

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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feiture. The blood so donated shall not be used in any way commercially or for a profit. A list of all such blood donors and the amounts of blood donated by each shall be kept by the warden or superintendent of the correctional institution.

Effective October 3, 1973

CHAPTER 508

AN ACT Extending Regulation of Fishing Methods and Quantity and Types of Gear Used.

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

R. S., T. 12, § 3403, amended. Section 3403 of Title 12 of the Revised Statutes, as amended by section 1 of chapter 337 of the public laws of 1967, is further amended by adding a new paragraph before the first paragraph to read as follows:

All general laws of Maine fixing or regulating minimum or maximum sizes of fish, shellfish or lobsters, or regulating fishing methods, quantity and types of gear, or regulating or prohibiting the sale, transportation or possession of fish, shellfish or lobsters, respectively, shall apply to all persons, and to holders of licenses under section 3751 et. seq., whether these persons and license holders conduct these activities within waters of the State of Maine or within waters under the jurisdiction of the United States but not another state, to the extent provided in Title 1, section 2.

Effective October 3, 1973

CHAPTER 509

AN ACT to Adjust Certain Salary Provisions of State Officers and Officials.

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

Whereas, because of competitive salaries being paid industry and other governmental jurisdictions, salaries paid state officers and officials must be adjusted in order to retain and recruit such officers and officials; and

Whereas, efficiency of the administration of State Government in all departments is vitally affected; 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:

Sec. 1. R. S., T. 2, § 3, amended. The first paragraph of section 3 of Title 2 of the Revised Statutes is amended to read as follows :

The "Governor-elect's Expense Account," as heretofore established, shall be a continuing reserve to which shall be credited the sum of ~~\$1,500~~ \$5,000. At the close of each fiscal year there shall be transferred from unappropriated surplus an amount sufficient to restore such expense account to ~~\$1,500~~ \$5,000.

Sec. 2. R. S., T. 2, § 6, repealed and replaced. Section 6 of Title 2 of the Revised Statutes, as enacted by chapter 542 of the public laws of 1967 and as amended, is repealed and the following enacted in place thereof :

§ 6. Salaries

Notwithstanding any other provision of law, the Governor, with the advice and consent of the Council, is authorized to adjust the salaries of the following state officials as indicated and, it being further provided that any such adjustment will not exceed \$1,000 per year until the maximum is reached:

1. The salaries of the following state officials and employees to no more than \$25,500:

Commissioner of Transportation ;

Commissioner of Commerce and Industry ;

Commissioner of Finance and Administration ;

Commissioner of Educational and Cultural Services ;

Commissioner of Environmental Protection ;

Commissioner of Health and Welfare ;

Commissioner of Mental Health and Corrections ;

Commissioner of Public Safety.

2. The salaries of the following state officials and employees to no more than \$24,000:

Bank Commissioner ;

State Tax Assessor.

3. The salaries of the following state officials and employees to no more than \$22,500:

Director of Personnel ;

State Director of Public Improvements ;

State Budget Officer ;

State Controller ;
Insurance Commissioner ;
Forest Commissioner ;
Chief of the State Police ;
Director, State Planning Office.

4. The salaries of the following state officials and employees to no more than \$21,000 :

Commissioner of Manpower Affairs ;
Commissioner of Inland Fisheries and Game ;
Commissioner of Sea and Shore Fisheries ;
Director of Legislative Research ;
Legislative Finance Officer ;
State Purchasing Agent ;
Director, Arts and Humanities Bureau ;
Director, State Museum Bureau ;
State Law Librarian ;
Commissioner of State Parks and Recreation ;
Chairman of the Public Utilities Commission ;
Commissioner of Agriculture ;
State Director of Alcoholic Beverages ;
Executive Director, Retirement System.

5. The salaries of the following state officials and employees to no more than \$19,500 :

Adjutant General ;
Chairman of the Industrial Accident Commission ;
Administrative Assistant, Supreme Judicial Court ;
Director of Labor and Industry ;

General Counsel of the Public Utilities Commission ;
Deputy Chief of the State Police ;
Director of Transportation of the Public Utilities Commission ;
Employment Security Commission members, other than the Chairman ;
Manager of Industrial Building Authority ;
Assistant Director of Legislative Research ;
Assistant Legislative Finance Officer ;
State Archivist.

6. The salaries of the following state officials and employees to no more than \$18,000:

Director of Veterans Services ;
Director of Civil Defense ;
Public Utilities Commission members, other than the Chairman ;
Industrial Accident Commission members, other than the Chairman ;
Examiner and Chief Accountant of the Public Utilities Commission ;
State Librarian ;
Executive Director of the Public Employees Labor Relations Board ;
Manager of Recreation Authority.

