

# 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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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature

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## CHAPTER 537

## AN ACT to Correct Errors and Inconsistencies in the Executive Reorganization.

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

Sec. 1. R. S., T. 5, § 81, amended. The first sentence of section 81 of Title 5 of the Revised Statutes, as amended by chapter 494 of the public laws of 1971, is further amended to read as follows:

The Department of the Secretary of State, as heretofore established, shall consist of the Secretary of State, the State Archives ~~the Bureau of Watercraft Registration and Safety, the Snowmobile Licensing Bureau of the Department of Inland Fisheries and Game~~ and such other state departments and agencies as are by law subject to the direction of the Secretary of State.

Sec. 2. R. S., T. 5, § 243, sub-§ 5, amended. Subsection 5 of section 243 of Title 5 of the Revised Statutes, as amended, is further amended to read as follows:

5. **Postaudit.** To perform a postaudit of all accounts and other financial records of ~~the Maine Port Authority and~~ the Maine Forestry District;

Sec. 3. R. S., T. 5, § 281, amended. The last sentence of the first paragraph of section 281 of Title 5 of the Revised Statutes, as last repealed and replaced by section 1 of chapter 615 of the public laws of 1971, is amended to read as follows:

It shall be the principal administrative and fiscal department of the State Government and in conjunction with the Insurance Advisory Board provide insurance advice for the State Government and Maine Maritime Academy ~~and Maine Port Authority.~~

Sec. 4. R. S., T. 6, § 276, amended. The first sentence of section 276 of Title 6 of the Revised Statutes is amended to read as follows:

This chapter shall not apply to any appropriately authorized fireworks display conducted by professional or otherwise appropriately qualified persons or personnel and approved by the ~~Insurance~~ Commissioner of Public Safety nor shall this chapter apply to the launching or operation of any missile, rocket or similar device by the United States Government, or its appropriately authorized designee.

Sec. 5. R. S., T. 7, § 1, amended. The first sentence of section 1 of Title 7 of the Revised Statutes, as repealed and replaced by section 1 of chapter 490 and as amended by section 1 of chapter 594, both of the public laws of 1971, is further amended to read as follows:

The Department of Agriculture, as heretofore established and hereinafter in this Title called the "department", shall be maintained for the improvement of agriculture and the advancement of the interests of husbandry, and shall consist of the Commissioner of Agriculture, hereinafter in this Title called the "commissioner," appointed by the Governor with the advice and consent of the Council, to serve a term coterminous with the Governor subject to removal from the office for cause by the Governor and Council, and the fol-

lowing as heretofore created and established: The Maine Dairy Council Committee, the Maine Milk Commission, the Maine Potato Commission, the Seed Potato Board, Milk Tax Committee, the Soil and Water Conservation Commission and the Harness Racing Commission.

**Sec. 5-A. R. S., T. 8, § 262, amended.** The first sentence of section 262 of Title 8 of the Revised Statutes is amended to read as follows:

The commissioners shall select one from their number to be chairman ~~and another to be secretary~~ of the commission.

**Sec. 6. R. S., T. 10, § 101, sub-§ 2, amended.** Subsection 2 of section 101 of Title 10 of the Revised Statutes is amended to read as follows:

2. **Bureau of Labor and Industry.** The ~~Department~~ Bureau of Labor and Industry, particularly as to hazardous working conditions, if any;

**Sec. 7. R. S., T. 10, § 102, amended.** The 2nd paragraph of section 102 of Title 10 of the Revised Statutes, as amended by section 1 of chapter 584 of the public laws of 1971, is further amended to read as follows:

The Coordinator of Atomic Development Activities, as heretofore appointed, shall have the duty of coordinating the studies, recommendations and proposals of the several departments and agencies of the State and its political subdivisions required by section 101 with each other and with the programs and activities of the ~~Department~~ Bureau of Labor and Industry and the Department of Commerce and Industry and of the State. So far as may be practicable, he shall coordinate the studies conducted, and the recommendations and proposals made, in this State with like activities in the New England and other states and with the policies and regulations of the United States Atomic Energy Commission. In carrying out his duties, he shall proceed in close cooperation with the ~~Department~~ Bureau of Labor and Industry and the Department of Commerce and Industry.

**Sec. 8. R. S., T. 10, § 2202, sub-§ 2, amended.** Subsection 2 of section 2202 of Title 10 of the Revised Statutes, as enacted by chapter 472 of the public laws of 1969 and as amended by section 1 of chapter 618 of the public laws of 1971, is further amended to read as follows:

2. **Board.** "~~Commission~~" "**Board**" means the Board of Environmental Protection.

