

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

§ 2806. Enforcement provision

1. **Power.** The board of trustees of the Criminal Justice Academy shall have the power to suspend the right to enforce the criminal laws of the State of Maine of any person determined by such board to be in violation of section 2805.

2. **Hearing.** In any case affecting the right to enforce the criminal law of any law enforcement officer, the board of trustees shall conduct a hearing on the applicable facts.

3. **Procedure.** A notice of hearing must be served on the defendant and the chief administrator of the employing law enforcement agency either by personal delivery in hand, by leaving it with a person of suitable age or discretion at his dwelling place or usual place of abode, or by sending it by registered mail to his last known address. The notice of hearing must be served at least 15 days before the time specified for the hearing. The notice of hearing must specify the time and place of hearing and the consequences of any failure to appear. The notice must also contain a conclusion indicating a violation of section 2805 and a citation of such section.

4. **Decisions and notification.** After the hearing on the applicable facts and law, the board of trustees shall notify the parties to the proceeding of the result of the hearing by sending a copy of the decision by registered mail, return receipt requested, to each party or his attorney of record. There shall be no suspension of enforcement powers until a date at least 2 weeks after the date of the notification of the decision of the board, and if the aggrieved party or parties, during the 2-week period, shall appeal the decision of the board to the Superior Court, then no suspension shall take effect until after hearing by said Superior Court.

5. **Appeal procedure.** Any party aggrieved by a final decision of the board of trustees, whether such decision is affirmative or negative in form, is entitled to appeal.

The appeal must be instituted by filing of complaint in the Superior Court at Kennebec County within 30 days after notification of the final decision of the board of trustees. Copies of the complaint must be sent to the Commissioner of Public Safety and all other parties of record. No responsive pleading need be filed.

6. **Injunction.** In the event of any continued violation of section 2805 subsequent to appropriate board decision or Superior Court appeal, the Attorney General may institute injunction proceedings to enjoin the further violation thereof.

Effective June 28, 1974

CHAPTER 673

AN ACT to Authorize Satellite Centers for Vocational Education.

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

Whereas, there is an urgent need for vocational training in certain areas of the State; and

Whereas, the concept of satellite centers will conserve the resources of the local and state governments; and

Whereas, existing school facilities could be more adequately used; 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. 20, § 2356-A, sub-§ 1, amended. Subsection 1 of section 2356-A of Title 20 of the Revised Statutes, as enacted by section 3 of chapter 440 of the public laws of 1965, is amended to read as follows:

1. **Regional center.** It shall be a regional center for vocational or technical education and may include satellite centers.

Sec. 2. R. S., T. 20, § 2356-A, sub-§ 4, additional. Section 2356-A of Title 20 of the Revised Statutes, as enacted by section 3 of chapter 440 of the public laws of 1965 and as amended, is further amended by adding a new subsection 4, to read as follows:

4. **Satellite centers.** The State Board of Education may approve satellite vocational programs as a part of a regional technical-vocational center already in operation when the regional technical-vocational center makes such a request and supplies detailed information fully justifying the need for a vocational education program in a satellite center. All requests made by local school committees or boards of directors for satellite vocational education programs shall be forwarded to the State Board of Education with the recommendation of the school committee or board of directors operating a regional technical-vocational center and the commissioner. The local school committee or board of directors responsible for operating the satellite vocational education program shall assume full financial responsibility for paying the operating costs of the satellite program and shall receive state subsidy for the program and tuition income from administrative units using that particular satellite program. There shall be an advisory committee responsible for coordinating vocational education in any vocational education center operating as of 1972. Membership on the advisory committee shall consist of the superintendent of schools of the participating high schools or his representative and one board member chosen from each school committee or board of directors by its membership. The advisory committee shall meet on a quarterly basis. This committee will be responsible for preparing and submitting an annual report on the regional or satellite centers, or both, to the State Board of Education and each town served by the satellite center. The school committee or board of directors, where the satellite vocational education program is operated, shall furnish the necessary facilities and equipment and shall be eligible for school construction aid for the vocational education space where the satellite vocational education program is located, if new facilities are required and are approved.

Personnel to operate the satellite vocational education program shall be nominated by the superintendent of schools operating the satellite vocational education program, in consultation with the director of the regional technical-vocational center and shall be approved by the school committee or board of directors where the program is located. Personnel working in satellite vocational education programs shall be supervised by the director of the regional technical-vocational center, who shall make recommendations to the local superintendent of schools.

The State Board of Education shall approve satellite centers in conjunction with existing regional technical-vocational centers, such satellite centers to be financed through available funds.

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

Effective February 8, 1974

CHAPTER 674

AN ACT Relating to a State-wide Food Stamp Program.

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

Whereas, uncertainty will exist as to full funding of County Food Stamp Programs if allowed to become effective 90 days after adjournment; and

Whereas, it is vitally necessary that the following legislation be enacted as an emergency in order to assure full funding of the essential programs on July 1, 1974; 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. 22, § 3104, repealed and replaced. Section 3104 of Title 22 of the Revised Statutes, as repealed and replaced by section 1 of chapter 463 of the public laws of 1971 and as amended, is repealed and the following enacted in place thereof:

§ 3104. State-wide food stamp program

The department is authorized to administer a state-wide food stamp program in accordance with the related requirements and regulations of the United States Departments of Agriculture and Health, Education and Welfare. The department is also authorized to cooperate with and participate in the administration of food distribution programs in conformity with regulations promulgated by the United States Department of Agriculture.