § 2, amended. The last sentence of the first paragraph of section 2 of Title 3 of the Revised Statutes is repealed as follows:

~~Two dollars shall be deducted from the pay of every member for each day that he is absent from his duties, without being excused by the House to which he belongs.~~

Sec. 4. R. S., T. 3, § 2, amended. The next to the last sentence of the 2nd paragraph of section 2 of Title 3 of the Revised Statutes, as enacted by chapter 112 of the public laws of 1971, is amended to read as follows:

Housing shall be computed as follows: Daily rate shall not exceed \$9 \$10 per night; weekly and monthly rate shall be computed by dividing the number of allowable nights into the weekly or monthly rate, not to exceed \$9 \$10 per night.

Sec. 5. **Effective date.** Section 4 shall become effective 91 days after adjournment of the Legislature.

**Sec. 6. R. S., T. 4, § 152, amended.** The first sentence of section 152 of Title 4 of the Revised Statutes, as amended by chapter 236 of the public laws of 1965 and as amended by chapter 38 and by section 1 of chapter 117, both of the public laws of 1971, is further amended to read as follows:

The District Court shall possess the civil and criminal jurisdiction exercised by all trial justices and municipal courts in the State on September 16, 1961, and in addition, original jurisdiction, concurrent with that of the Superior Court of all civil actions in which neither damages in excess of ~~\$10,000~~ \$20,000 nor equitable relief is demanded, of proceedings under Title 14, sections 6651 to 6658 and of actions for divorce or annulment of marriage and of proceedings under Title 19 and original jurisdiction, concurrent with that of the probate court, of actions for separation.

**Sec. 7. Effective date.** Section 6 shall become effective 91 days after adjournment of the Legislature.

**Sec. 8. R. S., T. 4, § 157, amended.** The last sentence of section 157 of Title 4 of the Revised Statutes is amended to read as follows:

Sections 103 and 104, as heretofore or hereafter amended, now applicable to Justices of the Superior Court, are made applicable to Judges of the District Court.

**Sec. 9. R. S., T. 4, § 554, amended.** The 3rd sentence of the 2nd paragraph of section 554 of Title 4 of the Revised Statutes is repealed as follows:

~~The sum provided for the clerk in Lincoln County shall be in full for all such services and in full for services as clerk of Lincoln municipal court, except as provided in section 54.~~

**Sec. 10. R. S., T. 5, § 151-A, amended.** Section 151-A of Title 5 of the Revised Statutes, as enacted by Section E of chapter 154 of the private and special laws and as repealed and replaced by section 8 of chapter 544 of the public laws, both of 1967, is amended to read as follows:

#### § 151-A. Income from temporary investment of bonds

All net income realized from the temporary investment of bond proceeds on general fund bond issues approved by the 103rd Legislature and future Legislatures shall be credited to a special account designated as Debt Service Account, and used only for the retirement of bonds and notes.

**Sec. 11. R. S., T. 5, § 285, sub-§ 2, amended.** The first sentence of subsection 2 of section 285 of Title 5 of the Revised Statutes, as enacted by chapter 543 of the public laws of 1967, is amended to read as follows:

Each state employee to whom this section applies shall be eligible for group accident and sickness or health insurance as provided in Title ~~24~~ 24-A, sections ~~2806 and 2807~~ 2802 to 2812, including major medical benefits.

**Sec. 12. R. S., T. 5, § 297, amended.** Section 297 of Title 5 of the Revised Statutes, as enacted by section 1 of chapter 458 of the public laws of 1967, is amended to read as follows:

**§ 297. Declaration of policy**

The Legislature, in view of the need for effective planning to accommodate the governmental agencies of the State of Maine located ~~at the seat of government~~ in Augusta, and the possibility that a continuing increase in these needs may eventually make the construction of additional buildings and the enlargement of the state capitol grounds necessary, declares that it is the policy of the State of Maine that the development of the Capitol Area shall proceed with economy, careful planning, aesthetic consideration and with due regard to the public interests involved.

**Sec. 14. R. S., T. 5, § 1723, repealed.** Section 1723 of Title 5 of the Revised Statutes, as enacted by section 2 of chapter 514 of the public laws of 1965 and as repealed and replaced by section 9 of chapter 181 and as repealed by section 1 of chapter 239, both of the public laws of 1971, is repealed.

**Sec. 15. Effective date.** Section 14 shall become effective 91 days after adjournment of the Legislature.

**Sec. 15-A. R. S., T. 5, § 1772-A, additional.** Title 5 of the Revised Statutes is amended by adding a new section 1772-A to read as follows:

**§ 1772-A. User fees**

The Bureau of Public Improvements shall establish and charge user fees for any or all parking facilities within the legally designated capitol complex, if considered feasible and with the approval of the Governor and the Executive Council.

All user fees shall be credited to the General Fund.

**Sec. 16. R. S., T. 6, § 161, amended.** The last sentence of section 161 of Title 6 of the Revised Statutes is amended to read as follows:

Cities, towns and counties are authorized to appropriate or cause to be raised by taxation or otherwise in such cities, towns or counties sums sufficient to carry out sections 5 to 7, ~~43 to 45~~ 13, 14, 15, 122, 161 to 163, 202, 203 and 241 to 246.

**Sec. 17. R. S., T. 6, § 201, amended.** Section 201 of Title 6 of the Revised Statutes, as amended by section 7 of chapter 590 of the public laws of 1969, is further amended to read as follows:

**§ 201. Arrests**

~~Inspectors, when so designated by the director~~ The director and inspectors shall have, in any part of the State, the same authority to enforce and to make arrests for the violation of any provision of chapters 1 to 13 or any rule and regulation promulgated thereunder as sheriffs, policemen and constables have in their respective jurisdictions.

**Sec. 18. R. S., T. 7, § 523, sub-§ 3, amended.** Subsection 3 of section 523 of Title 7 of the Revised Statutes, as enacted by chapter 325 of the public laws of 1969, is amended to read as follows:

3. **Consumer commodity.** "Consumer commodity," except as specifically provided by this subchapter, means any food, as defined by the Maine Food Law, Title 22, ~~section 2151, et. seq~~ chapter 551, subchapter I, and any other article, product or commodity of any kind or class which is customarily produced or distributed for sale through retail sales agencies or instrumentalities for consumption by individuals, or use by individuals for purposes of personal care or in the performance of services ordinarily rendered within the household, and which usually is consumed or expended in the course of such consumption or use.

**Sec. 18-A. R. S., T. 7, § 1090, amended.** The 3rd sentence of the last paragraph of section 1090 of Title 7 of the Revised Statutes, as enacted by chapter 438 of the public laws of 1971, is amended to read as follows:

In view of these facts, the Legislature has determined that it is in the best interests of those engaged in agriculture and agriculturally related industry, and of the people of the entire State to regulate the relationship of producers to dealers and processors by encouraging and facilitating the formation and operation of ~~a cooperative agricultural marketing association~~ associations.

**Sec. 18-B. Effective date.** Section 18-A shall become effective 91 days after adjournment of the Legislature.

**Sec. 19. R. S., T. 7, §§ 2911-2923, repealed.** Sections 2911 to 2923 of Title 7 of the Revised Statutes, as enacted by chapter 296 of the public laws of 1969, are repealed.

**Sec. 20. R. S., T. 9, § 3724, sub-§ 7, amended.** Subsection 7 of section 3724 of Title 9 of the Revised Statutes, as enacted by section 1 of chapter 501 of the public laws of 1965, is amended to read as follows:

7. **Signs.** Any provision for a payment or credit to any owner for the privilege of placing any sign on the premises where the work is being done ~~or for recommending to the home repair contractor the names of any person or persons, who might be interested in making an installment home repair contract~~ unless such provision has been approved by the commissioner.

**Sec. 21. R. S., T. 9, § 3917, sub-§ 2, amended.** The 2nd and last sentences of subsection 2 of section 3917 of Title 9 of the Revised Statutes, as enacted by section 35 of chapter 423 of the public laws of 1969, are amended to read as follows:

Within ~~70~~ 20 days after receipt of a notice of rescission, the creditor shall return to the obligor any money or property given as earnest money, down payment or otherwise, and shall take any action necessary or appropriate to reflect the termination of any security interest created under the transaction.

If the creditor does not take possession of the property within ~~70~~ 20 days after tender by the obligor, ownership of the property vests in the obligor without obligation on his part to pay for it.

**Sec. 22. R. S., T. 9, § 3920, sub-§ 3, amended.** Subsection 3 of section 3920 of Title 9 of the Revised Statutes, as enacted by section 35 of chapter 423 of the public laws of 1969, is amended to read as follows:



3. If a creditor receives a purchase order by mail or telephone without personal solicitation, and the cash price and the deferred payment price and the terms of financing, including the annual percentage rate, are set forth in the creditor's catalog or other printed material distributed to the public, then the disclosures required under ~~section~~ **subsection 1** may be made at any time not later than the date the first payment is due.

**Sec. 23. R. S., T. 10, § 551, sub-§ 4, amended.** Subsection 4 of section 551 of Title 10 of the Revised Statutes, as amended by section 7 of chapter 442 of the public laws of 1969, is amended to read as follows:

4. **Assistance.** Assist the Division of Promotion in the publication and providing of written publicity material as set forth in section ~~607~~ **611**.

**Sec. 24. R. S., T. 10, § 2101-B, amended.** The first paragraph of section 2101-B of Title 10 of the Revised Statutes, as enacted by section 2 of chapter 508 of the public laws of 1969, is amended to read as follows:

As used in this ~~chapter~~ **subchapter**, unless the context otherwise indicates, the following words shall have the following meanings:

**Sec. 25. R. S., T. 10, § 2203, amended.** The last sentence of section 2203 of Title 10 of the Revised Statutes, as enacted by chapter 472 of the public laws of 1969, is amended to read as follows:

The director shall employ, pursuant to the Personnel Law, such personnel as may be necessary to properly administer this ~~subchapter~~ **chapter**, including mining engineers and persons experienced in land management and reclamation.

