

# 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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THE KNOWLTON AND McLEARY COMPANY  
FARMINGTON, MAINE  
1973

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

1973

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15th following, to one or more police officers, constables or sheriff, directing him or them to proceed forthwith to enter complaint and summons to court the owner or keeper of any unlicensed dog.

Effective October 3, 1973

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## CHAPTER 183

### AN ACT Relating to Federally Funded Food Programs.

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

**R. S., T. 22, § 3104, amended.** Section 3104 of Title 22 of the Revised Statutes, as repealed and replaced by section 1 of chapter 463 of the public laws of 1971, is amended by adding at the end the following new sentence:

The department is also authorized, in its discretion, to cooperate with and participate in the administration of food distribution programs in conformity with regulations promulgated by the United States Department of Agriculture.

Effective October 3, 1973

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## CHAPTER 184

### AN ACT Relating to Seizing Firearms Equipped with a Silencer.

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

**R. S., T. 12, § 2458, amended.** The 3rd sentence of the first paragraph of section 2458 of Title 12 of the Revised Statutes is amended to read as follows:

Any sheriff, deputy sheriff, constable ~~or~~, warden or police officer may seize any firearm and any device or silencer found in possession of any person in violation of this section, and on conviction of the party from whom such firearm is seized, such firearm shall be sold and the proceeds paid to the Treasurer of State, and the device or silencer shall be destroyed.

Effective October 3, 1973

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## CHAPTER 185

AN ACT Relating to Penalty for Operation of Motor Vehicle under the Influence of Intoxicating Liquor.

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

**Sec. 1.** R. S., T. 29, § 1312, sub-§ 10, ¶ A, amended. The first sentence of paragraph A of subsection 10 of section 1312 of Title 29 of the Revised Statutes is amended to read as follows:

Whoever shall operate or attempt to operate a motor vehicle within this State while under the influence of intoxicating liquor or drugs, upon conviction for a first offense, shall be punished by a fine of not more than ~~\$200~~ \$1,000 or by imprisonment for not more than 90 days, or by both; and whoever is convicted of a 2nd or subsequent offense shall be punished by a fine of not more than ~~\$1,000~~ \$2,000 or by imprisonment for not more than 6 months, or by both.

**Sec. 2.** R. S., T. 29, § 1312, sub-§ 10, ¶ A, amended. Paragraph A of subsection 10 of section 1312 of Title 29 of the Revised Statutes is amended by adding after the first paragraph a new paragraph to read as follows:

The imposition of a fine or sentence for a person convicted of a 2nd or subsequent offense under this section shall not be suspended and probation shall not be granted.

Effective October 3, 1973

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## CHAPTER 186

**AN ACT** to Place the Position of Director, Bureau of Aeronautics and Director, Bureau of Waterways in the Classified Service.

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

Whereas, the Maine Transportation Act placed the Director of Aeronautics and the Director of Waterways in the unclassified service; and

Whereas, the resourceful and coordinated performance of the Department of Transportation requires that the appointment of all officers and employees within the department be made exclusively by the commissioner; and

Whereas, the following legislation is vitally necessary to expedite the determination of a permanent Director of Waterways and a permanent Director of Aeronautics in order that a routine and coordinated implementation of policy and operation may commence; 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:*

**Sec. 1.** R. S., T. 2, § 6, sub-§ 5, amended. Subsection 5 of section 6 of Title 2 of the Revised Statutes, as enacted by chapter 542 of the public laws