

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

CHAPTER 299

AN ACT Relating to Conveyance by Release Deed for the Penobscot Tribe of Indians.

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

Whereas, the present procedures for the conveying of Indian lands have caused and are presently causing much confusion and uncertainty as to what deed form and procedures are required to legally convey Indian lands; and

Whereas, such confusion and uncertainty imposes an unreasonable burden upon those conveying and those receiving Indian lands; and

Whereas, it is important that the requirements for the conveying of Indian lands be such that all persons may clearly understand them and properly comply with them; 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R. S., T. 22, § 4784, repealed and replaced. Section 4784 of Title 22 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 4784. Conveyances by release deed; lots on Old Town Island; miscellaneous defects

1. **Deeds.** Conveyances made by virtue of section 4777 shall be by release deed, quitclaim deed, quitclaim deed with covenant, warranty deed, warranty deed with covenant, executed and acknowledged, and the approval of the Commissioner of Indian Affairs or his designee shall be written thereon. Said deed and approval shall be recorded by the register of deeds of Penobscot County in a book kept in the registry of deeds in said county, upon payment of 25¢ for each deed so recorded; and until recorded, no deed shall pass any title. This chapter and chapters 1351 and 1355 shall apply to house lots on the point of Old Town Island, as well as to land allotted for agricultural purposes.

2. **Validation.** All deeds heretofore made prior to the effective date of this Act for the conveyance of real property pursuant to subsection 1, and duly recorded in the Penobscot County registry of deeds, and otherwise valid except that the same was not in the form of a release deed as required by said subsection 1, are validated regardless of whether or not they are in the form of a quitclaim deed, quitclaim deed with covenant, warranty deed, warranty deed with covenant or such other form sufficient to pass title under the laws of the State of Maine, and whether or not said deeds contain the approval of the Commissioner of Indian Affairs as required by subsection 1. All deeds affecting real property on the Penobscot Indian Reservation duly recorded

in the Penobscot County registry of deeds having certain defects as described in Title 33, sections 351, 352 and 353 and any like provisions of law hereafter enacted by the Legislature shall apply to conveyances made pursuant to subsection 1.

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

Effective May 3, 1973

CHAPTER 300

AN ACT Relating to Appointment of Persons to Act as Policemen on Property of the Vocational-Technical Institutes.

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

R. S., T. 20, § 2362, additional. Title 20 of the Revised Statutes is amended by adding a new section 2362, to read as follows:

§ 2362. Policemen at vocational-technical institutes

The directors of the Maine vocational-technical institutes may appoint persons to act as policemen who shall, within the limits of the property owned by or under the control of the Maine vocational-technical institutes, possess all of the powers of policemen in criminal cases.

The State Board of Education may be authorized to establish guidelines within which each vocational-technical institute director 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 Maine vocational-technical institutes. 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 State Board of Education may adopt the provisions of 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.

Effective October 3, 1973

CHAPTER 301

AN ACT Relating to Fees of Municipal Police Officers or Constables as Witnesses.

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

R. S., T. 16, § 252, amended. Section 252 of Title 16 of the Revised Statutes, as amended by section 3 of chapter 261 of the public laws of 1971, is further amended by adding a new paragraph at the end to read as follows:

In the event that any police officer or constable is compensated by the municipality for attendance at court on an hourly basis equal to his present rate of employment, then he shall not be compensated by the county as pro-