**Sec. 9. R. S., T. 10, § 2204, sub-§§ 2 & 3, amended.** Subsections 2 and 3 of section 2204 of Title 10 of the Revised Statutes, as enacted by chapter 472 of the public laws of 1969, are amended to read as follows:

2. **General supervision.** ~~Through the director, to~~ To exercise general supervision and administration and enforcement of this chapter and all rules and regulations and orders promulgated thereunder;

3. **Research.** ~~Through the director, to~~ To conduct investigations, research, experiments and demonstrations, and to collect and disseminate information relating to reclamation of lands and waters affected by mining.

**Sec. 10. R. S., T. 10, § 2205, sub-§ 4, amended.** The next to the last sentence of subsection 4 of section 2205 of Title 10 of the Revised Statutes, as enacted by chapter 472 of the public laws of 1969, is amended to read as follows:

In determining the amount of the bond or the security within the limits, the ~~director~~ **commissioner** shall take into consideration the character and nature of, the overburden, the future suitable use of the land involved and the cost of grading and reclamation to be required.

**Sec. 11. R. S., T. 10, § 2206, sub-§ 1, amended.** The next to the last sentence of subsection 1 of section 2206 of Title 10 of the Revised Statutes, as enacted by chapter 472 of the public laws of 1969, is amended to read as follows:

Following the hearing, the ~~director~~ **commissioner** shall notify the applicant of its decision by registered mail within the required 20 days of hearing.

**Sec. 12. R. S., T. 10, § 2212, amended.** The first paragraph and the first sentence of the 2nd paragraph of section 2212 of Title 10 of the Revised Statutes, as amended by section 13 of chapter 618 of the public laws of 1971, are further amended to read as follows:

Whenever it appears to the board or the ~~Director~~ **commissioner** after investigation that there is a violation of this chapter or of rules and regulations hereunder, it shall, after 30 days' written notice to the alleged violator, schedule a hearing thereon and shall notify the alleged violator of the date, time and place of such hearing and shall specify the act done or omitted to be done which is claimed to be a violation.

The hearing shall be conducted by the ~~director~~ **commissioner** or by a board hearing examiner, who shall have power to administer oaths and affirmations to witnesses, and subpoena witnesses, books and documents material or relative to the subject matter of the hearing.

**Sec. 13. R. S., T. 10, § 2213, amended.** Section 2213 of Title 10 of the Revised Statutes, as enacted by chapter 472 of the public laws of 1969, is amended to read as follows:

#### § 2213. Violations; emergency procedures

Whenever the ~~director~~ **commissioner** shall find that a violation of this chapter exists, creating a substantial and immediate danger to human health or to property, he may order the person or persons causing such conditions to immediately discontinue the alleged violation. Service of a copy of the ~~director's~~ **commissioner's** findings and order issued under this section shall be made by the sheriff or some deputy within the county where the person against whom such order runs maintains the operation affected by such order.

The person to whom such order is directed shall comply therewith immediately. Such order may not be appealed to the Superior Court in the manner provided by section 2214, but such person may apply to the ~~director~~ **commissioner** for a hearing on such order, which hearing shall be held within 48 hours after receipt of application therefor, and shall be conducted in the same manner as are hearings under section 2212. Within 7 days after such hearing

the ~~director~~ commissioner shall make findings of fact and continue, revoke or modify the order.

**Sec. 14. R. S., T. 10, § 2401, amended.** The 2nd sentence of section 2401 of Title 10 of the Revised Statutes, as amended by section 17 of chapter 594 of the public laws of 1971, is further amended to read as follows:

The Commissioner ~~of the Department~~ of Agriculture shall be, ex officio, the state sealer.

**Sec. 15. R. S., T. 10, § 8001, repealed.** Section 8001 of Title 10 of the Revised Statutes, as enacted by section 1 of chapter 488 and as amended by section 3 of chapter 594, both of the public laws of 1971, is repealed.

**Sec. 16. R. S., T. 12, § 52, amended.** The 2nd sentence of section 52 of Title 12 of the Revised Statutes, as amended, is further amended to read as follows:

With the approval of the Commissioner ~~of the Department~~ of Agriculture, it shall employ an executive director and such other temporary or permanent employees as it may require.

