

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

CHAPTER 766

AN ACT Exempting Certain Sales through Coin-operated Vending Machines from the Sales Tax.

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

Sec. 1. R. S., T. 36, § 1760, sub-§ 34, additional. Section 1760 of Title 36 of the Revised Statutes, as amended, is further amended by adding a new subsection 34 to read as follows:

34. Coin-operated vending machines. Sales of tangible personal property when sold through a coin-operated vending machine for a total consideration of 15¢ or less. This exemption only applies to retailers more than 50% of whose gross receipts from the retail sale of tangible personal property are derived from sales through vending machines.

Sec. 2. R. S., T. 36, § 1811, amended. The last paragraph of section 1811 of Title 36 of the Revised Statutes is repealed as follows:

~~No tax shall be imposed upon such property sold at retail for 10¢ or less, provided the retailer is primarily engaged in making such sales and keeps records satisfactory to the State Tax Assessor.~~

Effective June 28, 1974

CHAPTER 767

AN ACT to Increase Salaries of County Attorneys and Assistant County Attorneys

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

Whereas, the volume of criminal cases, traffic misdemeanors and felonies has increased greatly; and

Whereas, the State of Maine has an obligation to provide a speedy trial to those accused of crime; and

Whereas, the State of Maine employs attorneys-at-law to prosecute crime on behalf of the State; and

Whereas, the prosecution of crime takes an increasing amount of time on the part of county attorneys and assistant county attorneys; and

Whereas, county attorneys are being called upon more often to provide assistance and advice to law enforcement officials; and

Whereas, the responsibilities of county attorneys cannot be delegated to any other agency; 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:

PUBLIC LAWS, 1973

Sec. 1. R. S., T. 30, § 2, amended. That part of the 2nd paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to the county attorneys of Androscoggin County, is further amended to read as follows:

county attorney, ~~\$8,500~~ \$9,500; first assistant county attorney, ~~\$6,000~~ \$7,000; second assistant county attorney, ~~\$6,000~~ \$7,000;

Sec. 2. R. S., T. 30, § 2, amended. That part of the 3rd paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to the county attorneys of Aroostook County, is further amended to read as follows:

county attorney, ~~\$8,500~~ \$9,500; assistant county attorney, ~~\$5,500~~ \$6,500;

Sec. 3. R. S., T. 30, § 2, amended. That part of the 4th paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to the county attorneys of Cumberland County, is further amended to read as follows:

county attorney, ~~\$10,000~~ \$11,000; first assistant county attorney, ~~\$7,000~~ \$8,000; second assistant county attorney, ~~\$7,000~~ \$8,000; third assistant county attorney, ~~\$7,000~~ \$8,000;

Sec. 4. R. S., T. 30, § 2, amended. That part of the 5th paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to the county attorney of Franklin County, is further amended to read as follows:

county attorney, ~~\$7,000~~ \$8,000;

Sec. 5. R. S., T. 30, § 2, amended. That part of the 6th paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to the county attorneys of Hancock County, is further amended to read as follows:

county attorney, ~~\$8,500~~ \$9,500; assistant county attorney, ~~\$4,500~~ \$5,500;

Sec. 6. R. S., T. 30, § 2, amended. That part of the 7th paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to the county attorneys of Kennebec County, is further amended to read as follows:

county attorney, ~~\$9,000~~ \$10,000; first assistant county attorney, ~~\$6,000~~ \$7,000; second assistant county attorney, ~~\$6,000~~ \$7,000;

Sec. 7. R. S., T. 30, § 2, amended. That part of the 8th paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to the county attorney of Knox County, is further amended to read as follows:

county attorney, ~~\$7,500~~ \$8,500;

Sec. 8. R. S., T. 30, § 2, amended. That part of the 9th paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to the county attorney of Lincoln County, is further amended to read as follows:

county attorney, ~~\$7,500~~ \$8,500;

Sec. 9. R. S., T. 30, § 2, amended. That part of the 10th paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to the county attorneys of Oxford County, is further amended to read as follows:

county attorney, ~~\$8,000~~ \$9,000; assistant county attorney, ~~\$5,000~~ \$6,000;

