

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

Neither the cable television company whose facilities are used to transmit a program produced by a person other than such cable television company pursuant to Federal Communications Commission regulations or municipal ordinance, nor the officers, directors or employees of any such cable television company, shall be liable for damages arising from any obscene or defamatory statements or actions or invasion of privacy occurring during any program when such company does not originate or produce such program.

Effective June 28, 1974

CHAPTER 677

AN ACT Correcting Ambiguities in the Statutes Relating to the Maine Guarantee Authority.

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

Whereas, the Legislature has heretofore enacted legislation pertaining to community industrial buildings which has not been implemented because of ambiguities in the existing statutes; 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. 10, § 672, sub-§ 4, amended. Subsection 4 of section 672 of Title 10 of the Revised Statutes, as enacted by section 26 of chapter 633 of the public laws of 1973, is amended by adding at the end the following new sentence:

A municipality shall be authorized to create a local development corporation for purposes of carrying out the intent of this chapter by majority vote of the municipal officers, and a majority of the municipal officers shall be sufficient to form such a local development corporation notwithstanding any provision of Title 13, chapter 81 to the contrary.

Sec. 2. R. S., T. 10, § 676, sub-§ 5, amended. Subsection 5 of section 676 of Title 10 of the Revised Statutes, as enacted by section 26 of chapter 633 of the public laws of 1973, is amended to read as follows:

5. Project plans comply with applicable zoning, planning and sanitary regulations in the municipality where it is to be located ~~and also meets with standards established by the Department of Environmental Protection as set forth in Title 38;~~ and, in any event no loan shall be approved and no certificate of approval shall be issued until the Department of Environmental Protection has certified to the authority that all licenses required from the department with respect to the project have been issued or that none are re-

quired. This requirement of certification by the department shall likewise apply to any subsequent enlargement or addition to such project, for which approval is sought from the Authority.

Sec. 3. R. S., T. 10, § 678, amended. Section 678 of Title 10 of the Revised Statutes, as enacted by section 26 of chapter 633 of the public laws of 1973, is amended to read as follows:

§ 678. Taxes

While the community industrial building remains unoccupied and a first mortgage is held by the ~~board or by the State of Maine Authority~~, it is declared to be public property held for a legitimate public use and benefit and shall be exempt from all taxes and special assessments of the State or any political subdivision thereof.

Sec. 4. R. S., T. 13, § 901, amended. Section 901 of Title 13 of the Revised Statutes, as amended, is further amended by adding at the end the following new sentence:

The formation of local development corporations by a municipality for purposes of carrying out Title 10, chapter 102, relating to community industrial buildings shall be by a majority of the municipal officers.

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

Effective February 14, 1974

CHAPTER 678

AN ACT to Transfer the Pesticides Control Board to the Department of Agriculture.

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

R. S., T. 22, § 1452, amended. Section 1452 of Title 22 of the Revised Statutes, as enacted by chapter 447 of the public laws of 1965, and as amended, is further amended to read as follows:

§ 1452. Board of Pesticides Control

There is established in the Department of Agriculture a Board of Pesticides Control to be composed of the Commissioner of Agriculture, the Commissioner of Health and Welfare, the Director of the Bureau of Forestry, the Commissioner of Inland Fisheries and Game, the Commissioner of Marine Resources, the Chairman of the Public Utilities Commission, the Commissioner of Transportation and the Commissioner of Environmental Protection. ~~The commissioners of the state departments~~ members of the board may appoint agents to serve in their absence. The board shall elect annually a chairman from its own membership and be authorized to employ necessary personnel.

Effective June 28, 1974