**Sec. 26. R. S., T. 10, § 2210, sub-§ 1, amended.** Subsection 1 of section 2210 of Title 10 of the Revised Statutes, as enacted by chapter 472 of the public laws of 1969, is amended to read as follows:

1. **Cooperation.** The commission shall cooperate with the federal, state and local governments, with natural resource and conservation organizations and with any public or private entities having interests in any subject within the purview of this ~~subchapter~~ **chapter**.

**Sec. 27. R. S., T. 10, § 2210, amended.** The 2nd and 3rd paragraphs of section 2210 of Title 10 of the Revised Statutes, as enacted by chapter 472 of the public laws of 1969, are amended to read as follows:

The commission is designated the public agency of the State of Maine for the purpose of cooperating with appropriate departments and agencies of the Federal Government concerning reclamation of lands in connection with development and mining of minerals in the State, and for the purpose of cooperating and consulting with federal agencies in carrying out this ~~subchapter~~ **chapter**. For these purposes the commission may accept federal funds which may be made available pursuant to federal law, and may accept such technical and financial assistance from the Federal Government as the commission deems advisable and proper for purposes of this ~~subchapter~~ **chapter**.

The commission is further designated the public agency of the State of Maine for the purpose of meeting requirements of the Federal Government

with respect to the administration of such federal funds, not inconsistent with this ~~subchapter~~ chapter.

**Sec. 28. R. S., T. 11, § 9-404, sub-§ (1), ¶ (a), amended.** The next to the last sentence of paragraph (a) of subsection (1) of section 9-404 of Title 11 of the Revised Statutes, as last repealed and replaced by section 3 of chapter 582 of the public laws of 1969, is amended to read as follows:

The fee for filing and indexing such an assignment or statement thereof shall be \$3 ~~unless on a form conforming to standards prescribed by the Secretary of State in which case the fee shall be \$2.~~

**Sec. 28-A. R. S., T. 12, § 602, sub-§ 9, amended.** The first sentence of subsection 9 of section 602 of Title 12 of the Revised Statutes, as amended by chapter 47 of the public laws of 1971, is further amended to read as follows:

To accept and receive funds from the Federal Government for all purposes relating to parks, recreational areas and property included in the National Register of Historic Places as defined in 16 U.S.C. § 470 a. (a) (1) (P. L. 89-665).

**Sec. 28-B. R. S., T. 12, § 682, sub-§ 2, repealed and replaced.** Subsection 2 of section 682 of Title 12 of the Revised Statutes, as enacted by chapter 494 of the public laws of 1969 and as repealed and replaced by section 2 of chapter 457 of the public laws of 1971, is repealed and the following enacted in place thereof:

2. Subdivision. A subdivision is a division of an existing parcel of land into 3 or more parcels or lots within any 5-year period, whether this division is accomplished by platting of the land for immediate or future sale, or by sale of the land by metes and bounds or by leasing.

No sale or leasing of any lot or parcel shall be considered a subdivision if such lot or parcel is not less than 40 acres in size except where the intent of such conveyance is to avoid the objectives of this statute.

**Sec. 28-C. R. S., T. 12, § 685-A, sub-§ 6, amended.** The first sentence of subsection 6 of section 685-A of Title 12 of the Revised Statutes, as enacted by section 5 of chapter 457 of the public laws of 1971, is amended to read as follows:

Prior to the adoption of district boundaries and land use guidance standards as provided in subsections 1 and 3, the commission shall by July 1, ~~1972~~ 1973 adopt and enforce interim land use guidance standards for temporary districts whose boundaries shall be determined and delineated on interim land use guidance maps.

**Sec. 28-D. R. S., T. 12, § 685-A, sub-§ 7, amended.** The first, 3rd and 7th paragraphs of subsection 7 of section 685-A of Title 12 of the Revised Statutes, as enacted by section 5 of chapter 457 of the public laws of 1971, are amended to read as follows:

Within 45 days after the proposed land use district boundaries or guidance standards ~~or amendments~~ are prepared or received by the commission, the

commission shall hold a public hearing at a time and place convenient to all persons affected by the proposal.

Such notices shall state the purpose, time and place of the hearing and shall indicate the time and place where copies of the proposed maps and standards ~~or amendments~~ thereof may be inspected or obtained prior to the hearing. The land use district boundaries ~~or standards or amendments~~ shall be adopted within 45 days from final adjournment of the hearing.

**Sec. 28-E. R. S., T. 12, § 685-A, sub-§ 10, amended.** The last paragraph of subsection 10 of section 685-A of Title 12 of the Revised Statutes, as enacted by section 5 of chapter 457 of the public laws of 1971, is repealed and the following enacted in place thereof:

**The commission shall conduct a hearing in the manner provided in section 685-B, subsection 3.**

**Sec. 28-F. R. S., T. 12, § 685-B, sub-§ 3, amended.** The last sentence of the first paragraph of subsection 3 of section 685-B of Title 12 of the Revised Statutes, as enacted by section 5 of chapter 457 of the public laws of 1971, is amended to read as follows:

Public notice shall be given 3 publications in the state paper and such daily papers published in the State as is determined will bring the proposals to the attention of all interested parties; the date of the first publication to be at least ~~30~~ 15, and the last publication to be at least 3, days prior to the hearing.

**Sec. 28-G. R. S., T. 12, § 685-B, sub-§ 6, amended.** The 3rd paragraph of subsection 6 of section 685-B of Title 12 of the Revised Statutes, as enacted by section 5 of chapter 457 of the public laws of 1971, is repealed and the following enacted in place thereof:

**A register of deeds shall not record any plat or any document purporting to subdivide land located within the unorganized and deorganized lands of the State unless the commission's approval is evidenced thereon.**

**Sec. 28-H. R. S., T. 12, § 685-B, sub-§ 7, amended.** The last paragraph of subsection 7 of section 685-B of Title 12 of the Revised Statutes, as enacted by section 5 of chapter 457 of the public laws of 1971, is amended to read as follows:

Any use for which a special exception has been granted by the commission, as provided for in section 685-A, subsection ~~5~~ 10, shall not be deemed a non-conforming use, but shall be deemed a conforming use in such district.

**Sec. 28-I. R. S., T. 12, § 685-B, sub-§ 8, amended.** The last paragraph of subsection 8 of section 685-B of Title 12 of the Revised Statutes, as enacted by section 5 of chapter 457 of the public laws of 1971, is repealed.

**Sec. 28-J. R. S., T. 12, § 685-C, sub-§ 1, amended.** The first paragraph of subsection 1 of section 685-C of Title 12 of the Revised Statutes, as enacted by section 5 of chapter 457 of the public laws of 1971, is amended to read as follows:

Not later than July 1, ~~1972~~ 1973 the commission shall adopt an official comprehensive land use guidance plan for the unorganized and deorganized townships of the State, describing the present use of the land and delineating general categories and locations of uses in accordance with section 681.

**Sec. 28-K. Effective date.** Sections 28-B to 28-J shall become effective 91 days after adjournment of the Legislature.

**Sec. 29. R. S., T. 12, § 1601, amended.** The 2nd sentence of section 1601 of Title 12 of the Revised Statutes, as enacted by chapter 533 of the public laws of 1969, is repealed as follows:

~~Such tax shall be increased by one mill on the dollar assessed only for the year 1970 upon all the property in the unorganized territory located within the Maine Forestry District, including rights in public reserved lots, to be used by the Forestry Department for spruce budworm control.~~

**Sec. 30. R. S., T. 12, § 1978, sub-§ 9-A, repealed and replaced.** Subsection 9-A of section 1978 of Title 12 of the Revised Statutes, as enacted by chapter 142 of the public laws of 1971, is repealed and the following enacted in place thereof:

**9-A. Operation in cemeteries.** It shall be unlawful to operate any snowmobile in any cemetery, burial place or burying ground. Any person who violates this subsection shall be punished by a fine of not less than \$50 nor more than \$150 and may additionally be required by the court to reimburse the owner or operator of said cemetery, burying ground or burying place for any damage to the memorials, tombs, gravestones or monuments located therein caused by such operation.

**Sec. 31. Effective date.** Section 30 shall become effective 91 days after adjournment of the Legislature.

**Sec. 32. R. S., T. 12, § 2253, repealed.** Section 2253 of Title 12 of the Revised Statutes, as last amended by section 12 of chapter 85 and as repealed by section 6 of chapter 97, both of the public laws of 1971, is repealed.

**Sec. 33. Effective date.** Section 32 shall become effective 91 days after adjournment of the Legislature.

**Sec. 37. R. S., T. 12, § 4211, repealed.** Section 4211 of Title 12 of the Revised Statutes, as enacted by chapter 236 of the public laws of 1971, is repealed.

**Sec. 38. R. S., T. 12, § 4212, additional.** Title 12 of the Revised Statutes is amended by adding a new section 4212 to read as follows:

**§ 4212. Dragging in Spruce Creek**

It is unlawful to fish by dragging from the waters of Spruce Creek, a body of salt water located in the Town of Kittery, York County, north of the Kittery Point Bridge. Whoever violates this section shall be punished by a fine of \$100 or by imprisonment for not more than 30 days, or by both.

**Sec. 39. R. S., T. 13, § 903, amended.** The last sentence of section 903 of Title 13 of the Revised Statutes, as amended by section 10 of chapter 225 of the public laws of 1969, is further amended to read as follows:

No fee shall be required by the Attorney General but the Secretary of State shall receive for filing such certificate a fee of \$5, **in advance**, and registers of deeds shall receive for recording such certificate the fee of \$2.

**Sec. 40. R. S., T. 13, § 934, amended.** The last sentence of section 934 of Title 13 of the Revised Statutes, as enacted by section 13 of chapter 225 of the public laws of 1969, is amended to read as follows:

The Secretary of State shall be paid a fee of \$5, **in advance**, for filing a change of purpose.

**Sec. 41. R. S., T. 13, § 961, amended.** The last sentence of section 961 of Title 13 of the Revised Statutes, as enacted by section 14 of chapter 225 of the public laws of 1969, is amended to read as follows:

A fee of \$5 shall be paid, **in advance**, to the Secretary of State for the filing of the agreement of consolidation.