7. The salaries of the following state officials and employees to no more than \$16,500:

Commissioner of Indian Affairs ;
Deputy Adjutant General ;
Secretary of Public Utilities Commission ;
Chief Boiler Inspector and Supervising Elevator Inspector.

8. The salaries of the following state officials and employees to no more than \$15,500:

Manager, Municipal Securities Approval Board.

9. The salaries of the following state officials and employees to no more than \$14,000:

Executive Director, Historic Preservation Commission;

Assistant Adjutant General.

Sec. 3. R. S., T. 2, § 7, repealed and replaced. Section 7 of Title 2 of the Revised Statutes, as enacted by chapter 542 of the public laws of 1967 and as amended, is repealed and the following enacted in place thereof:

§ 7. Constitutional officers

Notwithstanding section 6 or any other provision of law, the respective salaries of the Attorney General, Secretary of State, State Auditor and Treasurer of State shall be as follows:

	1973-74	1974-75 and thereafter
Attorney General	\$24,500;	\$25,500;
Secretary of State	19,000;	20,000;
State Auditor	16,500;	17,500;
Treasurer of State	14,000;	15,000.

Sec. 4. R. S., T. 4, § 4, amended. The first sentence of section 4 of Title 4 of the Revised Statutes, as amended, is further amended to read as follows:

The Justices of the Supreme Judicial Court shall each receive an annual salary of ~~\$24,000~~ \$25,000 for 1973-74 and \$26,000 thereafter; and the Chief Justice of the Supreme Judicial Court shall receive an annual salary of ~~\$25,500~~ \$26,500 for 1973-74 and \$27,500 thereafter.

Sec. 5. R. S., T. 4, § 102, amended. The first sentence of section 102 of Title 4 of the Revised Statutes, as amended, is further amended to read as follows:

Each of the Justices of the Superior Court shall receive an annual salary of ~~\$23,500~~ \$24,500 for 1973-74 and \$25,500 thereafter.

Sec. 6. R. S., T. 4, § 157, repealed and replaced. Section 157 of Title 4 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

§ 157. Judges; appointment; salary; retirement

The Governor, with the advice and consent of the Council, shall appoint to the District Court 4 judges at large and 15 judges. At least one judge shall be appointed in each district who shall be a resident thereof, except that in District 3 there shall be 2 judges appointed who shall be residents thereof and except that in District 9 there shall be 2 judges appointed who shall be residents thereof. Each shall have a term of office of 7 years. Each judge shall receive a salary of \$22,000 for 1973-74 and an annual salary of \$23,000 thereafter; and the Chief Judge shall receive a salary of \$23,000 for 1973-74

and \$24,000 annually thereafter. The Chief Justice of the Supreme Judicial Court shall designate one of the judges as Chief Judge. Each judge shall be reimbursed for his expenses actually and reasonably incurred by him in performing his duties, upon presentation to the State Controller of a detailed statement of such expenses approved by the Chief Judge.

To be eligible for appointment as a District Judge, a person must be a member of the bar of the State. The term "District Judge" shall include the Chief Judge and the judges at large.

A District Judge shall devote full time to his judicial duties. He shall not practice law during his term of office, nor shall he during such term be the partner or associate of any person in the practice of law. Sections 103 and 104, as heretofore or hereafter amended, now applicable to Justices of the Superior Court, are made applicable to Judges of the District Court.

Sec. 7. Application. The salary increases herein provided shall not apply to any District Court Judge who shall have been a member of the 106th Legislature prior to being appointed and who shall have been appointed during the 1973-74 biennium.

Director's note: Effective July 1, 1973
See P. & S. Law Chapter 108, Section 7.

CHAPTER 510

AN ACT Relating to Possession of Marijuana, Peyote or Mescaline.

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

R. S., T. 22, § 2384, repealed and replaced. Section 2384 of Title 22 of the Revised Statutes, as enacted by section 7 of chapter 443 of the public laws of 1969 and as repealed and replaced by section 3 of chapter 472 of the public laws of 1971, is repealed and the following enacted in place thereof:

§ 2384. Sale

Whoever sells, exchanges, delivers, barter, gives or furnishes or possesses with intent to sell, exchange, deliver, barter, give or furnish Cannabis, Mescaline or Peyote, to any person shall upon conviction thereof be punished by a fine of not more than \$1,000 or by imprisonment for not more than 5 years, or by both, for the first offense; and for a 2nd or subsequent offense, by imprisonment for not less than 2 years nor more than 10 years, for which the imposition or execution of such sentence shall not be suspended and probation not be granted.

Effective October 3, 1973