

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

Sec. 4. 25 MRSA § 2703, sub-§ 5 is enacted to read:

5. **Conformity.** The state, county or municipal authority charged with administering this chapter shall not approve any plan for constructing a public building that does not conform to this chapter.

Effective October 1, 1975

CHAPTER 94

AN ACT Requiring the Ramping of Curbs at Crosswalks for Physically Handicapped and Elderly Persons.

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

23 MRSA § 706, sub-§ 3 is enacted to read:

3. **Physically handicapped; adequate ramping.** Adequate and reasonable access shall be provided for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks throughout the State.

Effective October 1, 1975

CHAPTER 95

AN ACT Relating to the Filing of Criminal Cases.

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

4 MRSA § 173, sub-§ 1, 2nd ¶, is amended to read:

Nothing in this section shall be interpreted to prohibit a court from filing a case upon payment of costs without a conviction; provided, however, that upon motion at any time by either party, the court shall bring a filed case forward and proceed to a disposition of the pending complaint.

Effective October 1, 1975

CHAPTER 96

AN ACT Placing the Secretary to the Attorney General in Unclassified Service of State Government.

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

Whereas, the position of secretary to the Attorney General is in the classified service; and

Whereas, the Attorney General's request to have the position of secretary to the Attorney General placed in unclassified service must be made to the Legislature; and

Whereas, the position of Secretary to the Attorney General has unique responsibilities and confidences due to the nature of the office; and

Whereas, the present position of secretary to the Attorney General is vacant and the present placement of the position of secretary makes it difficult to fill the vacancy; 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:

Sec. 1. 5 MRSA § 711, sub-§ 10, as last amended by PL 1973, c. 625, § 21, is repealed and the following enacted in place thereof:

10. Deputies, assistants and the secretary to the Attorney General of the Department of Attorney General. Deputies, assistants and secretary to the Attorney General of the Attorney General's Department.

Sec. 2. 5 MRSA § 196, last sentence, as last repealed and replaced by PL 1973, c. 711, § 4, is amended to read:

The compensations of the deputy attorneys general, staff attorneys ~~and~~, assistant attorneys general and secretary to the Attorney General shall be fixed by the Attorney General with the approval of the Governor and Council, but such compensations shall not in the aggregate exceed the amount appropriated therefor.

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

Effective March 25, 1975

CHAPTER 97

AN ACT to Clarify the Laws of the Passamaquoddy Tribe of Indians.

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

Sec. 1. 12 MRSA § 2401-B, sub-§ 7, first sentence, as last repealed and replaced by PL 1973, c. 92, is amended to read:

The commissioner (Inland Fisheries and Game) shall issue a hunting, trapping and fishing license to any Indian over the age of 10 years of the Passamaquoddy, Penobscot, Maliseet or Micmac Tribes without any charge or fee, providing the Indian presents a certificate from the ~~Commissioner of Indian~~