

# 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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rate of 6% per year, provided that if the prevailing party at any time requests and obtains a continuance for a period in excess of 30 days interest will be suspended for the duration of the continuance. From and after the date of award, interest shall be allowed at the rate of 10% per year. This section shall not apply to claims involving employees of the State of Maine.

Effective October 1, 1975

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## CHAPTER 139

### AN ACT Relating to the Transfer of Misdemeanor Proceedings without Trial to the Superior Court.

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

Whereas, Title 15, section 2114 was amended by the public laws of 1973, chapter 520 to provide for transfer of criminal prosecutions in the District Court to the Superior Court for jury trial upon election by the defendant; and

Whereas, as a result of such amendment there now exists a considerable backlog of District Court prosecutions on the docket of the Superior Court, impeding the orderly transaction of the business of said court and the administration of justice in said court; and

Whereas, if this Act were effective on May 1, 1975, as herein provided in section 2, instead of 90 days after adjournment, it would permit measures to be taken to ameliorate said situation in a prompt but orderly manner; 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:*

15 MRSA § 2114, as last repealed and replaced by PL 1973, c. 520, is repealed and the following enacted in place thereof:

§ 2114. Defendant may request transfer without trial

In all misdemeanor criminal proceedings before the District Court the defendant may plead not guilty and may seasonably request that the case be transferred without trial to the Superior Court in which event the District Court shall forthwith transfer the case to the Superior Court for disposition as if an appeal under section 2111 of this chapter. Nothing in this section shall prevent a defendant after the transfer of the case to the Superior Court

from waiving his right to jury trial in the Superior Court in which event the case shall be heard by a Justice of the Superior Court without jury.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall become effective on May 1, 1975.

Effective May 1, 1975

## CHAPTER 140

### AN ACT to Repeal the Requirements that Assessors Conduct Annual Inventories of Births, Beekeepers and Dogs.

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

Sec. 1. 7 MRSA § 2503 is repealed.

Sec. 2. 7 MRSA § 3401, as last amended by PL 1973, c. 788, § 31, is repealed.

Sec. 3. 7 MRSA § 3402, as last amended by PL 1973, c. 625, § 43, is repealed and the following enacted in place thereof:

§ 3402. Copies of law posted

The commissioner shall seasonably forward to the clerks of the several municipalities copies of sections 3451, 3452 and 3701 to 3703, and each clerk shall annually, at least 20 days before the first day of April, post said copies in the usual places for posting notices of the annual municipal or town elections.

Sec. 4. 22 MRSA § 2762 is repealed.

Effective October 1, 1975

## CHAPTER 141

### AN ACT to Provide Criminal Penalty for Tampering with Passenger Tramways.

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

17 MRSA § 2509 is enacted to read:

§ 2509. Tampering with passenger tramway

Whoever shall willfully break, injure, tamper with or remove part or parts of any passenger tramway as defined in Title 25, section 1902, shall be punished by a fine of not more than \$500 or by imprisonment for not more than 11 months, or by both.

Effective October 1, 1975