**Sec. 17. R. S., T. 12, § 4755, amended.** Section 4755 of Title 12 of the Revised Statutes, as enacted by chapter 541 of the public laws of 1971 and as amended by section 6 of chapter 618 of the public laws of 1971, is further amended to read as follows:

#### § 4755. Hearing

The board, before adopting, amending, modifying or repealing any such order, shall hold a public hearing thereon in the municipality in which the coastal wetlands to be affected are located, and shall give notice by mail to the municipal officers of such municipalities and to each assessed owner of such wetlands, to ~~the Department of Natural Resources and to the Department of Transportation~~ at least 21 days prior thereto, and to the public by publication in a newspaper published in the county where the wetlands are located, of the time and place of such hearing.

**Sec. 18. R. S., T. 13, § 1181, amended.** The last sentence of section 1181 of Title 13 of the Revised Statutes, as enacted by section 1 of chapter 502 of the public laws of 1967, is amended to read as follows:

This section shall not apply to land acquired under Title ~~37~~ 37-A, section ~~24~~ 15.

**Sec. 19. R. S., T. 13, § 1303, amended.** The first sentence of section 1303 of Title 13 of the Revised Statutes, as amended by section 2 of chapter 502 of the public laws of 1967, is further amended to read as follows:

Every cemetery, except Veterans' Memorial Cemetery established under Title ~~37~~ 37-A, chapter 2, hereafter established shall be owned, maintained or operated by a municipality or other political subdivision of the State, a church, a religious or charitable society, or by a cemetery association incorporated as provided in section 1071 or 1301.

**Sec. 20. R. S., T. 17, § 2268, amended.** Section 2268 of Title 17 of the Revised Statutes, as enacted by section 1 of chapter 405 of the public laws of 1971, is amended to read as follows:

**§ 2268. Enforcement**

Every law enforcement officer in the State, including but not limited to State Police, county sheriffs and their deputies, municipal police, wardens of the Department of Inland Fisheries and Game, wardens of the Department of Sea and Shore Fisheries, foresters and wardens of the Forestry Department and liquor inspectors of the ~~State Liquor Commission~~ **Department of Public Safety** shall have authority to enforce this chapter and Title 17, section 3961.

**Sec. 21. R. S., T. 20, § 911, amended.** The last sentence of the next to the last paragraph of section 911 of Title 20 of the Revised Statutes, as amended by section 2 of chapter 272 of the public laws of 1965, is further amended to read as follows:

A child between the ages of 15 and 17 years of age who, because of subnormal mental capacity, is unable to successfully pass the tests necessary to allow a regular work permit to be issued, may under conditions deemed proper receive a work permit issued jointly by the Commissioner of ~~Education~~ **Educational and Cultural Services** and the ~~Commissioner~~ **Director of the Bureau of Labor and Industry**, such persons to be employed in nonhazardous occupations.

**Sec. 22. R. S., T. 20, § 913, amended.** The 6th sentence of section 913 of Title 20 of the Revised Statutes is amended to read as follows:

If any minors are employed contrary to Title 26, chapter 7, they shall also report in writing such illegal employment to the ~~Commissioner~~ **Director of the Bureau of Labor and Industry**.

**Sec. 23. R. S., T. 22, § 4492, amended.** The first sentence of section 4492 of Title 22 of the Revised Statutes, as amended by section 1 of chapter 292 of the public laws of 1965, is further amended to read as follows:

A treasurer of any bank, trust company, benefit association, insurance company, safe deposit company or any corporation or association receiving deposits of money, except national banks, shall, on request in writing signed by a member of the board of overseers of the poor of any town or city or its agents, or by the Commissioner of Health and Welfare or his agents or by the ~~Commissioner~~ **Director of the Bureau of Veterans Veterans' Services** or his agents, inform such board of overseers of the poor or the Department of Health and Welfare or the ~~Department~~ **Bureau of Veterans Veterans' Services** of the amount deposited in the corporation or association to the credit of the person named in such request, who is in charge upon such town or city or the State, or who has applied for support to such town or city or the State.

**Sec. 24. R. S., T. 23, § 2, amended.** The 3rd sentence of section 2 of Title 23 of the Revised Statutes is repealed as follows:

The word "commission" shall mean the ~~State Highway Commission~~



Sec. 25. R. S., T. 23, § 1351, amended. The next to the last paragraph of section 1351 of Title 23 of the Revised Statutes is amended to read as follows:

The issuance of any order or rule and regulation may be proved by submitting a copy thereof signed by ~~any member of the commission~~ commissioner and duly notarized.