**Sec. 42. R. S., T. 13, § 3169, amended.** The first sentence of section 3169 of Title 13 of the Revised Statutes, as amended by section 15 of chapter 494 of the public laws of 1967, is further amended to read as follows:

The ministerial and school funds now held in trust by any town or by a corporation existing under section 3162 may be turned over to the Treasurer of State to be administered in accordance with the terms and provisions of such trust and which shall be invested by him in the same manner as provided for investments in securities enumerated in Title 9, sections ~~591 to 600 and section 603, subsection + 621 to 631.~~

**Sec. 43. R. S., T. 14, § 553, repealed and replaced.** Section 553 of Title 14 of the Revised Statutes is repealed and the following enacted in place thereof:

**§ 553. Action commenced when complaint filed**

**An action is commenced when the summons and complaint are served or when the complaint is filed with the court, whichever occurs first.**

**Sec. 44. R. S., T. 14, § 1203, repealed.** Section 1203 of Title 14 of the Revised Statutes, as amended by section 1 of chapter 316 of the public laws of 1971, is repealed.

**Sec. 45. Effective date.** Section 44 shall become effective January 2, 1973.

**Sec. 46. R. S., T. 14, § 5948, amended.** The first sentence of section 5948 of Title 14 of the Revised Statutes, as last repealed and replaced by section 1 of chapter 287 of the public laws of 1969, is amended to read as follows:

Nothing in this chapter shall be deemed to repeal or amend Title 26, chapter ~~10, entitled "Fire Fighters Arbitration Law"~~ **9-A, entitled "Municipal Public Employees Labor Relations Law."**

**Sec. 46-A. R. S., T. 14, § 6002, amended.** Section 6002 of Title 14 of the Revised Statutes, as amended, is further amended by adding after the first sentence the following new sentence:

Such termination shall not be affected by the receipt of moneys, whether previously owed or for current use and occupation until the date a writ of possession is issued against the tenant during the period of actual occupancy after receipt of said notice.

**Sec. 47. R. S., T. 14, § 6002, amended.** The first paragraph of section 6002 of Title 14 of the Revised Statutes, as amended by section 2 of chapter 322 of the public laws of 1971, is further amended by adding at the end the following new sentence:

Termination of the tenancy shall be deemed to occur at the expiration of the time fixed in the notice.

**Sec. 48. R. S., T. 14, § 6453, amended.** Section 6453 of Title 14 of the Revised Statutes is amended to read as follows:

#### § 6453. Notice to Attorney General

Notice of said complaint shall be given to the Attorney General by causing an attested copy of the same to be served upon him by an officer qualified to serve civil process, ~~at least 14 days prior to the first day of the term of court at which said complaint is entered~~ and the Attorney General may appear and be heard thereon.

**Sec. 49. R. S., T. 15, § 701, sub-§ 1, amended.** Subsection 1 of section 701 of Title 15 of the Revised Statutes is amended to read as follows:

1. **Information.** When prosecutions by information are expressly authorized by ~~statute~~ rule of court.

**Sec. 50. R. S., T. 15, § 810, amended.** The 5th sentence of section 810 of Title 15 of the Revised Statutes, as enacted by section 1 of chapter 352 of the public laws of 1965, is amended to read as follows:

The District Court shall order reasonable compensation to be paid to counsel ~~out of~~ by the District Court ~~Fund~~ for such services in the District Court.

**Sec. 51. R. S., T. 15, § 2552, amended.** The last paragraph of section 2552 of Title 15 of the Revised Statutes, as repealed and replaced by section 19 of chapter 590 of the public laws of 1969, 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 and Title 38, chapter I, subchapter VI, 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 Title 12, section 1978, subsection 2, or of Title 38, section 237, subsection 2.

**Sec. 52. R. S., T. 16, § 251, amended.** The first sentence of section 251 of Title 16 of the Revised Statutes, as last amended by chapter 199 and by section 2 of chapter 261, both of the public laws of 1971, is repealed and the following enacted in place thereof:

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 \$10, and before referees, auditors or commissioners specially appointed to take testimony or special commissioners on disputed claims appointed by probate courts, \$10, or before the county commissioners, \$10 for each day's attendance and 10¢ a mile for each mile's travel going and returning home.

**Sec. 53. Effective date.** Section 52 shall become effective 91 days after adjournment of the Legislature.

**Sec. 54. R. S., T. 17, § 1624, amended.** Section 1624 of Title 17 of the Revised Statutes, as enacted by section 2 of chapter 405 of the public laws of 1969, is amended by adding a new first paragraph to read as follows:

As used in sections 1624 to 1635, unless the context otherwise indicates, the following words shall have the following meanings:

**Sec. 55. R. S., T. 17, § 3851, amended.** Section 3851 of Title 17 of the Revised Statutes, as enacted by chapter 170 of the public laws of 1971, is amended to read as follows:

#### § 3851. Lands appurtenant to state institutions

Whoever willfully trespasses upon lands or buildings which belong to the State and are appurtenant to any state institution, or whoever shall unlawfully interfere with security personnel, inmates or persons served by said institutions, or, whoever willfully trespasses upon land or buildings owned or occupied by any municipality or School Administrative District, or whoever willfully refuses to leave land or buildings owned or occupied by a municipality or School Administrative District after being requested to do so by a municipal officer of the municipality or school director, superintendent or principal in a School Administrative District, or by any police officer having jurisdiction to arrest in the municipality where the land or building is located, sheriff, or deputy sheriff or, whoever willfully trespasses upon land or buildings of the University of Maine, or after notice from security personnel of said institutions or the University of Maine or from employees designated by the head of said institutions or the University of Maine to leave said land or buildings, remains thereon, shall be punished by a fine of not more than \$100 or by imprisonment for not more than 90 days, or by both.

**Sec. 56. Effective date.** Section 55 shall become effective 91 days after adjournment of the Legislature.

**Sec. 57. R. S., T. 18, § 3628, amended.** The 4th sentence of section 3628 of Title 18 of the Revised Statutes, as enacted by chapter 265 of the public laws of 1969, is amended to read as follows:

Any placement, if in a facility described in Title 22, sections 5, 1811, 3797 or Title 30, chapter 215, subchapter V, article 2, shall only be made if such facility is properly licensed.

Sec. 58. R. S., T. 18, § 3652, amended. The first sentence of section 3652 of Title 18 of the Revised Statutes, as amended by section 22-A of chapter 590 of the public laws of 1969, is further amended to read as follows:

No settlement of any action brought in behalf of an infant by next friend or defended on his behalf by guardian or guardian ad litem shall be valid unless approved by the court in which the action is pending, or affirmed by an entry ~~of~~ of judgment.

Sec. 59. R. S., T. 18, § 3955, repealed. Section 3955 of Title 18 of the Revised Statutes, as enacted by chapter 365 of the public laws of 1971, is repealed.

Sec. 60. R. S., T. 18, § 3956, additional. Title 18 of the Revised Statutes is amended by adding a new section 3956 to read as follows:

§ 3956. Prohibitions and requirements applicable to trusts which are private foundations

1. Prohibitions. In the administration of any trust which is a "private foundation," as defined in section 509 of the Internal Revenue Code of 1954, a "charitable trust," as defined in section 4947 (a) (1) of the Internal Revenue Code of 1954, or a "split-interest trust" as defined in section 4947 (a) (2) of the Internal Revenue Code of 1954, the following acts shall be prohibited:

A. Engaging in any act of "self-dealing," as defined in section 4941 (d) of the Internal Revenue Code of 1954, which would give rise to any liability for the tax imposed by section 4941 (a) of the Internal Revenue Code of 1954;

B. Retaining any "excess business holdings," as defined in section 4943 (c) of the Internal Revenue Code of 1954, which would give rise to any liability for the tax imposed by section 4943 (a) of the Internal Revenue Code of 1954;

C. Making any investments which would jeopardize the carrying out of any of the exempt purposes of the trust, within the meaning of section 4944 of the Internal Revenue Code of 1954, so as to give rise to any liability for the tax imposed by section 4944 (a) of the Internal Revenue Code of 1954; and

D. Making any "taxable expenditures," as defined in section 4945 (d) of the Internal Revenue Code of 1954, which would give rise to any liability for the tax imposed by section 4945 (a) of the Internal Revenue Code of 1954;

provided that this section shall not apply either to those split-interest trusts or to amounts thereof which are not subject to the prohibitions applicable to private foundations by reason of the provisions of section 4947 of the Internal Revenue Code of 1954.



2. **Requirements.** In the administration of any trust which is a "private foundation" as defined in section 509 of the Internal Revenue Code of 1954, or which is a "charitable trust" as defined in section 4947 (a) (1) of the Internal Revenue Code of 1954, there shall be distributed, for the purposes specified in the trust instrument, for each taxable year, amounts at least sufficient to avoid liability for the tax imposed by section 4942 (a) of the Internal Revenue Code of 1954.

3. **Application.** Subsections 1 and 2 shall not apply to any trust to the extent that a court of competent jurisdiction shall determine that such application would be contrary to the terms of the instrument governing such trust and that the same may not properly be changed to conform to such subsections.

4. **Impairment.** Nothing in this section shall impair the rights and powers of the courts or the Attorney General of this State with respect to any trust.

5. **References.** All references to sections of the Internal Revenue Code of 1954 shall include future amendments to such sections and corresponding provisions of future internal revenue laws.

**Sec. 61. Effective date.** Sections 59 and 60 shall become effective 91 days after adjournment of the Legislature.

**Sec. 62. R. S., T. 19, § 483, amended.** Section 483 of Title 19 of the Revised Statutes is amended to read as follows:

**§ 483. Earnings of persons sentenced**

When any person is sentenced to hard labor and actually employed in such labor in a county jail or any other county correctional institution or reformatory on account of any sentence imposed under sections 481 ~~482~~ and 486, the keeper of said jail or other institution or reformatory shall certify at the end of each week to the county commissioners the number of days during which such person shall have been actually employed in said jail, and the county commissioners shall thereupon draw their order upon the county treasurer for a sum equal to 50¢ for each day's hard labor so performed by such person, and the same shall thereupon be paid forthwith by the county treasurer to the wife of such person or to the guardian or custodian of his or her minor child or children, or to any organization or individual as trustee which shall be approved by the court imposing such sentence.

