

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.

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

1973

CHAPTER 107

AN ACT Relating to Custodian for Beneficiary under Uniform Gifts to Minors Act.

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

R. S., T. 33, § 1002, sub-§ 4, additional. Section 1002 of Title 33 of the Revised Statutes, as amended by section 7 of chapter 285 of the public laws of 1967, is further amended by adding a new subsection 4 to read as follows:

4. **Custodian.** An adult person may provide by will or in an instrument designating the beneficiary of a life insurance policy or annuity contract that, if a legatee or beneficiary is a minor at the time for distribution or payment, any property defined as custodial property in this chapter given to such minor shall be delivered or paid to a person or trust company as custodian for the legatee or beneficiary under the Maine Uniform Gifts to Minors Act.

Effective October 3, 1973

CHAPTER 108

AN ACT Relating to Jurisdiction of County Enforcement Officers in Fresh Pursuit.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, existing law provides for fresh pursuit in the case of felons crossing state or municipal lines; and

Whereas, fresh pursuit within the State in the cases of fleeing felons is covered by common law but the law makes no provision for fresh pursuit in the case of misdemeanors when the deputy sheriff is limited to within a county; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

R. S., T. 30, § 1004, additional. Title 30 of the Revised Statutes is amended by adding a new section 1004, to read as follows:

§ 1004. Arrest in other counties

Every sheriff or deputy sheriff in fresh pursuit of a person who travels beyond the limits of the county in which the officer is appointed shall have the

same power to arrest such person as the officer has within the said county. This section shall apply to both felonies and misdemeanors.

With respect to felonies, the term "fresh pursuit" as used in this section shall be as defined in Title 15, section 152; with respect to misdemeanors, "fresh pursuit" shall mean instant pursuit of a person with intent to apprehend.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 22, 1973

CHAPTER 109

AN ACT to Clarify the Law Relating to Fishery Inspection.

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

Sec. 1. R. S., T. 12, § 4302-B, sub-§ 2, amended. The 2nd paragraph of subsection 2 of section 4302-B of Title 12 of the Revised Statutes, as enacted by section 2 of chapter 248 of the public laws of 1971, is amended to read as follows:

The commissioner shall adopt such regulations after public hearing. Notice of the public hearing must be published once, at least 7 days before the hearing, in the state paper. The regulations adopted after the hearing must be published in the state paper **once, at least 7 days** before they become effective. They may be amended or repealed at any time by the commissioner after like notice, hearing and publication.

All regulations promulgated in accordance with this section, which were published in the state paper at least once, shall be considered legal and effective.

It shall not be necessary to republish, in the state paper, an entire set of regulations in the event of amendment, addition or deletion thereto. Only those changes adopted in accordance with this subsection must be published.

Sec. 2. R. S., T. 12, § 4302-B, sub-§ 2, amended. Subsection 2 of section 4302-B of Title 12 of the Revised Statutes, as enacted by section 2 of chapter 248 of the public laws of 1971, is amended by adding a new paragraph at the end to read as follows:

The commissioner or his agent shall have the right to embargo indefinitely any fish or fishery product in any establishment whenever it is determined that the health of the public may be endangered.

Sec. 3. R. S., T. 12, § 4302-B, sub-§ 12, amended. Subsection 12 of section 4302-B of Title 12 of the Revised Statutes, as enacted by section 2 of chapter 248 of the public laws of 1971, is amended by adding a new paragraph at the end to read as follows: