

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

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OF THE
STATE OF MAINE
AS PASSED BY THE
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No such patient shall be allowed to leave the institution temporarily until notice of such conditional release and the new location of the patient has been given to the legal guardian or adult next of kin, if any, of the patient, unless the patient requests, in writing, that such notice not be given.

Effective October 3, 1973

CHAPTER 350

AN ACT Relating to Displaying of Fireworks on Sunday.

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

Whereas, several Maine communities are having anniversary celebrations this summer and it is essential that such communities be permitted to display fireworks on Sunday; and

Whereas, the following legislation is necessary to permit such displays this coming summer; 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. 17, § 3204, amended. The 2nd paragraph of section 3204 of Title 17 of the Revised Statutes, as amended by section 2 of chapter 334 of the public laws of 1971, is further amended to read as follows:

This section shall not apply to: The operation or maintenance of common, contract and private carriers; taxi cabs; airplanes; newspapers; radio and television stations; hotels, motels, rooming houses, tourist and trailer camps; restaurants; garages and motor vehicle service stations; retail monument dealers; automatic laundries; drug stores; greenhouses; seasonal stands engaged in sale of farm produce, dairy products, sea food or Christmas trees; public utilities; industries normally kept in continuous operation, including but not limited to pulp and paper plants and textile plants; processing plants handling agricultural produce or products of the sea; ship chandleries; marinas; establishments primarily selling boats, boating equipment, sporting equipment, souvenirs and novelties; motion picture theatres; public dancing; sports and athletic events; **displaying or exploding fireworks under Title 8, chapter 9**; musical concerts; religious, educational, scientific or philosophical lectures; scenic, historic, recreational and amusement facilities; real estate brokers and real estate salesmen; provided that this section shall not exempt the businesses or facilities specified in sections 3205, 3206 and 3207 from closing in any municipality until the requirements of those sections have been met; stores wherein no more than 5 persons, including the proprietor, are employed in the usual and regular conduct of business; stores which have no more than 5,000 square feet of interior customer selling space, excluding back room storage, office and processing space.

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

Effective May 14, 1973

CHAPTER 351

AN ACT Raising the Maximum Age of a Juvenile Offender.

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

R. S., T. 15, § 2502, sub-§ 4, amended. Subsection 4 of section 2502 of Title 15 of the Revised Statutes is amended to read as follows:

4. **Juvenile offender.** "Juvenile offender" means any child under ~~17~~ 18 years of age who has been found by an appropriate juvenile court to have committed any of the acts or offenses specified in chapters 401 to 409.

Effective October 3, 1973

CHAPTER 352

AN ACT to Provide for Secret Ballot by Alternative Means at Town Meeting.

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

R. S., T. 30, § 2061, sub-§ 4, amended. Subsection 4 of section 2061 of Title 30 of the Revised Statutes is amended to read as follows:

4. **Referendum questions.** By order of the municipal officers or ~~On~~ on the written petition of a number of voters equal to at least 10% of the number of votes cast in the town at the last gubernatorial election, but in no case less than 10, the ~~selectmen~~ municipal officers shall require that a particular article be placed in the next ballot printed, or shall call a special town meeting for its consideration. ~~If such particular article be placed in the next ballot printed,~~ ~~a~~ A public hearing shall be held by the municipal officers on the subject of such article at least 10 days before the day for voting thereon. Notice of such public hearing shall be given by the municipal officers by causing a copy of said proposed article together with the time and place of hearing, to be posted in the same manner required for posting a warrant for a town meeting, at least 7 days before the date set for such hearing, and a return shall be made on the original notice by the municipal officers stating the manner of notice and the time when it was given. The requirement for public hearing shall not be a prerequisite to the valid issuance of any bond, note or other obligation of a municipality authorized to borrow money by vote under any such particular article. The petition or order for placing an article on the ballot is subject to the same filing provisions as are nomination papers under this section. A vote by secret ballot takes precedence over a vote by any other means at the same meeting.

Effective October 3, 1973