**Sec. 63. R. S., T. 20, § 2232, amended.** The first sentence of section 2232 of Title 20 of the Revised Statutes, as enacted by section 1 of chapter 520 of the public laws of 1967, is repealed and the following enacted in place thereof:

The State Board of Education is authorized to establish a student loan insurance program to insure payment of loans to Maine students which meets the requirements of federal acts and statutes relating to federal, state and private programs of low-interest insured loans to students in institutions of higher education, as provided in the Higher Education Act of 1965, for a state loan insurance program.

Sec. 64. R. S., T. 20, § 2235, sub-§ 3, repealed. Subsection 3 of section 2235 of Title 20 of the Revised Statutes, as enacted by section 1 of chapter 520 of the public laws of 1967, is repealed and the following enacted in place thereof:

3. **Agreements.** Enter into agreements with the United States Commissioner of Education relating to federal, state and private programs of low-interest insured loans to students in institutions of higher education, within the provisions of the Higher Education Act of 1965.

Sec. 65. R. S., T. 20, § 2606, repealed. Section 2606 of Title 20 of the Revised Statutes is repealed as follows:

~~§ 2606. Political and governmental activities prohibited; penalty~~

~~None of the facilities, plant or personnel of any educational television system which is supported in whole or in part by state funds shall be used directly or indirectly for the promotion, advertisement or advancement of any political candidate for any municipal, county, state or federal office or for the purpose of advocating or opposing any specific program, existing or proposed, of governmental action which shall include, but shall not be limited to, constitutional amendments, tax referendums or bond issues. Any person convicted of a violation of any provision of this section shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than 11 months, or by both~~

Sec. 66. R. S., T. 21, § 492, sub-§ 10, repealed and replaced. Subsection 10 of section 492 of Title 21 of the Revised Statutes, as repealed and replaced by section 3 of chapter 178 of the public laws of 1971, is repealed and the following enacted in place thereof:

10. **Filing.** Persons filing as a 3rd party candidate must file in the office of the Secretary of State prior to 9 p.m. on the date of primary election.

Sec. 67. **Effective date.** Section 66 shall become effective 91 days after adjournment of the Legislature.

Sec. 68. R. S., T. 21, § 492, sub-§ 11, amended. The first sentence of subsection 11 of section 492 of the Revised Statutes, as amended by section 14 of chapter 65 of the public laws of 1971, is further amended to read as follows:

A nomination petition on file after ~~August 15th~~ **9 p. m. on the date of primary election** which does not meet the requirements of subsections 1, 5, 6, 8, 9 or 10 is void.

Sec. 69. **Effective date.** Section 68 shall become effective 91 days after adjournment of the Legislature.

Sec. 70. R. S., T. 21, § 494, sub-§ 1, amended. Subsection 1 of section 494 of Title 21 of the Revised Statutes, as amended by section 15 of chapter 65 of the public laws of 1971, is further amended to read as follows:

1. **Limitation.** Corrections or additional signatures may not be submitted after ~~August 15th~~ **9 p. m. on the date of primary election.**

**Sec. 71. Effective date.** Section 70 shall become effective 91 days after adjournment of the Legislature.

**Sec. 72. R. S., T. 21, § 494, sub-§ 2, amended.** Subsection 2 of section 494 of Title 21 of the Revised Statutes, as enacted by section 5 of chapter 35 of the public laws of 1969 and as amended by section 16 of chapter 65 of the public laws of 1971, is further amended to read as follows:

**2. Challenge of validity of petitions.** Anyone desiring to challenge the validity of a nomination petition must notify the Secretary of State, in writing setting forth his reasons, of such challenge within 7 days after August 15th 9 p. m. on the date of primary election.

**Sec. 73. Effective date.** Section 72 shall become effective 91 days after adjournment of the Legislature.

**Sec. 74. R. S., T. 21, § 1395, sub-§ 6, amended.** The last sentence of subsection 6 of section 1395 of Title 21 of the Revised Statutes, as enacted by chapter 207 of the public laws of 1971, is repealed as follows:

~~Anyone violating this section shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both~~

**Sec. 75. R. S., T. 21, § 1395, sub-§ 7, amended.** Subsection 7 of section 1395 of Title 21 of the Revised Statutes, as enacted by chapter 207 of the public laws of 1971, is amended to read as follows:

**7. Against a candidate.** No person, association, corporation or combination thereof shall dispense funds against a candidate for public office and thereby be indirectly supporting the candidacy of another without the written approval of the beneficiary thereof ~~and whoever does so dispense funds without said approval shall be punished by a fine of \$1,000 or by imprisonment for 11 months, or by both~~

**Sec. 76. R. S., T. 21, § 1395, sub-§ 11, additional.** Section 1395 of Title 21 of the Revised Statutes, as amended by chapter 207 of the public laws of 1971, is amended by adding a new subsection 11 to read as follows:

**11. Penalty.** Anyone violating this section shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.

**Sec. 77. Effective date.** Sections 74, 75 and 76 shall become effective 91 days after adjournment of the Legislature.

**Sec. 77-A. R. S., T. 22, § 2362-A, amended.** The first sentence of section 2362-A of Title 22 of the Revised Statutes, as enacted by chapter 296 of the public laws of 1971, is amended to read as follows:

No person not being a dentist, funeral director, physician, podiatrist, nurse or veterinarian, registered or licensed under the laws of this State or of the state where he resides or a manufacturer or dealer in embalming supplies, wholesale druggist, manufacturing pharmacist, pharmacist, manufacturer of

surgical instruments, official of any government having possession of the articles mentioned in this section by reason of his official duties, employee of an incorporated hospital acting under official direction, or a carrier or messenger engaged in the transportation of such articles as an agent of the above-mentioned persons, employees of scientific research laboratories, **employees of educational institutions**, employees of an agency or organization duly authorized by the Maine Board of Commissioners of the Profession of Pharmacy or a person who has received a written prescription issued under section 2362-B shall have in his possession a hypodermic syringe, hypodermic needle or any instrument adapted for the use of narcotic drugs by parenteral administration.

**Sec. 77-B. Effective date.** Section 77-A shall become effective 91 days after adjournment of the Legislature.

**Sec. 77-C. R. S., T. 22, § 2382, sub-§ 1, amended.** The first sentence of subsection 1 of section 2382 of Title 22 of the Revised Statutes, as enacted by section 7 of chapter 443 of the public laws of 1969 and as amended by section 1 of chapter 472 of the public laws of 1971, is further amended to read as follows:

“Cannabis,” sometimes called marijuana or marihuana, includes all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof, the resin extracted from any part of such plant, and every compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds or resin; but shall not include the mature ~~stocks~~ **stalk** of such plant, fiber produced from such ~~stocks~~ **stalks**, oil or cake made from the seeds of such plant, or any other compound, manufacture, salt, derivative, mixture or preparation of such mature ~~stock~~ **stalk**, **except** resin extracted therefrom, fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination.

**Sec. 78. R. S., T. 22, § 2889, repealed.** Section 2889 of Title 22 of the Revised Statutes is repealed.

**Sec. 79. R. S., T. 22, § 4702, amended.** The first paragraph of section 4702 of Title 22 of the Revised Statutes, as repealed and replaced by section 1 of chapter 340 of the public laws of 1965, is amended to read as follows:

The duties and powers heretofore given the Commissioner of Health and Welfare relating to Indians, except their education **and except sections 4713 and 4772**, are transferred to the Department of Indian Affairs, hereinafter in this part called the “department,” which is created to exercise general supervision over the Indian tribes.

**Sec. 80. R. S., T. 22, § 4713, amended.** Section 4713 of Title 22 of the Revised Statutes is amended to read as follows:

**§ 4713. Relief of Indians not members of tribes; statements; reimbursement**

Whenever any Indian, not a member of the Penobscot or Passamaquoddy Tribe of Indians or any member of the family of such Indian, is found destitute and in distress, and is relieved by the overseers of the poor of the town required by law to provide relief for such persons, the overseers of the poor shall transmit to the ~~department~~ **Department of Health and Welfare** a state-

ment specifying the nature, dates and amounts of the supplies furnished, together with a statement of fact relating to the condition, tribe, length of time in the State so far as may be ascertained and such other data as may be required concerning such Indian. Whereupon the State shall reimburse said town for the relief so furnished to such extent as the ~~department~~ **Department of Health and Welfare** adjudges to have been expended necessarily.

**Sec. 81. R. S., T. 22, § 4717, amended.** Section 4717 of Title 22 of the Revised Statutes, as enacted by section 41 of chapter 513 of the public laws of 1965, is amended by adding a new sentence to read as follows:

**The governor and council of the respective reservations may prescribe penalties for violations of ordinances not to exceed \$100.**

**Sec. 82. R. S., T. 22, § 4772, amended.** Section 4772 of Title 22 of the Revised Statutes is amended to read as follows:

**§ 4772. Destitute members outside of reservation**

When any member of said tribe is found destitute and in distress beyond the tribal reservation and is relieved by the town in this State where he is so found, the overseers of the poor of said town may send to the ~~commissioner~~ **Commissioner of Health and Welfare** a statement specifying the nature, dates and amounts of the supplies furnished, which shall be transmitted to the ~~department~~ **Department of Health and Welfare** with such additional statements of fact as ~~said commissioner~~ the **Commissioner of Health and Welfare** may think proper. The State shall reimburse said town for the relief so furnished to such extent as the ~~department~~ **Department of Health and Welfare** adjudges to have been necessarily expended. Any member of said tribe found destitute and in distress beyond the tribal reservation may be removed by the ~~commissioner~~ **Commissioner of Health and Welfare** from any place in which he may be residing, or be found, to said tribal reservation, whenever in the judgment of the ~~commissioner~~ **Commissioner of Indian Affairs** such removal should be made.

**Sec. 83. R. S., T. 24-A, § 416, sub-§ 2, amended.** The first sentence of subsection 2 of section 416 of Title 24-A of the Revised Statutes, as enacted by section 1 of chapter 132 of the public laws of 1969, is amended to read as follows:

Except in case of insolvency or impairment of required capital or surplus, or suspension or revocation by another state as referred to in **subsection 1, paragraph D**, the commissioner shall give the insurer at least 20 days' notice in advance of any such refusal, suspension or revocation under this section, and of the particulars of the reasons therefor.