Sec. 26. R. S., T. 23, § 1451, amended. The 2nd sentence of section 1451 of Title 23 of the Revised Statutes, as amended by section 22 of chapter 593 of the public laws of 1971, is further amended to read as follows:

Within 24 hours after any of the various officials mentioned in said section 3655 first has notice of such defect or want of repair or sufficient railing, such officials shall give written notice thereof to ~~some member of the department~~ the Commissioner of Transportation, provided that within 10 days after any of the various officials mentioned in said section 3655 first has notice of any injury to any person, such officials shall give written notice thereof to ~~some member of the department~~ the Commissioner of Transportation and provided that the State shall not be liable for any injury sustained upon the sidewalk of any such state or state aid highway or sustained during the construction of such state or state aid highway within its limits.

Sec. 27. R. S., T. 23, § 1553, repealed. Section 1553 of Title 23 of the Revised Statutes, as enacted by section 11-A of chapter 593 of the public laws of 1971, is repealed.

Sec. 28. R. S., T. 23, § 1602, repealed. Section 1602 of Title 23 of the Revised Statutes is repealed as follows:

§ 1602. Appeal to Governor and Council on disagreement of commission

~~If at any time the commission cannot unanimously agree upon the proper exercise of its power to direct the expenditure of all moneys for construction and maintenance of all state and state aid highways as provided in section 52 or upon the proper apportionment of money raised from the sale of state highway and state highway and bridge bonds in accordance with section 1601, any member of the commission, should he deem the matter of sufficient importance, may appeal to the Governor and Council who shall then make the final decision relative to the particular expenditure or apportionment concerning which the commission cannot agree~~

Sec. 29. R. S., T. 25, § 1505, amended. The 2nd and 3rd sentences of section 1505 of Title 25 of the Revised Statutes are amended to read as follows:

To be eligible for membership in such reserve corps, applicants shall meet such standards as may be determined by the chief; shall enlist therein for a period of not less than 3 years, and shall take the oath prescribed in Title 37-A, section ~~316~~ 65. Upon the issuance by the Governor of the proclamation provided for in Title 37-A, section ~~367~~ 57, the chief may order any or all of the members of said reserve corps to active duty as State Police for the duration of the proclaimed emergency or any part thereof.

Sec. 30. R. S., T. 26, § 1401, amended. Section 1401 of Title 26 of the Revised Statutes, as enacted by section 1 of chapter 499 and as repealed and replaced by section 12 of chapter 620, both of the public laws of 1971, is amended to read as follows:

## § 1401. Department; commissioner

There is created and established the Department of Manpower Affairs to achieve the most effective utilization of the manpower resources in the State by developing and maintaining an accountable state manpower policy, by insuring safe working conditions and protection against loss of income and by enhancing the opportunities of the individual to improve his economic status to consist of a Commissioner of Manpower Affairs appointed by the Governor with the advice and consent of the Council for a term coterminous with that of the Governor subject to removal for cause and the following ~~is~~ as heretofore created and established: The Employment Security Commission, the Department of Labor and Industry, the Maine Manpower Advisory Committee, the Cooperative Area Manpower Planning System and the Manpower Development Training Program.

**Sec. 31. R. S., T. 29, § 1370, amended.** The 3rd paragraph of section 1370 of Title 29 of the Revised Statutes, as enacted by chapter 180 of the public laws of 1965, is amended to read as follows:

Motor vehicles of the ~~Department~~ Bureau of Civil Defense and Public Safety and other motor vehicles used to perform public services of an emergency nature, whether publicly or privately owned, may be identified by windshield stickers bearing the name or service emblem of the agency authorized to act therein, if affixed thereto in accordance with the following paragraph.

**Sec. 32. R. S., T. 29, § 1552, amended.** The last paragraph of section 1552 of Title 29 of the Revised Statutes is amended to read as follows:

The ~~Secretary of State~~ Commissioner of Transportation, acting upon recommendations of the Vehicle Equipment Safety Commission and pursuant to the Vehicle Equipment Safety Compact provides a just, equitable and orderly means of promoting the public safety in the manner and within the scope contemplated by this subchapter.

**Sec. 33. R. S., T. 29, § 1559, amended.** Section 1559 of Title 29 of the Revised Statutes is amended to read as follows:

## § 1559. Review

Any action of the ~~Secretary of State~~ Commissioner of Transportation in adopting or declining to adopt a recommended rule, regulation or code pursuant to Article V of the compact shall be reviewable at the instance of any aggrieved person by the Superior Court.