Sec. 10. R. S., T. 30, § 2, amended. That part of the 11th paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to the county attorneys of Penobscot County, is further amended to read as follows:

county attorney, ~~\$8,000~~ \$9,000; first assistant county attorney, ~~\$6,000~~ \$7,000; second assistant county attorney, ~~\$6,000~~ \$7,000;

Sec. 11. R. S., T. 30, § 2, amended. That part of the 12th paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to the county attorney of Piscataquis County, is further amended to read as follows:

county attorney, ~~\$7,000~~ \$8,000;

Sec. 12. R. S., T. 30, § 2, amended. That part of the 13th paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to the county attorney of Sagadahoc County, is further amended to read as follows:

county attorney, ~~\$7,500~~ \$8,500;

Sec. 13. R. S., T. 30, § 2, amended. That part of the 14th paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to the county attorneys of Somerset County, is further amended to read as follows:

county attorney, ~~\$8,000~~ \$9,000; assistant county attorney, ~~\$5,000~~ \$6,000;

Sec. 14. R. S., T. 30, § 2, amended. That part of the 15th paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to the county attorney of Waldo County, is further amended to read as follows:

county attorney, ~~\$8,000~~ \$9,000;

Sec. 15. R. S., T. 30, § 2, amended. That part of the 16th paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to the county attorneys of Washington County, is further amended to read as follows:

county attorney, ~~\$8,500~~ \$9,500; assistant county attorney, ~~\$4,500~~ \$5,500;

Sec. 16. R. S., T. 30, § 2, amended. That part of the 17th paragraph of section 2 of Title 30 of the Revised Statutes, as amended, which relates to the county attorneys of York County, is further amended to read as follows:

county attorney, ~~\$8,000~~ \$9,000; first assistant county attorney, ~~\$5,500~~ \$6,500; second assistant county attorney, ~~\$5,500~~ \$6,500;

Sec. 17. Appropriation. There is appropriated from the General Fund to the Department of Attorney General the sum of \$32,000 to carry out the purposes of this Act. The breakdown shall be as follows:

	1973-74	1974-75
ATTORNEY GENERAL, DEPARTMENT OF		
County Attorneys' Salaries		
Personal Services	\$16,000	\$16,000

Emergency clause. In view of the emergency cited in the preamble, notwithstanding Title 30, section 3, this Act shall take effect when approved and be retroactive to January 1, 1974.

Effective March 29, 1974

CHAPTER 768

AN ACT to Increase the Cigarette Tax and Provide Funds for Catastrophic Medical Expense.

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

Sec. 1. R. S., T. 22, § 3454, additional. Title 22 of the Revised Statutes is amended by adding a new section, 3454, to read as follows:

§ 3454. Medical expenses for catastrophic illness

The Department of Health and Welfare is authorized to provide financial assistance to, or in behalf of, families or individuals whose costs for hospital in-patient or out-patient care, physicians' services, drugs, appliances and other related services, including skilled nursing home care as defined by the department and as determined by the department to be necessary, cannot be met from their own or other sources, when said costs are of such magnitude as to constitute a financial catastrophe for the said families or individuals, or when it can be determined that medical indigency exists. Skilled nursing home care shall be an eligible service only when the patient is admitted to a skilled nursing facility within 7 days of discharge from a general hospital, following a minimum in-patient stay of at least 5 days. Furthermore, eligibility for payment for skilled nursing home care shall be for a maximum of 60 days in any one year, or in association with any one illness episode.

Application for assistance through the catastrophic medical expense fund shall be made by the individual who is, or has been, receiving the care for which financial assistance is being sought, or by a person who is legally responsible for such costs, or by a legal representative of said individual. Assistance shall be available through this fund only in behalf of specific individuals, and only for those who are not eligible for aid through federally matched medical care programs as administered in Maine, and, furthermore, it shall terminate when any similar federal program becomes effective. The Governor shall determine by proclamation when said federal program has become effective. Eligibility for, and aid through, this fund shall be on a year to year basis, and eligibility and amount of aid shall be determined only after the full applica-