**Sec. 84. R. S., T. 27, §§ 88 and 89, additional.** Title 27 of the Revised Statutes is amended by adding 2 new sections to read as follows:

**§ 88. Federal funds**

The museum through its commission and director may be an official agency of the State to receive and disburse any funds made available by the Federal Government for programs related to the purposes of the museum.

§ 89. Publication fund

1. Revolving fund. There is established within the Maine State Museum a revolving fund for the use of the museum to cover printing and distribution costs for scientific, historical and educational literature and services offered by the museum for which a charge is made.

2. Price and rates. The director is authorized to fix the price and rates at which publications, services or related items may be sold and delivered. The museum shall receive without charge 15% of all such publications for complimentary distribution.

3. Certain materials. The director is authorized to purchase, establish the price and sell through the museum sales program pertinent handcraft, educational or publication materials procured from outside sources. Proceeds from such sales shall be utilized to restock materials for resale and support of the publications program as defined in subsection 1.

4. Income. Income from sale of publications shall be credited to the revolving fund, to be used as a continuing carrying account to carry out the purposes of subsection 1, or as excepted by the conditions of subsection 3.

Sec. 85. R. S., T. 27, §§ 363 and 364, repealed. Sections 363 and 364 of Title 27 of the Revised Statutes, as enacted by chapter 407 of the public laws of 1969, are repealed.

Sec. 86. R. S., T. 28, § 4, amended. The 5th paragraph of section 4 of Title 28 of the Revised Statutes, as enacted by section 4-A of chapter 500 of the public laws of 1969, is repealed as follows:

~~The foregoing state-wide special election shall be held on November 4, 1970, if there is no referendum under Article IV, Part Third, Section 17 of the Constitution of Maine; if there is a referendum under the above provisions of the Constitution, which referendum ratifies this Act, the state-wide special election shall be held at the general election in November, 1970~~

Sec. 87. R. S., T. 28, § 204, amended. The last sentence of the first paragraph of section 204 of Title 28 of the Revised Statutes, as last repealed and replaced by section 44 of chapter 590 of the public laws of 1969, is repealed and the following enacted in place thereof:

The commission may sell spirituous and vinous liquor not for consumption within the State to airlines and ferry services or their agents as authorized by the Liquor Commission at a price to be set by the commission which shall be approved by the Governor and Council.

Sec. 88. R. S., T. 28, § 501, amended. The 3rd paragraph from the end of section 501 of Title 28 of the Revised Statutes is repealed and the following enacted in place thereof:

No license shall be granted to a manufacturer under this section until the applicant therefor has filed with the commission a bond to the State of Maine. Such bond shall have as surety, a duly authorized surety company or 2 individuals to be approved by the commission. All such bonds shall be conditioned for the faithful observance of all the laws relating to spirituous,

vinous and malt liquors. Such bonds shall be filed with and retained by the commission. Upon the revocation, for a one-year period or more, of the license of any licensee in this subchapter mentioned, the Attorney General shall bring a civil action in any county in the State, upon the bond given by such licensee, to recover the penal sum thereof as liquidated damages. The penal sum of bonds filed by applicants for distillers' licenses shall be \$5,000 and applicants for all other classes of manufacturers licenses shall file a bond in the penal sum of \$2,500.

**Sec. 89. R. S., T. 29, § 102, amended.** The first sentence of the 2nd paragraph of section 102 of Title 29 of the Revised Statutes, as amended by chapter 337 and by section 8 of chapter 360, both of the public laws of 1971, is repealed and the following enacted in place thereof:

No vehicle shall be operated, or remain upon any way, unless the same is registered and equipped in accordance with this Title, excepting that any officer of the State Police or sheriff or full-time deputy sheriff may, when in his opinion the same is necessary and not detrimental to the public safety, grant a permit in writing for an unregistered motor vehicle to be towed either by a regular service wrecker or by the use of a towbar.

**Sec. 90. Effective date.** Section 89 shall become effective 91 days after adjournment of the Legislature.

**Sec. 91. R. S., T. 29, § 337, amended.** Section 337 of Title 29 of the Revised Statutes, as last amended by section 18 of chapter 360 and as repealed and replaced by section 1 of chapter 357, both of the public laws of 1971, is amended to read as follows:

**§ 337. Motorcycle or motor driven cycle dealer's registration; fee**

Every manufacturer or dealer in motorcycles or motor driven cycles shall annually pay a fee of \$10 for a registration certificate to handle, demonstrate, sell and exchange motorcycle or motor driven cycles. Upon payment of \$5 per plate, plates shall be issued, the number to be determined by the Secretary of State, who is authorized to prescribe reasonable limitations of use of such plates. Extra registration plates shall be furnished to replace lost or mutilated plates for \$1 each.

**Sec. 92. Effective date.** Section 91 shall become effective 91 days after adjournment of the Legislature.

**Sec. 93. R. S., T. 29, § 338, amended.** The last sentence of section 338 of Title 29 of the Revised Statutes, as last amended by section 6 of chapter 104 and as repealed and replaced by section 2 of chapter 357, both of the public laws of 1971, is repealed and the following enacted in place thereof:

**Extra registration plates shall be furnished to replace lost or mutilated plates for \$2 each.**

**Sec. 94. Effective date.** Section 93 shall become effective 91 days after adjournment of the Legislature.

**Sec. 95. R. S., T. 29, § 340, amended.** The 3rd paragraph of section 340 of Title 29 of the Revised Statutes, as last amended by section 2 of chapter 108

and as repealed and replaced by section 20 of chapter 360, both of the public laws of 1971, is repealed and the following enacted in place thereof:

The Secretary of State may issue temporary registration plates and certificates to section 331, 332-A, 337 and 338 dealers or holders of transporter registration certificates who request them under such rules and regulations as he shall deem necessary and shall receive 50¢ per plate.

**Sec. 96. Effective date.** Section 95 shall become effective 91 days after adjournment of the Legislature.

**Sec. 97. R. S., T. 29, § 891, amended.** The first sentence of the 3rd paragraph of section 891 of Title 29 of the Revised Statutes, as last amended by section 1 of chapter 134 and by section 3 of chapter 183, both of the public laws of 1971, is repealed and the following enacted in place thereof:

The driver of any vehicle involved in an accident resulting in injuries to or death of any person or property damage to the apparent amount of \$200 or more, or some person acting for him, or the owner of said vehicle having knowledge of the accident should the operator of same be unknown, shall, immediately by the quickest means of communication, give notice of the accident either to a state police officer, or to the nearest state police field office, or to the sheriff's office, or to a deputy sheriff, within the county wherein the accident occurred, or to the office of the police department, or to an officer, of the municipality wherein the accident occurred.

**Sec. 98. Effective date.** Section 97 shall become effective 91 days after adjournment of the Legislature.

**Sec. 99. R. S., T. 29, § 1655, amended.** The first sentence of section 1655 of Title 29 of the Revised Statutes, as last amended by chapter 262 and by chapter 332, both of the public laws of 1971, 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~~ a majority of products requiring refrigeration, whether by ice or mechanical equipment and on such vehicles when inspected by the Maine State Police, the number of the seal shall be recorded and the number of the new seal shall be recorded by the Maine State Police, 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 permitted therefor by section 1652; provided that no vehicle loaded as aforesaid shall be deemed in violation of the above said sections if, as to each axle, the weight



imparted to any road surface is not greater than the combined total of 600 pounds per inch width tire, manufacturer's rating, of all tires attached to such axle and provided further that the maximum gross vehicle weight shall not exceed the limits and tolerances established in this Title.

**Sec. 100. Effective date.** Section 99 shall become effective 91 days after adjournment of the Legislature.

**Sec. 101. R. S., T. 29, § 2241-A, repealed.** Section 2241-A of Title 29 of the Revised Statutes, as enacted by section 2 of chapter 345 of the public laws of 1971, is repealed.

**Sec. 102. R. S., T. 29, § 2241-D, additional.** Title 29 of the Revised Statutes is amended by adding a new section 2241-D to read as follows:

**§ 2241-D. Reinstatement fee**

1. **Fee.** Notwithstanding any other provisions of section 2241, before a mandatory suspension, a mandatory revocation or a suspension ordered by the Secretary of State of a person's driving privilege may be terminated or reinstated, there shall be paid to the Secretary of State a fee of \$10 which shall be in addition to the regular registration or license fee.

2. **Application.** This section shall not apply to any suspension or revocation that is set aside by the Secretary of State or a court.

**Sec. 103. Effective date.** Sections 101 and 102 shall become effective 91 days after adjournment of the Legislature.

**Sec. 104. R. S., T. 30, § 1915, sub-§ 4, amended.** The first sentence of subsection 4 of section 1915 of Title 30 of the Revised Statutes, as enacted by chapter 563 of the public laws of 1969, is amended to read as follows:

If a majority of the ballots cast on any question under ~~subsection~~ **subsections 1 or 2** favor acceptance, the new charter, charter revision or charter amendment becomes effective as provided below, provided the total number of votes cast for and against the question equals or exceeds 30% of the total votes cast in the municipality at the next previous gubernatorial election.

**Sec. 105. R. S., T. 30, § 2319, sub-§ 1, amended.** Subsection 1 of section 2319 of Title 30 of the Revised Statutes, as enacted by section 1 of chapter 438 of the public laws of 1969, is amended to read as follows:

1. **Agreement.** Any 2 or more towns may enter into an agreement, not inconsistent with this subchapter, ~~with another~~ for the purpose of employing and sharing a manager.

**Sec. 106. R. S., T. 30, § 3851, amended.** The first paragraph of section 3851 of Title 30 of the Revised Statutes, as enacted by section 2 of chapter 293 of the public laws of 1965, and as amended, is further amended by inserting before the last sentence the following new sentence:

**A commission may receive gifts in the name of the municipality for any of its purposes and shall administer the same for such purposes subject to the terms of the gift.**

**Sec. 107. R. S., T. 30, § 5340, amended.** Section 5340 of Title 30 of the Revised Statutes, as enacted by section 1 of chapter 423 of the public laws of 1965, and as amended by section 16 of chapter 210 of the public laws of 1971, is further amended to read as follows:

**§ 5340. Leasehold interest taxable**

The leasehold interest of the lessee of any industrial-commercial, pollution-control, recreational or combined project is subject to taxation in the manner provided for similar interests in Title 36, section 551, subject to Title 36, sections 655 and 656.