**Sec. 34. R. S., T. 29, § 1560, amended.** Section 1560 of Title 29 of the Revised Statutes is amended to read as follows:

## § 1560. Budget

Pursuant to Article VI, subsection 1 of the compact, the Vehicle Equipment Safety Commission shall submit its budgets to the ~~Secretary of State~~ Commissioner of Transportation.

**Sec. 35. R. S., T. 30, § 952, amended.** The 2nd sentence of section 952 of Title 30 of the Revised Statutes is amended to read as follows:

The sheriff or his chief deputy shall order any or all of said special deputies to active duty when a state of war exists, or when the Governor shall proclaim an emergency under Title ~~25~~ **37-A**, chapter ~~6~~ **3**, or when the State Director of the ~~Bureau~~ of Civil Defense ~~and Public Safety~~ declares that a state of emergency is imminent.

**Sec. 36. R. S., T. 30, § 2553, amended.** The last paragraph of section 2553 of Title 30 of the Revised Statutes is amended to read as follows:

The ~~Insurance~~ Commissioner of Public Safety may authorize installations of special wiring for purposes of obtaining field experience under controlled conditions in territory where electrical inspection is provided.

**Sec. 37. R. S., T. 30, § 2554, amended.** The last paragraph of section 2554 of Title 30 of the Revised Statutes is amended to read as follows:

The ~~Insurance~~ Commissioner of Public Safety may authorize installations of special wiring for purposes of obtaining field experience under controlled conditions in territory where electrical inspection is provided.

**Sec. 38. R. S., T. 30, § 3651, amended.** The last sentence of section 3651 of Title 30 of the Revised Statutes, as enacted by section 1 of chapter 352 of the public laws of 1971, is amended to read as follows:

In the unorganized townships of the State, the ~~Consumer Protection Inspections~~ Division of the Maine Department of Agriculture shall perform the duties of surveyors described in this chapter.

**Sec. 39. R. S., T. 30, § 4782, amended.** The last paragraph of section 4782 of Title 30 of the Revised Statutes, as enacted by section 1 of chapter 456 of the public laws of 1971, is amended to read as follows:

Nothing contained in this Article shall be construed to limit in any way the requirement that all installations of plumbing fixtures in such industrialized housing shall comply with the rules and regulations of the Department of Health and Welfare as set forth in the State of Maine Plumbing Code and that the installation of oil burners in such industrialized housing shall comply with the rules, regulations and standards adopted by the Oil Burner Men's Licensing Board and such industrialized housing shall comply with the rules and regulations of the Insurance Commissioner and the ~~Commissioner~~ Director of the ~~Bureau~~ of Labor and Industry.

**Sec. 40. R. S., T. 34, § 5, amended.** The 2nd sentence of section 5 of Title 34 of the Revised Statutes, as amended by section 5 of chapter 391 of the public laws of 1967, is further amended to read as follows:

The department may further authorize the training and use of able-bodied prisoners in the State Prison or inmates in the Men's Correctional Center by the State Forestry Department or the ~~Department~~ Bureau of Civil Defense ~~and Public Safety~~ to fight fires or provide assistance during or after any civilian disaster.

**Sec. 41. R. S., T. 37, § 153, amended.** The first sentence of section 153 of Title 37 of the Revised Statutes, as amended by section 1 of chapter 233 of the public laws of 1969, is further amended to read as follows:

Whenever any person who has served in the Armed Forces of the United States and was honorably discharged therefrom shall die, being at the time of his death a resident of this State and in destitute circumstances, the State, through the ~~Department~~ Bureau of ~~Veterans~~ Veterans' Services, shall pay the necessary expenses of his burial; or whenever the widow of any person who served in the Armed Forces of the United States and was honorably discharged therefrom shall die, being at the time of her death a resident of this State and being in destitute circumstances and having no kindred living within this State and of sufficient ability legally liable for her support, the State, through the ~~Department~~ Bureau of ~~Veterans~~ Veterans' Services, shall pay the necessary expenses of her burial.

**Sec. 42. R. S., T. 37, § 154, amended.** The 2nd sentence of section 154 of Title 37 of the Revised Statutes is amended to read as follows:

In either case upon satisfactory proof by such town or city to the ~~Department~~ Bureau of ~~Veterans~~ Veterans' Services of the fact of such death and payment, the State shall refund to said town or city the amount so paid.

