

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

§ 1092. Malicious killing or injury to domestic animals or fowl; stealing

Whoever maliciously kills, sells, wounds, maims, disfigures or poisons any domestic animal, **fowl, waterfowl**, livestock, sheep, goats, swine, dog or cat ~~of another~~, or exposes any poisonous substance with intent that the life of such animal, **fowl, waterfowl**, livestock, sheep, goats, swine, dog or cat shall be destroyed thereby, on **his own land** or the lands owned or in possession of another or on any public or private way or public area, or steals or entices away or confines or harbors such animal, **fowl, waterfowl**, livestock, sheep, goats, swine, **dog or cat** for the purpose of obtaining a reward or for any other illegal purpose shall, when the offense is not of a high and aggravated nature, be punished by a fine of not more than \$300 or by imprisonment for not more than 3 months, or by both, and when the offense is of a high and aggravated nature by a fine of not more than \$1,000 or by imprisonment for not more than 4 years. The court shall order the person convicted of such a crime to make restitution to the owner thereof of the fair market value for any animal so killed, wounded, maimed, disfigured or poisoned, except as provided in Title 7, section 3602. If the person convicted cannot pay, as ordered, the court may place him on probation until such sentence is fully performed. Such probation may commence as ordered by the court. If he is sentenced to the State Prison or a correctional center, one condition of parole shall be restitution.

Sec. 2. R. S., T. 17, § 1214, repealed and replaced. Section 1214 of Title 17 of the Revised Statutes, as repealed and replaced by section 16 of chapter 598 of the public laws of 1973, is repealed and the following enacted in place thereof:

§ 1214. Appointment of state humane agents

The commissioner shall appoint state humane agents who shall serve as agents of the commissioner in the enforcement of this chapter and as otherwise provided by law. Those personnel appointed as part-time agents shall be unclassified employees whose standards of employment, compensation and hours of employment shall be determined by the commissioner. The jurisdiction of each state humane agent shall extend throughout the State.

Effective June 28, 1974

CHAPTER 667

AN ACT Relating to Conflicts of Interest in Municipal Contracts and Proceedings Pursuant to the Securities Approval Act.

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

Whereas, the control of pollution deriving from the operation of industrial facilities is essential and immediately necessary for the preservation of the public peace, health and safety and this Legislature has enacted the Municipal Securities Approval Act, constituting chapter 242 of Title 30 of the Revised Statutes, providing for the issuance of revenue obligation securities to pay the cost of acquisition, construction, reconstruction, renewal or replacement of industrial pollution control projects; and

Whereas, chapter 445 of the public laws of 1973 has repealed the provisions of subsection 4 of section 2251 of Title 30 of the Revised Statutes which established that, in the absence of actual fraud, no municipal official should be deemed to have a direct or indirect pecuniary interest in a question or in a contract merely because he is an officer, employee or stockholder of a private corporation, unless such official was directly or indirectly the owner of at least 10% of the stock of such corporation; and

Whereas, the provisions of said repealer will in certain municipalities prevent the effectuation of the purposes of the Municipal Securities Approval Act with respect to such pollution control projects and has thereby created an emergency in such municipalities; 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:

R. S., T. 30, § 5330, amended. Section 5330 of Title 30 of the Revised Statutes, as enacted by section 1 of chapter 423 of the public laws of 1965 and as amended by section 21 of chapter 633 of the public laws of 1973, is further amended by adding at the end a new paragraph to read as follows:

In the absence of actual fraud, no municipal official shall be deemed to have or to have had a direct or indirect pecuniary interest in a question, proceeding or contract pursuant to or for the purposes of this chapter merely because he is an officer, employee or stockholder of a private corporation to which the question, proceeding or contract relates, unless the municipal official is directly or indirectly the owner of at least 10% of the stock of the private corporation.

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

Effective February 6, 1974

CHAPTER 668

AN ACT to Make it Unlawful to Discriminate when Extending Credit.

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

R. S., T. 5, c. 337, sub-c. V-A, additional. Chapter 337 of Title 5 of the Revised Statutes, as enacted by section 1 of chapter 501 and as reallocated by section 19 of chapter 622, both of the public laws of 1971, is amended by adding a new subchapter V-A to read as follows:

SUBCHAPTER V-A

A FAIR CREDIT EXTENSION

§ 4595. Right to freedom from discrimination solely on the basis of age, race, color, sex, marital status, ancestry, religious creed or national origin in any credit transaction