**Sec. 108. R. S., T. 32, c. 2, repealed.** Chapter 2 of Title 32 of the Revised Statutes, as enacted by chapter 359 of the public laws of 1969 and as amended, is repealed.

**Sec. 109. R. S., T. 32, § 63-A, repealed.** Section 63-A of Title 32 of the Revised Statutes, as enacted by chapter 339 of the public laws of 1971, is repealed.

**Sec. 110. Effective date.** Section 109 shall become effective 91 days after adjournment of the Legislature.

**Sec. 111. R. S., T. 32, § 65, repealed.** Section 65 of Title 32 of the Revised Statutes, as enacted by chapter 184 of the public laws of 1971, is repealed.

**Sec. 112. Effective date.** Section 111 shall become effective 91 days after adjournment of the Legislature.

**Sec. 113. R. S., T. 32, c. 2-A, additional.** Title 32 of the Revised Statutes is amended by adding a new chapter 2-A to read as follows:

## CHAPTER 2-A

### AMBULANCE SERVICE

**§ 71. Requirement for license**

No ambulance service shall operate after December 31, 1970 unless it has been duly licensed by the Department of Health and Welfare pursuant to this chapter, except that no license shall be required of any ambulance service located outside of Maine.

**§ 72. Definitions**

As used in this chapter, unless the context otherwise indicates, the following words shall have the following meanings:

1. **Ambulance.** "Ambulance" means any vehicle that is specially designed or constructed and equipped, and is intended to be used for and is maintained or operated for the transportation of patients. The licensing of such vehicles is in addition to the licensing by the Secretary of State.

2. Ambulance equipment. "Ambulance equipment" means those materials and devices which are carried in an ambulance to provide for emergency care.

3. Ambulance personnel. "Ambulance personnel" means individuals responsible for the protection of the patient in preparation for and during transportation, except that ambulance personnel shall not include those persons whose exclusive function is to drive an ambulance. For emergency cases one trained licensed individual or physician, or an osteopathic physician or a registered nurse or licensed practical nurse must be present in the vehicle either as driver or attendant.

4. Ambulance service. "Ambulance service" means any organization or any person or persons setting themselves forth as providing transportation for ill or injured persons.

5. Board. "Board" means the advisory board to the Department of Health and Welfare for licensure of ambulance services, vehicles or ambulances, and ambulance personnel.

#### § 73. Powers and duties

1. Advisory board. There shall be an advisory board to the Department of Health and Welfare for licensure of ambulance services, vehicles and personnel, consisting of 10 members appointed by the Governor. Two members shall be physicians, one licensed to practice medicine and one licensed to practice osteopathy. One member shall be a hospital administrator. One member shall be a representative of a recognized state safety association; one a representative of rescue units; one a representative of municipalities operating ambulance and rescue units; one a representative of the public. Three members, at least one of whom shall be from a rural area, shall be representatives of an accredited ambulance service with not less than 3 years of such active experience.

2. Terms. The term of office of the members shall be 3 years, provided that of the members first appointed, 2 shall be appointed for terms of one year, 2 for terms of 2 years and 3 for terms of 3 years. A member shall not be appointed for more than 2 consecutive full terms. Each member of the board shall receive \$20 per day for the time spent in the performance of his official duties and shall be reimbursed for all appropriate travel and incidental expenses in carrying out his official duties.

3. Meetings. The board shall meet at least once each year and at such other times as may be provided by resolution of the board, or at the call of its chairman or the Commissioner of the Department of Health and Welfare.

4. Chairman; rules and regulations. The board shall elect a chairman and shall adopt and amend rules and regulations for the conduct of its business.

5. Duties. The board shall advise the Commissioner of Health and Welfare on: Standards and procedures for the licensing of the operation of ambulance services, requirements for the training, experience and qualifications of ambulance personnel and procedures for the licensing of such personnel, standards and procedures for the licensing of ambulance vehicles, and stand-

ards and procedures for the issuance, revocation and suspension of licenses and for the investigation of complaints filed with the Department of Health and Welfare and establishment of licensure fees, except that no licensure fees shall be established for ambulance personnel. In advising on and setting said standards the board and commissioner shall, among other factors, take into consideration the various economic conditions existing in the diverse areas of the State of Maine.

6. Procedures. The Department of Health and Welfare shall adopt such forms, rules, regulations, procedures and records as may be necessary to fulfill the purposes of this chapter. Licenses shall be annual licenses based on the date of issuance, except that the department may issue conditional licenses for lesser periods of time.

§ 74. Transportation to hospital

Any ambulance service, at the scene of any accident where there is a person or persons requiring medical attention after emergency treatment at the scene, shall immediately transport such person or persons to a hospital for treatment by a physician, except such person or persons who object on religious grounds to be taken to a hospital.

§ 75. Appeals

Any person who is aggrieved by the decision of the Department of Health and Welfare in refusing to issue or renew a license may file a statement of complaint with the Administrative Hearing Commissioner designated in Title 5, chapters 301 to 307.

§ 76. Immunity to licensed ambulance service personnel

Notwithstanding any inconsistent provision of any general, special or local law, any person who is licensed for ambulance service in the State of Maine and who voluntarily without the expectation of monetary compensation from the person aided or treated renders first aid, initial emergency medical procedure or emergency treatment to a person who is unconscious, ill or injured shall not be liable for damages for injuries alleged to have been sustained by such person or for damages for the death of such person alleged to have occurred by reason of an act or omission in the rendering of such first aid, initial emergency medical aid procedure or emergency treatment unless it is established that such injuries were or such death was caused willfully, wantonly or by gross negligence on the part of such person. This section shall not exempt such a licensed person from negligence while operating a motor vehicle.

Sec. 114. Effective date. Section 113 shall become effective 91 days after adjournment of the Legislature.

Sec. 115. R. S., T. 32, § 1658-D, repealed. Section 1658-D of Title 32 of the Revised Statutes, as enacted by chapter 320 and as amended by section 81 of chapter 433, both of the public laws of 1969, is repealed.

Sec. 116. R. S., T. 32, § 2701, amended. The 3rd sentence of section 2701 of Title 32 of the Revised Statutes, as amended by section 84 of chapter 433 of the public laws of 1969, is further amended to read as follows:

Each applicant must be at least 20 years of age and shall present a diploma from a high school, academy, ~~state normal school~~ college or university, or otherwise satisfy the members of the board of sufficient prior academic education.

**Sec. 117. R. S., T. 32, § 3985, amended.** The first paragraph of section 3985 of Title 32 of the Revised Statutes, as enacted by section 1 of chapter 344 of the public laws of 1967 and as amended by section 89 of chapter 433 of the public laws of 1969, is repealed as follows:

~~Any person who is a resident of this State, or has a place of business therein and who has attained the age of 20 years, and who is of good moral character and who meets the requirements of subsection 1, 2 or 3 may register with the board as a public accountant on or before the 30th day of June, 1969.~~

**Sec. 118. R. S., T. 32, § 4193, amended.** The first sentence of section 4193 of Title 32 of the Revised Statutes, as enacted by section 65 of chapter 590 of the public laws of 1969, is amended to read as follows:

Any person who within 6 months after ~~the effective date of this chapter~~ **October 1, 1969** submits his application to the board on the prescribed form, pays the necessary fee and furnishes satisfactory evidence to the board that he is ~~at~~ 20 years of age or over, of good moral character, a resident of this State, is employed as a social worker or was so employed for 2 years out of the preceding 5 years, shall be registered by the board and certified as a registered or associate social worker without examination.

**Sec. 118-A. R. S., T. 32, § 4668, amended.** Section 4668 of Title 32 of the Revised Statutes, as enacted by chapter 395 of the public laws of 1969 and as amended by chapter 530 of the public laws of 1969, is further amended to read as follows:

#### § 4668. Limitation

This subchapter shall not apply to sales where the gross sales price, including any interest or carrying charges, is less than \$25, **nor to any transaction covered by Title 9, section 3917**, nor shall it apply to any sale, by any dealer or agent or salesman of a registered dealer, registered pursuant to Title 32, chapter 13, of stocks, bonds, debentures or securities representing stocks, bonds or debentures registered pursuant to Title 32, chapter 13 or expressly exempt from registration thereof.

**Sec. 118-B. R. S., T. 34, § 802, amended.** The first paragraph of section 802 of Title 34 of the Revised Statutes, as repealed and replaced by section 12 of chapter 391 of the public laws of 1967 and as amended, is further amended to read as follows:

When, before any court having jurisdiction, a male of not less than 17 years of age and of not more than 26 years of age is convicted of or has pleaded guilty to an offense punishable by imprisonment in the State Prison or by imprisonment in the county jail for more than 6 months, such court may sentence him and order his commitment to the Men's Correctional Center, or sentence him to the punishment provided by law for the same offense.

**Sec. 118-C. R. S., T. 34, § 853, amended.** The first paragraph of section 853 of Title 34 of the Revised Statutes, as repealed and replaced by section 18 of chapter 391 of the public laws of 1967, is amended to read as follows:

When before any court having jurisdiction, a woman over the age of 17 years and under the age of 40 years is convicted of, or has pleaded guilty to, an offense punishable by imprisonment in the State Prison, or **by imprisonment** in the county jail for more than 6 months, such court may sentence her and order her commitment to the center, or sentence her to the punishment provided by law for the same offense.

**Sec. 119. R. S., T. 34, §§ 1422 and 1423, amended.** Sections 1422 and 1423 of Title 34 of the Revised Statutes, as enacted by section 1 of chapter 171 of the public laws of 1971, are amended to read as follows:

**§ 1422. Enforcement and cooperation by courts and agencies**

All courts, departments, agencies, officers and employees of this State and its political subdivisions are directed to enforce the agreement on detainees contained within ~~subsection + subchapter I~~ and to cooperate with one another and with other party states in enforcing the agreement and effectuating its purpose.

**§ 1423. Habitual criminal**

Nothing in this chapter shall be construed to require the application of Title 15, section 1742 to any person on account of any conviction had in a proceeding brought to final disposition by reason of the use of the agreement on detainees under ~~subsection + subchapter I~~.

