

# 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 69****AN ACT Enabling Classification of Residents of State Institutions as Resident Pupils.**

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

Sec. 1. 15 MRSA § 2716, 4th ¶, as last repealed and replaced by PL 1969, c. 485, § 1, is repealed.

Sec. 2. 20 MRSA § 859, 4th ¶, as last amended by PL 1973, c. 571, § 26, is further amended by inserting at the end the following:

Any child between the ages of 5 and 20, committed or otherwise legally admitted to any state-operated institution, shall have the right to attend the public schools in the administrative unit in which such institution is located, or in any adjoining administrative unit, upon enrollment therein by the head of such institution under the same conditions as pupils residing in such administrative unit and shall for the purposes of this section be classified as resident pupils.

Sec. 3. 34 MRSA § 528, 2nd ¶, as enacted by PL 1973, c. 488, § 1, is repealed.

Effective October 1, 1975

**CHAPTER 70****AN ACT Relating to Animal Welfare.**

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

Sec. 1. 17 MRSA § 1212, as amended by PL 1973, c. 598, § 14, is further amended to read:

§ 1212. Prevention of cruelty

The commissioner or any person authorized to make arrests may lawfully interfere to prevent the perpetration of any act of cruelty upon an animal in his presence and ~~whoever interferes with or obstructs such officer or agent in the discharge of his duty is guilty of a misdemeanor.~~

Sec. 2. 17 MRSA § 1213-A, is enacted to read:

§ 1213-A. Impeding the performance of an officer

Any person who assaults, resists, opposes, impedes, intimidates or interferes with any person while engaged in or on account of the performance of his official duties under this chapter is guilty of a misdemeanor.

Effective October 1, 1975

**CHAPTER 71****AN ACT Relating to Experimental Signs at Railroad Crossings.**

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

Whereas, the Maine Department of Transportation in cooperation with the U. S. Department of Transportation maintains a Research and Development Facility at Pittsfield which is the only computer-controlled data acquisition system of its kind in the United States; and

Whereas, it is in the national interest for safety of the public to implement the best possible railroad grade crossing warning sign system; and

Whereas, the data that could be obtained at the Maine Facility would be used by 25 participating states at 65 grade crossing sites; and

Whereas, the scheduling for the basic observations at the Maine facility and sequential evaluations in the 25 participating states was made for 1975 thus mandating commencement early in the year; 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:*

35 MRSA § 821 is amended by adding at the end the following new paragraph:

The Commissioner of Transportation may temporarily erect experimental signs at certain grade crossings in lieu of the signboards with the words "Railroad Crossing" thereon as required in this section for the purpose of conducting research for the development of improved signs. The erection of experimental signs by the Department of Transportation at a particular crossing shall relieve the railroad company using that crossing from any liability in damages which might otherwise arise against that company by the temporary removal or temporary obliteration of the railroad company signboard required by this section. The erection and removal of the temporary signs shall be at the expense of the Department of Transportation and the removal and reinstallation of signboards with the words "Railroad Crossing" thereon shall also be at the expense of the Department of Transportation.

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

Effective March 18, 1975

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## CHAPTER 72

### AN ACT to Transfer Responsibility for Forest Management of Indian Township to the Commissioner of Indian Affairs.

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

22 MRSA § 4834, first ¶, as last amended by PL 1973, c. 460, § 18, is further amended to read: