

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 Seventh Legislature

1975

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

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:

The ~~Director of the Bureau of Forestry~~ Commissioner of Indian Affairs, with the consent of the 2 Passamaquoddy tribal governors and tribal councils, may sell to the best advantage of the Passamaquoddy Tribe, at public or private sale, to a citizen of the State, the timber and grass from township numbered 2 on the St. Croix River, called Indian Township, expressly retaining in the written contract of sale a lien on the timber and grass cut, until the amount due for stumpage thereon is paid. The commissioner shall include in each contract of sale specific restrictions and conditions requiring the cutting to be done in accordance with sound forestry management. The commissioner shall require the purchaser to deliver to him a surety bond in a penal sum equal to the amount of the contract conditioned upon the proper performance of the contract to be executed by a surety company authorized to transact business in the State as surety, the contract and bond to be approved as to form by the Attorney General, and to be filed in the office of the Commissioner of Indian Affairs. Every surveyor appointed by said ~~Director of the Bureau of Forestry~~ commissioner to scale or survey the lumber so sold, before entering on his duties, shall be sworn to the faithful performance of his trust, and shall file a certificate of his oath with the ~~director~~ commissioner. From the gross income from the sale of timber and grass, the ~~Director of the Bureau of Forestry~~ commissioner shall make payment to the Treasurer of State to be allotted to the Bureau of Forestry on the basis of the state-wide annual per acre expenditure for forest fire protection for the last fiscal year for all lands within Indian Township not already paying a Maine Forestry District tax for the prevention, control and extinguishment of forest fires.

Sec. 2. 22 MRSA § 4834, as last amended by PL 1973, c. 460, § 18, is amended by adding a new paragraph at the end to read:

Anyone who cuts timber and grass from Indian Township without the written permission of the Commissioner of Indian Affairs shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$1,000, or by imprisonment for not more than 11 months, or by both.

Effective October 1, 1975

CHAPTER 73

AN ACT to Repeal Provisions Against Obstructions in Windows of Malt Liquor Licensed Restaurants.

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

28 MRSA § 853 is repealed.

Effective October 1, 1975

CHAPTER 74

AN ACT to Allow Class A Restaurants Issued a Special Amusement Permit by the State Liquor Commission to Charge Admission in Designated Areas.

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

28 MRSA § 702, last ¶, as last repealed and replaced by PL 1965, c. 513, § 55, is amended to read: