

# 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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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:

### § 1131. Premeditated animal fights

Whoever instigates, or promotes, or attends, or acts as umpire, or judge, or promotor, or is connected with, or participates in, or promotes a bullfight of any kind or nature, or any fight between game birds or game cocks, dogs or bulls, or between dogs and rats or other animals, premeditated by any person having custody thereof, shall be punished by a fine of not less than \$200 nor more than ~~\$200~~ \$2,000, or by imprisonment for not less than 10 days nor more than 6 months.

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

Effective February 21, 1975

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## CHAPTER 13

**AN ACT to Change the Name of the Department of Military, Civil Emergency Preparedness and Veterans Services to the Department of Defense and Veterans Services.**

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

**Sec. 1.** 37-A MRSA, § 1, as last repealed and replaced by PL 1973, c. 709, § 1, is repealed and the following enacted in place thereof:

### § 1. Department of Defense and Veterans Services

1. Department. There is created and established a Department of Defense and Veterans Services in this Title called the "department," to coordinate and improve the discharge of State Government's responsibility relating to the military, veterans services and civil emergency preparedness, to consist of the Adjutant General and the following as heretofore created and established: The Military Bureau; the Bureau of Civil Defense, to be named the Bureau of Civil Emergency Preparedness and the Bureau of Veterans Services.

The Adjutant General shall be the commissioner of the Department of Defense and Veterans Services. The Adjutant General shall be appointed by the Governor and serve at the pleasure of the Governor. He shall have the grade not to exceed that of Major General. The Adjutant General shall administer the department, subordinate only to the Governor and shall adopt such methods of administration, not inconsistent with the law, as he may deem necessary to render the department efficient. The Adjutant General is authorized to transfer personnel at his discretion from one bureau to another bureau within the department and is authorized to prepare a budget for the department.

The Adjutant General shall appoint a Deputy Adjutant General, subject to the approval of the Governor, whose qualifications shall be those set forth in section 213 for an Assistant Adjutant General. The duly appointed Deputy Adjutant General, regardless of rank, shall have all the powers and duties of