**Sec. 120. Effective date.** Section 119 shall become effective January 2, 1972.

**Sec. 120-A. R. S., T. 36, § 5, additional.** Title 36 of the Revised Statutes is amended by adding a new section 5 to read as follows:

**§ 5. Effect of repeal**

The repeal of an Act or resolve or part thereof imposing a tax or taxes shall have no effect upon the reporting, collecting or refunding of taxes accrued to the date of such repeal. The procedures relating to the reporting, collecting or refunding of taxes in effect at the date of such repeal shall remain in full force and effect until the liabilities incurred pursuant to such Act or resolve or part thereof are satisfied.

**Sec. 121. R. S., T. 36, § 52, amended.** The 2nd sentence of section 52 of Title 36 of the Revised Statutes is repealed as follows:

~~He shall have an office in the State House which shall be open for the transaction of business every secular day.~~

**Sec. 122. R. S., T. 36, § 383, repealed and replaced.** Section 383 of Title 36 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

### § 383. Town assessors' annual return to State Tax Assessor

The assessors of each town shall, on or before the first day of August, annually, and at such other times as the State Tax Assessor may require, make and return on blank lists which shall be seasonably furnished by the said State Tax Assessor for that purpose, all such information as to the assessment of property and collection of taxes as may be needed in the work of the State Tax Assessor, including annually aggregates of polls, the land value, exclusive of buildings and all other improvements, and the valuation of each and every class of property assessed in their respective towns, with the total valuation and percentage of taxation, together with a statement to the best of their knowledge and belief of the ratio, or percentage of current just value, upon which the assessment is based, and itemized lists of property upon which the town has voted to affix a value for taxation purposes.

**Sec. 122-A. R. S., T. 36, § 653, sub-§ 1, ¶ D-1, amended.** The first sentence of paragraph D-1 of subsection 1 of section 653 of Title 36 of the Revised Statutes, as enacted by chapter 144 of the public laws of 1967 and as last amended by chapter 368 of the public laws of 1971, is further amended to read as follows:

The estates up to the value of \$20,000, having a taxable situs in the place of residence, ~~but not exceeding the amount of the grant from the United States Government~~ for specially adapted housing units, of veterans who served in the Armed Forces of the United States during any federally recognized war period and who are paraplegic veterans, so called, within the meaning of the U. S. Code, Title 38, chapter 21, section 801, and who received a grant from the United States Government for such specially adapted housing, or of the unmarried widows of such veterans.

**Sec. 122-B. Effective date.** Section 122-A shall become effective 91 days after adjournment of the Legislature.

**Sec. 123. R. S., T. 36, § 1141, amended.** The 2nd sentence of the 2nd paragraph of section 1141 of Title 36 of the Revised Statutes, as amended by section 9 of chapter 502 of the public laws of 1969, is further amended to read as follows:

The valuation as determined by the State Tax Assessor and set forth in the statement filed by ~~it~~ him as provided by section 381 or section 381-A shall be the basis for the computation and apportionment of the tax assessed.

**Sec. 124. R. S., T. 38, § 245, repealed.** Section 245 of Title 38 of the Revised Statutes, as enacted by chapter 67 of the public laws of 1971, is repealed.

**Sec. 125. R. S., T. 38, § 246, additional.** Title 38 of the Revised Statutes is amended by adding a new section 246 to read as follows:

### § 246. Long Pond, Oxford County

No person, except officers empowered to enforce this subchapter, shall operate a motorboat having more than 6 horsepower on Long Pond, Town of Denmark, Oxford County.

**Sec. 126. Effective date.** Sections 124 and 125 of this Act shall become effective 91 days after adjournment of the Legislature.

**Sec. 127. R. S., T. 38, § 418, repealed.** Section 418 of Title 38 of the Revised Statutes, as enacted by chapter 323 of the public laws of 1971, is repealed.

**Sec. 128. R. S., T. 38, § 419, additional.** Title 38 of the Revised Statutes is amended by adding a new section 419 to read as follows:

**§ 419. Cleaning agents containing phosphate banned**

**1. Definitions.**

**A. Dairy equipment.** "Dairy equipment", as used in this section, means equipment used by farmers or processors for the manufacture or processing of milk and dairy products.

**B. Food processing equipment.** "Food processing equipment", as used in this section, means equipment used for the processing and packaging of food for sale, except that equipment used at restaurants and similar places of business shall not be included within the meaning of "food processing equipment."

**C. High phosphorous detergent.** "High phosphorous detergent", as used in this section, means any detergent, presoak, soap, enzyme or other cleaning agent containing more than 8.7% phosphorous, by weight.

**D. Industrial equipment.** "Industrial equipment", as used in this section, means equipment used by industrial concerns which concerns are located on any brook, stream or river.

**E. Person.** "Person", as used in this section, means any individual, firm, association, partnership, corporation, municipality, quasi-municipal organization, agency of the State or other legal entity.

**2. Prohibition.** No person shall sell or use any high phosphorous detergent after June 1, 1972.

**3. Exception.** Subsection 2 shall not apply to any high phosphorous detergent sold and used for the purpose of cleaning dairy equipment, food processing equipment and industrial equipment.

**4. Penalty.** Any person who violates this section shall be punished by a fine of not more than \$500 for each violation.

**Sec. 129. R. S., T. 38, § 418, repealed.** Section 418 of Title 38 of the Revised Statutes, as enacted by chapter 372 of the public laws of 1971, is repealed.

**Sec. 130. R. S., T. 38, § 420, additional.** Title 38 of the Revised Statutes is amended by adding a new section 420 to read as follows:



**§ 420. Certain deposits and discharges prohibited**

No person, firm, corporation or other legal entity shall place, deposit, discharge or spill, directly or indirectly, into the inland or tidal waters of this State, or on the ice thereof, or on the banks thereof so that the same may flow or be washed into such waters, or in such manner that the drainage therefrom may flow into such waters, any of the following substances:

1. Mercury. Mercury, and any compound containing mercury, whether organic or inorganic, in any concentration which increases the natural concentration of mercury in the receiving waters.

A. Exception. Any person, firm, corporation or other legal entity who, on January 1, 1971, was discharging any of the substances mentioned in this subsection in connection with an industrial process shall not be deemed in violation of this subsection if on or before December 31, 1971 it shall file with the commission a statement indicating the amount of such substance so discharged on said date.

B. Emergency prohibitions. Notwithstanding paragraph A, whenever the commission shall find that a concentration of 10 parts per billion of mercury or greater is present in any waters of this State, or that danger to public health exists due to mercury concentrations of less than 10 parts per billion in any waters of this State, it may issue an emergency order to all persons discharging to such waters prohibiting or curtailing the further discharge of mercury, and compounds containing mercury, thereto. Such findings and order shall be served in manner similar to that described in section 593, and the parties affected by such order shall have the same rights and duties with respect thereto as is described in section 593.

Sec. 131. Effective date. Sections 127 to 130 shall become effective 91 days after adjournment of the Legislature.

Sec. 132. R. S., T. 38, § 454, repealed and replaced. Section 454 of Title 38 of the Revised Statutes, as amended by section 4 of chapter 256 and as repealed and replaced by section 4 of chapter 359, both of the public laws of 1971, is repealed and the following enacted in place thereof:

**§ 454. Injunctions, civil and criminal actions**

In the event of any violation of any of the provisions of this subchapter, or of any order, regulation or decision of the commission or decree of the court as the case may be, the Attorney General may institute injunction proceedings to enjoin the further violation thereof, a civil or criminal action under sections 416, 417 and 453, or any appropriate combination thereof, without recourse to section 451.

Sec. 133. Effective date. Section 132 shall become effective 91 days after adjournment of the Legislature.

Sec. 134. R. S., T. 38, § 549, amended. The 2nd sentence of section 549 of Title 38 of the Revised Statutes, as enacted by section 1 of chapter 572 of the public laws of 1969, is repealed and the following enacted in place thereof:

The commission, subject to the Personnel Law, may employ such personnel as may be necessary to carry out the purposes of this subchapter, and shall prescribe the duties of such employees.

Sec. 135. R. S., T. 39, § 59, amended. Section 59 of Title 39 of the Revised Statutes, as amended by chapter 560 of the public laws of 1969, is further amended to read as follows:

§ 59. Burial expenses

If the employee dies as a result of the injury, the employer shall pay, in addition to any compensation and medical benefits provided for in this Act, the reasonable expenses of burial, not to exceed \$1,000 and in addition thereto a payment in the sum of \$1,000 to the widow and if no widow, to the children and if no children to the next of kin as incidental compensation.

Sec. 136. R. S., T. 39, § 93, sub-§ 4, repealed. Subsection 4 of section 93 of Title 39 of the Revised Statutes, as enacted by chapter 53 of the public laws of 1971, is repealed.

Sec. 137. R. S., T. 39, § 93, sub-§ 5, additional. Section 93 of Title 39 of the Revised Statutes, as amended, is further amended by adding a new subsection 5 to read as follows:

5. Contempts before Industrial Accident Commission. A person shall not, in proceedings before the Industrial Accident Commission or a single commissioner: Disobey or resist any lawful order, process or writ; misbehave during a hearing or so near the place thereof as to obstruct the same; neglect to produce, after having been ordered to do so, any pertinent document; or refuse to appear after having been subpoenaed or, upon appearing, refuse to be examined according to law.

If any person shall do any of the things forbidden in this subsection the commission or commissioner shall forthwith certify the facts to a Superior Court Justice in the county where the alleged offense occurred and he may serve or cause to be served upon such person an order requiring such person to appear before such Superior Court Justice upon a day certain to show cause why he should not be adjudged in contempt by reason of the facts so certified. The justice shall thereupon, in a summary manner, hear the evidence as to the acts complained of and, if it is such as to warrant him in so doing, punish such person in the same manner and to the same extent as for a contempt committed before him, or commit such person upon the same conditions as if the doing of the forbidden act had occurred with reference to the process of the Superior Court or in the presence of the justice.

Sec. 138. Effective date. Sections 136 and 137 of this Act shall become effective 91 days after adjournment of the Legislature.

Sec. 139. P. L., 1971, c. 59, § 2, repealed. Section 2 of chapter 60 of the public laws of 1971 is repealed.