**Sec. 43. R. S., T. 38, § 1102, amended.** The 3rd sentence from the end of section 1102 of Title 38 of the Revised Statutes, as repealed and replaced by section 3 of chapter 400 and as amended by section 12 of chapter 618, both of the public laws of 1971, is further amended to read as follows:

The original certificate shall be delivered to the trustees on the day that they are directed to organize and a copy of said certificate duly attested by the ~~Chairman of the board~~ Commissioner of Environmental Protection shall be filed and recorded in the Office of the Secretary of State.

**Sec. 44. R. S., T. 39, § 67, amended.** The first sentence of section 67 of Title 39 of the Revised Statutes is amended to read as follows:

No agreement by an employee, unless approved by the commission or by the ~~Commissioner~~ Director of the Bureau of Labor and Industry, to waive his rights to compensation under this Act shall be valid.

**Sec. 45. R. S., T. 39, § 91, amended.** The last sentence of the first paragraph of section 91 of Title 39 of the Revised Statutes is amended to read as follows:

The ~~Commissioner~~ Director of the Bureau of Labor and Industry and the Commissioner of Insurance shall be members ex officio.

**Sec. 46. R. S., T. 39, § 91, amended.** The first sentence of the 3rd paragraph of section 91 of Title 39 of the Revised Statutes is amended to read as follows:

The ~~Commissioner~~ Director of the Bureau of Labor and Industry, in addition to his salary as such, shall receive for his services as a member of the commission \$1,000 per year.

**Sec. 47. R. S., T. 39, § 94, amended.** The 2nd sentence of section 94 of Title 39 of the Revised Statutes is amended to read as follows:

If the ~~Commissioner~~ **Director of the Bureau** of Labor and Industry finds that such agreement is in conformity with the Act, he shall approve the same.

**Sec. 48. R. S., T. 39, § 101, amended.** The first sentence of section 101 of Title 39 of the Revised Statutes is amended to read as follows:

If after any petition, except for lump sum settlement under section 71, has been filed the parties themselves reach an agreement as to payment of compensation, the memorandum of which is approved by the ~~Commissioner~~ **Director of the Bureau** of Labor and Industry, or as to payment of medical benefits under section 52, the pending petition shall thereupon be dismissed by the commission.

**Sec. 49. R. S., T. 39, § 102, amended.** The first sentence of section 102 of Title 39 of the Revised Statutes is amended to read as follows:

Upon the petition of either party at any time the commission may annul any agreement which has been approved by the ~~Commissioner~~ **Director of the Bureau** of Labor and Industry provided it finds that such agreement was entered into through mistake of fact by said petitioner or through fraud.

**Sec. 50. R. S., T. 39, § 103, amended.** The first and last sentences of the first paragraph of section 103 of Title 39 of the Revised Statutes are amended to read as follows:

Any party in interest may present copies, certified by the clerk of the commission, of any order or decision of the commission or of any commissioner, or of any memorandum of agreement approved by the ~~Commissioner~~ **Director of the Bureau** of Labor and Industry, together with all papers in connection therewith, to the clerk of courts for the county in which the accident occurred; or if the accident occurred without the State, to the clerk of courts for the County of Kennebec.

Such decree shall have the same effect and all proceedings in relation thereto shall thereafter be the same as though rendered in an action in which equitable relief is sought, duly heard and determined by said court, except that there shall be no appeal therefrom upon questions of fact found by said commission or by any commissioner, or where the decree is based upon a memorandum of agreement approved by the ~~Commissioner~~ **Director of the Bureau** of Labor and Industry.

**Sec. 51. R. S., T. 39, § 104, amended.** The last sentence of section 104 of Title 39 of the Revised Statutes is amended to read as follows:

Upon the presentation to it of a certified copy of any subsequent order or decision of the commission or of any commissioner increasing, diminishing, terminating or commuting to a lump sum any payments of compensation on account of said injury, or of any agreement for modification of such compensation approved by the ~~Commissioner~~ **Director of the Bureau** of Labor and Industry, the court shall revoke or modify any such pro forma decree based upon such prior order or decision of the commission or of any commissioner, or upon any agreement so approved, to conform to such subsequent order or decision or such approved agreement.

**Sec. 52. P. L., 1971, c. 494, § 2, repealed.** Section 2 of chapter 494 of the public laws of 1971 is repealed.