

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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AS PASSED BY THE
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1973

the currently effective annual salary of a Judge of the District Court. In case there is more than one child, the compensation shall be divided equally among them.

Any Judge of the District Court who prior to his retirement age is unable, by reason of failing health, to perform his duties as such judge may, upon petition to or by order of the District Court and approved by a majority of the Judges of the District Court, be retired prior to his retirement age and when so retired he shall receive the same benefits as he would have received had he retired at full retirement age, and such retirement shall terminate his service.

If such judge dies having terminated his service and having become entitled to compensation as provided in this section, his widow, as long as she remains unmarried, or if he leaves no widow, or at her death or remarriage, then his child or children under the age of 18 years and until they respectively reach their 18th birthday, shall annually be entitled to $\frac{3}{8}$ of the currently effective annual salary of a Judge of the District Court. In case there is more than one child, the compensation shall be divided equally among them.

Sec. 3. R. S., T. 4, § 157-B, additional. Title 4 of the Revised Statutes is amended by adding a new section 157-B to read as follows:

§ 157-B. Active Retired Judges

Any Judge of the District Court having terminated his service on said court under section 157-A shall be eligible for appointment as an Active Retired Judge of the District Court as provided. The Governor with the advice and consent of the Council may, upon being notified of the retirement of any such judge under this section, appoint such judge to be an Active Retired Judge of the District Court for a term of 7 years from such appointment, unless sooner removed, and such judge may be reappointed for a like term, and such judge so appointed and designated shall thereupon constitute a part of the court from which he has retired and shall have the same jurisdiction and be subject to the same restrictions therein as before retirement, except that he shall act only in such cases and matters and hold court only at such sessions and times as he may be directed and assigned to by the Chief Judge of the District Court. Any Active Retired Judge of the District Court may be directed by the Chief Judge to hold any session of the District Court in any district and when so directed shall have authority and jurisdiction therein the same as if he were the regular judge of said court; and whenever the Chief Judge of the District Court so orders, may hear all matters and issue all orders, notices, decrees and judgments that any Judge of said District Court is authorized to hear and issue. An Active Retired Judge shall not receive any compensation in addition to the compensation upon retirement provided in section 157-A but he shall receive reimbursement for his expenses actually and reasonably incurred in the performance of his duties.

Effective October 3, 1973

CHAPTER 418

AN ACT Relating to Reports of Bureau of Labor and Industry.

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

R. S., T. 26, § 48, additional. Title 26 of the Revised Statutes is amended by adding a new section 48 to read as follows:

§ 48. Reports

All reports to the Bureau of Labor and Industry involving deaths, injuries and occupational diseases shall be available to the injured employee, his survivors or representatives upon written request and upon payment of reasonable cost for the copies.

Effective October 3, 1973

CHAPTER 419

AN ACT Relating to Temporary Restraining Order and Cost of Litigation by the Attorney General under Unfair Trade Practices Act.

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

Sec. 1. R. S., T. 5, § 209, amended. The 6th sentence of section 209 of Title 5 of the Revised Statutes, as enacted by section 1 of chapter 577 of the public laws of 1969, is amended to read as follows:

The said courts are authorized to issue temporary or permanent injunctions to restrain and prevent violations of this chapter ~~provided that no restraining order or injunction shall be issued except upon notice and an opportunity to be heard.~~

Sec. 2. R. S., T. 5, § 209, amended. The last sentence of section 209 of Title 5 of the Revised Statutes, as enacted by section 2 of chapter 338 of the public laws of 1971, is repealed and the following enacted in place thereof:

In any action under this section where a permanent injunction is issued, the court may order the person against whom the permanent injunction has been issued to pay to the State the costs of the suit, which funds shall be applied in the carrying out of this chapter.

Effective October 3, 1973

CHAPTER 420

AN ACT Relating to Minimum Wages.

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

R. S., T. 26, § 664, amended. The first sentence of section 664 of Title 26 of the Revised Statutes, as repealed and replaced by section 88 of chapter 622 of the public laws of 1971, is amended to read as follows:

By reason of the declaration of policy set forth in section 661 and in the protection of the industry or business and in the enhancement of public interest, health, safety and welfare, it is declared unlawful for any employer to employ any employee except as otherwise provided in this subchapter at the