

# 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.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1975

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
One Hundred and Seventh Legislature

1975

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## CHAPTER 9

### AN ACT to Extend Collective Bargaining Rights to Maine Turnpike Authority Employees.

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

26 MRSA § 962, sub-§ 7, as enacted by PL 1969, c. 424, § 1, is amended to read:

7. **Public employer.** "Public employer" means any officer, board, commission, council, committee or other persons or body acting on behalf of any municipality or town or any subdivision thereof, or of any school, water, sewer or other district, or of the **Maine Turnpike Authority**.

Effective October 1, 1975

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## CHAPTER 10

### AN ACT Relating to Use Fuel Tax Audits.

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

36 MRSA § 3035, 4th ¶, first sentence, as last amended by PL 1971, c. 529, § 8, is further amended to read:

Each dealer shall, within 15 days after demand made on him by the State Tax Assessor, pay a tax of 9¢ per gallon upon each gallon of such fuels upon which the tax has not been paid which, upon an audit, the State Tax Assessor may find to have been received into the State during the preceding ~~year~~ **2 years** by the dealer and not properly accounted for in a dealer's report or in accordance with law.

Effective October 1, 1975

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## CHAPTER 11

### AN ACT to Clarify Provisions in the Motor Fuel Tax Law.

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

Sec. 1. 36 MRSA § 2906, 5th sentence, as last repealed and replaced by PL 1973, c. 7, § 1, is amended to read:

If such report is not filed by the last day of the month, such certificate holder shall be liable to a penalty of \$5 a day for each day in arrears, or  $\frac{1}{2}$  of 1% of tax liability, whichever is greater ~~together with interest at the rate of  $\frac{1}{2}$ % per month or fraction thereof.~~ **If tax is not paid when due, interest shall**

accrue on such unpaid tax at the rate of  $\frac{1}{2}$  of 1% per month or fraction thereof. Such penalty and interest shall be due on demand by the State Tax Assessor and recoverable in a civil action.

Sec. 2. 36 MRSA § 2967, 2nd ¶, as last amended by PL 1965, c. 198, § 2, is further amended to read:

Any motor carrier, or any private carrier included within section 2971, or any agent or employee of either of them, who shall operate a motor vehicle which operation renders such motor carrier or private carrier liable to this chapter at any time when such motor carrier or private carrier has failed to file any report or pay tax, penalty or interest as required by this chapter shall be punished by a fine of not less than \$10 nor more than \$300.

Sec. 3. 36 MRSA § 3039, as last amended by PL 1969, c. 15, § 2, is further amended to read:

§ 3039. **Additional penalty**

Any user, or any agent or employee of any user, who shall consume any fuel in a motor vehicle on a public highway or on a turnpike operated and maintained by the Maine Turnpike Authority, when such user is not the holder of an uncanceled license as required by this chapter, or when such user has failed to file any report or pay tax, penalty or interest as required by this chapter, shall be punished by a fine of not less than \$10 nor more than \$300. Each day or part thereof during which any person shall consume any fuel in a motor vehicle on a public highway or on a turnpike owned and maintained by the Maine Turnpike Authority, when such user is not the holder of an uncanceled license as required by this chapter, or when such user has failed to file any report or pay tax, interest or penalty as required by this chapter, shall constitute a separate offense within the meaning of this section.

Effective October 1, 1975

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## CHAPTER 12

### AN ACT to Increase the Penalty for Premeditated Animal Fights.

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

Whereas, the present provisions on premeditated animal fights are not adequate to deter such activities; and

Whereas, it is very possible that spring and summer weather will encourage such misuse and abuse of animals for profit and sport; 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:*

17 MRSA § 1131, as repealed and replaced by PL 1967, c. 84, is amended to read: