

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
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lay. The application to the Forestry Appeal Board shall be filed with the Forest Commissioner, with a copy to the assessors of the municipality concerned, and shall include the name and address of the Forestry Appeal Board member selected by the applicant. Section 843-B shall apply to such proceedings.

3. **Appeal to Superior Court.** ~~Either party~~ The applicant may appeal from the decision of ~~said Forestry Appeal Board~~ the State Tax Assessor under subsection 1 or of the Forestry Appeal Board under subsection 2 to the Superior Court ~~under the conditions provided for in section 846~~ in the county where the land or any part of the land is located. The applicant shall, when such appeal is taken, file an affidavit stating his reasons for appeal and serve a copy thereof on the assessor, and in the hearing of the appeal, shall be confined to the reasons of appeal set forth in such affidavit. Jurisdiction is granted to hear and determine such appeals and to enter such order and decrees as the nature of the case may require. The decision upon all questions of fact shall be de novo and shall be final. An appeal may be taken to the law court as in all other actions. Decisions shall be certified forthwith by the clerk of courts to the assessor.

Sec. 19. R. S., T. 36, § 451, amended. The first sentence of section 451 of Title 36 of the Revised Statutes, as amended, is further amended to read as follows:

For necessary expenses of local and State Government, a tax is assessed at the rate of 16.5 mills on the dollar applied to a 100% valuation for the property tax year commencing April 1, 1973 and increasing thereafter to ~~18~~ 21 $\frac{3}{4}$ mills effective April 1, 1974, ~~19~~ $\frac{1}{2}$ 23 $\frac{1}{4}$ mills effective April 1, 1975, ~~21~~ 24 $\frac{3}{4}$ mills effective April 1, 1976, ~~22~~ $\frac{1}{2}$ 26 $\frac{1}{4}$ mills effective April 1, 1977 and ~~24~~ 27 $\frac{3}{4}$ mills effective April 1, 1978 and every year thereafter upon each municipality, township and each lot and parcel of land not included in any township in the State.

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

Effective May 7, 1973

CHAPTER 309

AN ACT Limiting Sunday Harness Racing.

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

R. S., T. 8, § 268, repealed and replaced. Section 268 of Title 8 of the Revised Statutes, as repealed and replaced by section 1 of chapter 526 of the public laws of 1969, is repealed and the following enacted in place thereof:

§ 268. Rules and regulations

The commission shall make rules and regulations for the holding, conducting and operating of all harness horse races or meets for public exhibition held in this State and for the operation of race tracks on which any such race

or meet is held; notwithstanding any other provision of law, harness horse races or meets held on Sunday shall not commence until the hour of 1 p.m.

Effective October 3, 1973

CHAPTER 310

AN ACT Relating to the Builder's and Supplier's Lien Law.

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

R. S., T. 10, § 3255, amended. Section 3255 of Title 10 of the Revised Statutes is amended to read as follows:

§ 3255. Liens preserved, and enforced by action

The liens mentioned in sections 3251 to 3254 may be preserved and enforced by action against the debtor and owner of the property affected and all other parties interested therein, filed with the clerk of courts in the county where the house, building or appurtenances, wharf, pier or building thereon, on which a lien is claimed, is situated, within 90 days after the last of the labor or services are performed or labor, materials or services are so furnished ~~and not afterwards~~ except as provided in section 3256.

Effective October 3, 1973

CHAPTER 311

AN ACT Requiring the Ramping of Curbs at Crosswalks for Physically Handicapped and Elderly Persons.

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

R. S., T. 23, § 706, additional. Title 23 of the Revised Statutes is amended by adding a new section 706 to read as follows:

§ 706. Curbs

1. Location or construction. The Department of Transportation shall develop or approve standards for the location or construction of curbs on each side of a way in the business district or area as defined by the Department of Transportation, of any municipality for which curbs have been prescribed. Such standards shall provide for the location and construction of ramps so as to allow reasonable access to the crosswalks for physically handicapped and elderly people.

2. Application. Standards set for curb ramping under subsection 1 shall not apply to any existing curb on the effective date of this Act; but shall apply, to the extent reasonable, to all new curb construction and to all replacement curbs constructed in order to allow reasonable access to crosswalks.

Effective October 3, 1973