

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
AT THE
SPECIAL SESSION

January 2, 1974

to

March 29, 1974

Supplementary to the Acts and Resolves of the Regular Session

CHAPTER 636

AN ACT Amending the Full-time District Attorneys Law.

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

Whereas, Public Law 1973, Chapter 567, deletes from Title 30 all the duties of the County Attorneys; and

Whereas, this Act becomes effective January 1, 1974; and

Whereas, there will be no prosecuting attorneys in the counties until January 1, 1975; 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. 30, § 454, amended. Section 454 of Title 30 of the Revised Statutes, as enacted by section 10 of chapter 567 of the public laws of 1973, is amended to read as follows:

§ 454. Full-time district attorneys

All district attorneys and assistant district attorneys designated as full-time assistants shall be full-time officers of the State. They shall not appear as counsel in any civil or criminal case or controversy before the Supreme Judicial Court, Superior Courts or District Courts of the State of Maine or comparable courts in any other state or before the United States District Court or at any administrative hearing held by any state or United States agency other than in their capacity as district attorney during the terms of their office, nor shall they during such term **engage in the private practice of law** nor be a partner or associate of any person engaged in the private practice of law or a member or employee of a professional association engaged in the private practice of law.

Sec. 2. P. L., 1973, c. 567, § 23, amended. Section 23 of chapter 567 of the public laws of 1973 is amended to read as follows:

Sec. 23. Effective date. The effective date of this Act is January 1, ~~1974~~ 1975, except that this Act shall determine the term of office of the district attorneys to be elected at the general election in November, 1974, as well as the terms of the district attorneys to be elected thereafter.

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

Effective January 9, 1974

CHAPTER 637

AN ACT Clarifying the Source of Payment of Bonds, Notes and Other Evidences of Indebtedness Issued for School Purposes.

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

Whereas, in 1973 the Legislature enacted a law providing for all education costs to be paid 50% from a uniform property tax limited as to rate and assessed against all municipalities in the State and 50% from nonproperty tax revenues; and

Whereas, it is not clear whether said law limits the ultimate source of payment of bonds, notes or other evidences of indebtedness issued for school purposes by school administrative units; and

Whereas, to any extent that the source of payment of bonds or notes outstanding at the time said law was enacted is substantially impaired by placing a limit on the amount of money that may be raised to pay principal thereof and interest thereon, such law would violate provisions of the United States Constitution against impairment of the obligation of contracts; and