

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

Whenever the Attorney General shall appoint any additional assistant attorneys general or staff attorneys as authorized under section 196, or shall employ additional clerks as provided by section 197, or shall employ attorneys-at-law to collect claims due the State, the compensation of such assistants, staff attorneys, clerks or attorneys, as approved by the Governor and Council, may be paid, if the Governor and Council so direct, from moneys thus collected by the Department of the Attorney General.

Sec. 6. R. S., T. 5, § 199, amended. The 5th sentence of section 199 of Title 5 of the Revised Statutes, as amended by section 2 of chapter 53 of the public laws of 1969, is further amended to read as follows:

Any or all of the powers and duties enumerated in this ~~section~~ chapter may, at the discretion of the Attorney General, be delegated to and performed by, any deputy attorney general ~~or any~~, assistant attorney general or staff attorney.

Effective June 28, 1974

CHAPTER 712

AN ACT Relating to Fees Administered by the Department of Environmental Protection.

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

Sec. 1. R. S., T. 10, § 2205, sub-§ 4, amended. The first 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4 of section 2205 of Title 10 of the Revised Statutes, as enacted by chapter 472 of the public laws of 1969, is repealed.

Sec. 2. R. S., T. 12, § 4807-F, repealed. Section 4807-F of Title 12 of the Revised Statutes, as enacted by section 1 of chapter 411 of the public laws of 1973, is repealed.

Sec. 3. R. S., T. 30, § 4104, amended. The next to the last sentence of section 4104 of Title 30 of the Revised Statutes, as enacted by chapter 601 of the public laws of 1973, is amended to read as follows:

The Department of Environmental Protection shall also issue license certificates ~~at a fee of no more than \$50~~ to Maine-based septic tank pumpers and conveyors of said wastes and no septic tank pumper or conveyor of such waste shall operate without said license certificate.

Sec. 4. R. S., T. 32, § 4180, repealed. Section 4180 of Title 32 of the Revised Statutes, as enacted by chapter 237 of the public laws of 1969, is repealed.

Sec. 5. R. S., T. 38, § 361, amended. Section 361 of Title 38 of the Revised Statutes, as amended, is further amended by adding at the end a new paragraph to read as follows:

The board after a public hearing may adopt, amend and repeal such reasonable fees not to exceed \$500 for licenses, permits and approvals that require continuing surveillance.

Sec. 6. R. S., T. 38, § 414, sub-§ 4, repealed. Subsection 4 of section 414 of Title 38 of the Revised Statutes, as enacted by section 4 of chapter 461 and as amended by section 12 of chapter 618, both of the public laws of 1971, is repealed.

Sec. 7. R. S., T. 38, § 418, sub-§ 2, amended. The 2nd sentence of subsection 2 of section 418 of Title 38 of the Revised Statutes, as enacted by chapter 355 of the public laws of 1971 and as amended by section 12 of chapter 618 of the public laws of 1971, is further amended to read as follows:

Applications for such permits shall be in such form and require such information as the board may determine ~~and shall be accompanied by a processing fee of \$75.~~

Effective June 28, 1974

CHAPTER 713

AN ACT to Provide Financial Assistance to Nonprofit Nursing Homes.

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

Sec. 1. R. S., T. 22, § 2052, amended. Section 2052 of Title 22 of the Revised Statutes, as enacted by section 1 of chapter 303 of the public laws of 1971, is amended to read as follows:

§ 2052. Declaration of necessity

It is declared that for the benefit of the people of the State, the increase of their commerce, welfare and prosperity and the improvement of their health and living conditions, it is essential that hospitals and nursing homes within the State be provided with appropriate additional means to expand, enlarge and establish health care, hospital, nursing home and other related facilities; and that it is the purpose of this chapter to provide a measure of assistance and an alternative method to enable hospitals and nursing homes to provide the facilities and structures which are sorely needed to accomplish the purposes of this chapter, all to the public benefit and good, and the exercise of the powers, to the extent and manner provided in this chapter, is hereby declared the exercise of an essential governmental function.

Sec. 2. R. S., T. 22, § 2053, sub-§ 4-A, additional. Section 2053 of Title 22 of the Revised Statutes, as enacted by section 1 of chapter 303 of the public laws of 1971, is amended by adding a new subsection 4-A, to read as follows:

4-A. Nursing home. "Nursing home" means any nonprofit or charitable institution or organization, public or private, which is exempt from federal taxation pursuant to section 501 of the Internal Revenue Code of 1954, as amended, and which is engaged in the operation of, or formed for the purpose of operating, a facility in which skilled nursing care and medical services are prescribed by or performed under the general direction of persons licensed to practice medicine or surgery in the State and which is, or will be upon completion, licensed as a nursing home under the laws of the State of Maine.