

# 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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§ 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

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**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section 209 of Title 5 of the Revised Statutes, as enacted by section 2 of chapter 338 of the public laws of 1971, is repealed and the following enacted in place thereof: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

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 The first sentence of section 664 of Title 26 of the Revised Statutes, as repealed and replaced by section 88 of chapter 622 of the public laws of 1971, is amended to read as follows: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

rate of less than \$1.80 per hour; nor work more than 40 hours in one week, unless  $1\frac{1}{2}$  times the regular hourly rate is paid for all work done over 40 hours in any one week; and whenever the highest federal minimum wage is increased in excess of \$1.80 per hour, the minimum wage established under this section shall be increased to the same amount, effective either on the same date as the increase in the highest federal minimum wage or September 23, 1971, whichever occurs later, but in no case shall the minimum wage exceed ~~\$2~~ \$3 per hour.

Effective October 3, 1973

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## CHAPTER 421

### AN ACT to Clarify Municipal Appointing Authority.

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

Sec. 1. R. S., T. 30, § 2256, amended. Section 2256 of Title 30 of the Revised Statutes, as enacted by section 5 of chapter 438 of the public laws of 1969, is amended to read as follows:

#### § 2256. Municipal functions

In addition to those offices and departments required by general law, a municipality may provide, by ordinance, for the performance of all necessary municipal functions. Except where specifically provided by statute or municipal ordinance, the ~~selectmen~~ municipal officers shall appoint ~~for a term of one year~~ all town officials and employees required by general law or by ~~the municipality~~ municipal ordinance and may remove such officials and employees for cause, after notice and hearing. Unless otherwise specified, the term of all municipal officials shall be one year.

Sec. 2. R. S., T. 30, § 2317, sub-§ 1, ¶ E, amended. Paragraph E of subsection 1 of section 2317 of Title 30 of the Revised Statutes, as enacted by section 1 of chapter 438 of the public laws of 1969, is amended to read as follows:

E. Appoint, subject to confirmation by the board of selectmen, supervise and control ~~and remove~~ the heads of departments under the control of the selectmen when the department is not headed by the town manager under paragraph D;

Sec. 3. R. S., T. 30, § 2317, sub-§ 1, ¶ F, amended. Paragraph F of subsection 1 of section 2317 of Title 30 of the Revised Statutes, as enacted by section 1 of chapter 438 of the public laws of 1969, is amended to read as follows:

F. Unless otherwise provided by municipal ordinance, the manager shall appoint, supervise and control all town officials whom the municipal officers are required by statute to appoint, except members of boards, commissions, committees and single assessors; and ~~Appoint~~ appoint, supervise and con-