

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth 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
1973

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

1973

Sec. 2. R. S., T. 26, § 244, amended. The 2nd sentence of section 244 of Title 26 of the Revised Statutes is repealed and the following enacted in place thereof:

The Board of Boiler Rules shall specify the method of inspection and the frequency of such inspections.

Sec. 3. R. S., T. 26, § 244, amended. The 3rd sentence of section 244 of Title 26 of the Revised Statutes, as amended, is further amended to read as follows:

Whenever any boiler is inspected as ~~provided for in this section~~ specified by the Board of Boiler Rules and is found to be suitable and to conform to the rules of the Board of Boiler Rules, upon payment of the fee of \$5 to the bureau by the owner or user of such a boiler, the chief inspector shall issue to said owner or user an inspection certificate for each such boiler.

Effective October 3, 1973

CHAPTER 35

AN ACT Relating to the Franklin Judicial Division of the District Court.

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

R. S., T. 4, § 153, sub-§ 10, amended. Subsection 10 of section 153 of Title 4 of the Revised Statutes, as amended by section 1 of chapter 501 and by chapter 559, both of the public laws of 1969, is further amended to read as follows:

10. Franklin. Franklin consists of the entire County of Franklin ~~excepting therefrom the municipality of Jay for the purpose of criminal business solely. Said district shall include the municipality of Jay for the purpose of all civil business.~~ The District Court of Franklin shall be held at Farmington.

Effective October 3, 1973

CHAPTER 36

AN ACT Repealing the Bond for a Manufacturer's Liquor License.

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

R. S., T. 28, § 501, amended. The 3rd paragraph from the end of section 501 of Title 28 of the Revised Statutes, as repealed and replaced by section 88 of chapter 544 of the public laws of 1971, is repealed as follows:

~~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.

Effective October 3, 1973

CHAPTER 37

AN ACT Relating to Cruelty to Animals.

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

Sec. 1. R. S., T. 17, § 1051, amended. Section 1051 of Title 17 of the Revised Statutes is amended to read as follows:

§ 1051. Definitions

In this chapter and in every law relating to or affecting animals, the masculine includes the feminine, the singular includes the plural, the word "animal" includes every living ~~brute~~ sentient creature, the words "torment," "torture" and "cruelty" include every act, omission or neglect, **whether by owner or other person**, whereby unjustifiable physical pain, suffering or death is caused or permitted and the words "owner" or "person" include corporations as well as individuals.

Sec. 2. R. S., T. 17, § 1091, amended. Section 1091 of Title 17 of the Revised Statutes, as repealed and replaced by chapter 158 of the public laws of 1969, is amended to read as follows:

§ 1091. Acts of cruelty

~~Every~~ **Any owner or other person**, who overdrives, overloads or overworks, who torments, tortures, maims, wounds or deprives of necessary sustenance, or who cruelly beats, mutilates or kills any horse or other animal or causes the same to be done, or ~~having the charge or custody thereof, as owner or otherwise~~ **any owner or other person having charge or custody thereof who** fails to provide such animal with proper food, drink, shelter and protection from the weather and **humanely clean conditions**; every person, owning, or having the charge or custody of any animal, who knowingly ~~and willfully~~ **abandons** or authorizes or permits the same to suffer tortures or cruelty; and every owner, driver, possessor or person having the custody of an old, maimed, disabled or diseased animal, who works the same when unfit for labor or who abandons such animal; and every person who carries or causes to be carried, or has the care of any animal in, upon, or attached to a ~~car or other vehicle or otherwise~~ **car or any other vehicle or means of locomotion, in**