

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

ferred by the department to the Bureau of Human Services or its successors and may continue to be authorized. Any positions, authorized and allocated subject to the Personnel Law, to the former Office of Maine's Elderly shall be transferred by the department to the Bureau of Maine's Elderly or its successors and may continue to be authorized. Initial appointments to such positions vacant as of the effective date of this Act shall be made on an open competitive basis. Any employee and official of such former agencies subject to the Personnel Law on the effective date of this Act may be transferred to such reconstituted bureau as replaces their former agency and continue their employment after the effective date of this Act, without interruption of their state service, unless personnel positions or such office is terminated or abolished or method of appointment or employment is altered or changed by the provisions of this or other Acts. The offices and titles, Manager, Office of Resource Development and Director, Office of Maine's Elderly are abolished.

5. **Records, property and equipment.** All records, property and equipment previously belonging to or allocated for the use of the former Office of Resource Development shall become, on the effective day of this Act, part of the property of the Bureau of Human Services, Department of Health and Welfare. All records, property and equipment previously belonging to or allocated for the use of the former Office of Maine's Elderly shall become, on the effective day of this Act, part of the property of the Bureau of Maine's Elderly, Department of Health and Welfare.

6. **Conflicts.** All Acts or parts of acts and rules inconsistent with this Act are repealed or amended to conform hereto.

7. **Funds and equipment transferred.** Notwithstanding the Revised Statutes, Title 5, section 1585, all accrued expenditures, assets, liabilities, balances of appropriations, transfers, revenues or other available funds in any account, or subdivision of an account, of any agency to be reallocated to another administrative unit as a result of this Act, shall be transferred to the proper place in an account for the bureau, by the State Controller, upon recommendation of the department head, the State Budget Officer and upon approval by the Governor and Executive Council. A proper accounting shall be made by activity within the account.

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

Effective April 2, 1974

CHAPTER 794

AN ACT Exempting Machinery and Equipment Used for Manufacturing and Research from Sales and Use Tax.

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

R. S., T. 36, § 1760, sub-§ 31, amended. Subsection 31 of section 1760 of Title 36 of the Revised Statutes, as enacted by section 1 of chapter 580 of the public laws of 1973, is amended to read as follows:

31. **New machinery and equipment.** Sales of new machinery and equipment for use by the purchaser directly and primarily in the production of tangible personal property, which property is intended to be sold or leased ultimately for final use or consumption by manufacturing, processing, assembling or fabricating.

Effective June 28, 1974

CHAPTER 795

AN ACT Relating to Mandatory Sentences for Persons Convicted of Second Offense Breaking, Entering and Larceny or Burglary.

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

Sec. 1. R. S., T. 17, § 751, amended. Section 751 of Title 17 of the Revised Statutes, as amended by section 1 of chapter 404 of the public laws of 1973, is further amended by adding after the 2nd sentence a new sentence to read as follows:

When a person is convicted of a 2nd or subsequent offense violation of any of the provisions of this section, the imposition or execution of such sentence shall not be suspended and probation shall not be granted.

Sec. 2. R. S., T. 17, § 754, amended. Section 754 of Title 17 of the Revised Statutes, as amended by section 2 of chapter 404 of the public laws of 1973, is further amended by adding after the first sentence a new sentence to read as follows:

When a person is convicted of a 2nd or subsequent offense violation of any of the provisions of this section, the imposition or execution of such sentence shall not be suspended and probation shall not be granted.

Effective June 28, 1974

CHAPTER 796

AN ACT to Change Weights and Related Provisions for Commercial Vehicles.

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

Sec. 1. R. S., T. 29, § 1, sub-§ 9, repealed and replaced. Subsection 9 of section 1 of Title 29 of the Revised Statutes, as amended by section 1 of chapter 360 of the public laws of 1971, is repealed and the following enacted in place thereof:

9. **Owner.** "Owner," for the purposes of vehicle registration only, shall mean any person, firm or corporation holding title to a vehicle; any such person, firm or corporation that uses a motor vehicle in connection with the conduct of business in this State or any vehicle which is primarily domiciled