Sec. 140. P. L., 1971, c. 86, § 2, amended. Section 2 of chapter 86 of the public laws of 1971 is amended to read as follows:

**Sec. 2. Transition.** The transition to the Hancock County district system shall be made in the following manner: In 1972 District No. 2 shall elect a commissioner. In 1974 District No. 1 shall elect a commissioner. In 1976 District No. 3 shall elect a commissioner. Thereafter elections shall continue in a manner so that each district shall at all times have a commissioner elected at large from the district on the board.

**Sec. 141. Effective date.** Section 140 shall become effective 91 days after adjournment of the Legislature.

**Sec. 142. P. & S. L., 1865, c. 532, § 8-A, additional.** Chapter 532 of the private and special laws of 1865, as amended, is further amended by adding a new section 8-A to read as follows:

**Sec. 8-A.** The trustees of the University of Maine may appoint persons to act as policemen who shall, within the limits of the property owned by or under the control of the university possess all of the powers of policemen in criminal cases.

The trustees may make rules and regulations for the control, movement and parking of vehicles within the limits of the property owned by or under the control of the university. Such rules and regulations shall have the same force and effect as municipal ordinances and District Courts are authorized to impose fines not to exceed \$10 for each violation. The trustees, by resolution, may adopt the provisions of the Revised Statutes, Title 30, section 2151, subsection 3, paragraph A, relating to prima facie evidence and the establishment of a waiver of court action by payment of specified fees.

**Sec. 143. P. & S. L., 1869, c. 96, repealed.** Chapter 96 of the private and special laws of 1869 is repealed.

**Sec. 144. P. & S. L., 1967, c. 58, § 1, amended.** Section 1 of chapter 58 of the private and special laws of 1967, as repealed and replaced by section 1 of chapter 211 of the private and special laws of 1967, is amended by adding at the end the following new paragraph:

As used in this Act, "town" or "municipality" shall include plantations and "municipal officers" shall include the assessors of plantations. References herein to the Towns of Seboeis, Prentiss and Webster Plantation shall mean, respectively, Seboeis Plantation, Prentiss Plantation and Webster Plantation.

**Sec. 145. Hospital Administrative District No. 1 reconstituted and proceedings validated.** The towns and plantations described in section 1 of chapter 58 of the private and special laws of 1967, as repealed and replaced by section 1 of chapter 211 of the private and special laws of 1967, are hereby constituted to be, and to have been since the original organization of Hospital Administrative District No. 1, a body politic and corporate with all the powers, privileges and franchises granted by said chapter 58, as amended. The directors of Hospital Administrative District No. 1 are declared to be and to have been duly elected and qualified for the respective terms for which each was elected, and all proceedings of the board of directors of said district, as said board was from time to time constituted and as shown by the records of said district and all of the action taken in accordance therewith by the officers and agents of said district with regard to the financing, planning and

construction of a hospital, including the borrowing of money therefor, are validated, confirmed and made effective.

**Sec. 146.** P. & S. L., 1971, c. 56, amended. Chapter 56 of the private and special laws of 1971 is amended to read as follows:

**Kennebec County; food stamp program.** The State Department of Health and Welfare is authorized to administer a food stamp program in Kennebec County in conformity with regulations promulgated by the United States Department of Agriculture and the United States Department of Health, Education and Welfare and is further authorized to hire the necessary personnel to administer said program. The Department of Health and Welfare shall be reimbursed ~~for~~ by the County of Kennebec for any administrative expenses incurred for carrying out this Act.

**Sec. 147.** P. & S. L., 1971, c. 95, § 2, amended. Section 2 of chapter 95 of the private and special laws of 1971 is amended to read as follows:

**Sec. 2. Authority to contract and maintain.** Within said territory said district is hereby authorized to acquire, construct, reconstruct, operate and repair dams and facilities in connection therewith; to control the level of the water and to collect, hold and discharge the same; to improve the quality and purity of the water by treatment ~~or otherwise~~; and in general, do any and all things incidental to accomplish the purposes of this Act.

**Sec. 148.** P. & S. L., 1971, c. 95, § 12, amended. The 3rd sentence of section 12 of chapter 95 of the private and special laws of 1971 is repealed and the following enacted in place thereof:

The general purpose and maximum amount of bonds or notes of the district for capital outlay purposes shall be approved by a majority of those qualified voters of the district voting at a meeting called by the trustees under the procedure set forth in section 11 hereof. For purposes of this Act "capital outlay purposes" shall mean and include the cost of acquiring, constructing and reconstructing dams and related facilities; architectural, engineering and legal charges in connection therewith including surveys, estimates, plans and specifications and preliminary investigation therefor, the cost of equipment, interest during the period of construction and for not more than 6 months thereafter, and any sums required to reimburse a municipality or district for any of the above items which are properly chargeable to the district.

**Sec. 149.** P. & S. L., 1971, c. 95, § 13, repealed and replaced. Section 13 of chapter 95 of the private and special laws of 1971 is repealed and the following enacted in place thereof:

**Sec. 13. Financing.** The trustees of the district shall annually, before February 1st of each year, determine the sum required each year to meet the bonds falling due and what further sum is necessary to meet the interest on said bonds or other obligations and all other expenses necessary for the operation of the district, including temporary loans. Before March 1st of each year, the trustees shall hold a district budget meeting. At this meeting the budget shall be thoroughly explained and the voters of the district shall be given an opportunity to be heard. A budget must be approved by the voters of the district at the district budget meeting. At the district budget meeting,

only those items dealing with the expenses necessary to operate the district, appropriations for a reserve fund and capital outlay appropriation shall be subject to change by the voters. If a budget for the operation of the district is not approved prior to April 1st in any given year, the budget as submitted by the trustees for operational expenses, reserve fund and capital outlay purposes shall be automatically considered the budget approved for operational expenses in the ensuing year, and the other amounts submitted for payment of bonds falling due and interest thereon, including temporary loans for capital purposes shall be added together and the total amount assessed as follows: The trustees shall thereupon issue their warrants, in substantially the same form as the warrant of the Treasurer of State for taxes, to each municipality in the district requiring them to pay their proportionate share of the budgeted expenses of the district. The proportionate share of each such municipality shall be that proportion which the valuation of the area of the land and buildings in the municipality located within 600 feet of the shore of the lakes, ponds and waterways set forth in section 1 hereof within said municipality bears to the total valuation of the said area in all the municipalities in the district as determined by the trustees. Each municipality shall pay its proportionate share of said budgeted expenses based upon the aforesaid ratio. In the year in which the assessment is so levied, the treasurer of each municipality shall pay the amount of the assessment so levied in 3 equal installments to the treasurer of the district. The first installment shall be paid on or before May 1st, the 2nd installment shall be paid on or before September 1st and the 3rd installment on or before December 31st. The trustees of the district shall initially and from time to time but at least every 3 years, ascertain the valuation assigned to each municipality by determining the fair value of the land and buildings in the designated areas of each municipality in the district. In making such determination, the trustees may consider the local assessed valuation of such properties as affected by the factor used to determine equalized valuation for the purposes of the Revised Statutes, Title 36, section 381 and such other information as they deem relevant. They shall thereupon publish a notice that such determination has been made and is available at the office of the clerk of the district. Any person aggrieved may within 30 days of the publication of such notice or the issue of the district's warrant, whichever shall first occur, appear to the Superior Court for review thereof.

Any water district benefiting from the services of this district shall have the right to contribute funds to this district as a utility operating expense.

Nothing in this section shall be deemed to require the inclusion in a budget of a capital expenditure to be paid from the proceeds of bonds or notes issued or to be issued by the district.

**Sec. 150. Effective date.** Sections 146 to 149 shall become effective 91 days after adjournment of the Legislature.

**Sec. 151. P. & S. L., 1971, c. 101, amended.** Chapter 101 of the private and special laws of 1971 is amended to read as follows:

**Maine Department, The American Legion.** The unincorporated, nonprofit fraternal benefit society known as "Maine Department, The American Le-

gion" is hereby granted permission to use the word "Maine" in its name when it is organized as a nonstock, nonprofit corporation under Title 13, chapter ~~8~~ 81, Maine Revised Statutes and amendments thereto.

**Sec. 152. Effective date.** Section 151 shall become effective 91 days after adjournment of the Legislature.

Effective September 23, 1971

---

---

## Chapter 545

### AN ACT Relating to Certain Laws Relative to Great Ponds.

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

**Sec. 1. R. S., T. 12, § 514, amended.** The first paragraph of section 514 of Title 12 of the Revised Statutes, as repealed and replaced by section 13 of chapter 226 of the public laws of 1965 and as amended by section 11 of chapter 590 of the public laws of 1969, is further amended to read as follows:

The commissioner may take the following action on state lands specified in section 504 ~~and on other lands specified herein~~ under the direction of the Governor and Council and on such terms as they direct:

**Sec. 2. R. S., T. 12, § 514, sub-§ 3, ¶¶ B and C, repealed and replaced.** Paragraphs B and C of subsection 3 of section 514 of Title 12 of the Revised Statutes, as amended, are repealed and the following enacted in place thereof:

**B.** Permits for construction and maintenance of causeways, bridges, marinas, wharves and permanent structures, or deposit of fill, in, on, over or abutting on great ponds or for dredging in great ponds.

The commissioner shall consult with and obtain the approval of the Environmental Improvement Commission, the Commissioner of Inland Fisheries and Game, the Maine Mining Bureau and the State Park and Recreation Commission prior to the granting of such a permit. The commissioner may, pursuant to the Administrative Code, adopt, amend and repeal such regulations, establish such hearing procedures and charge such fees as he deems necessary to properly administer this paragraph. Fees collected shall accrue to the commissioner and shall be expended by him to reimburse the state agencies for expenses incurred in carrying out their duties and for expenses incurred in carrying out his duties, prescribed by this paragraph.

If the applicant for the permit demonstrates that the proposed activity will not unreasonably interfere with existing recreational, navigational, scenic and aesthetic uses; nor otherwise unreasonably interfere with or harm the natural environs of the great pond or tributary river or stream; nor cause unreasonable soil erosion nor interfere with the natural flow of any waters; nor create or cause to be created unreasonable noise or traffic of any nature; nor harm any fish or wildlife habitat; nor lower the quality of any waters, to the satisfaction of the commissioner and the state agencies above-