

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

CHAPTER 184

AN ACT Relating to Premiums and Rebates by Class A Restaurants under the Liquor Laws.

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

28 MRSA § 305, last ¶, as enacted by PL 1969, c. 372, is repealed and the following enacted in place thereof:

Nothing in this section shall be construed to prohibit Class A restaurants and hotels from offering special package plans or offering price premiums as a means of promoting attendance on licensed premises.

Licensed clubs may offer prizes, gratuities or other inducements, otherwise legal, as a means of promoting attendance on licensed premises.

Class A restaurants, hotels and clubs may advertise their special package plans.

Effective October 1, 1975

CHAPTER 185

AN ACT Extending the Time During which School Budgets may be Adopted.

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

Whereas, the Legislature is currently considering amendments to the school funding laws that may substantially affect the portion of educational costs borne by property taxes during the current or ensuing fiscal year; and

Whereas, municipalities and school districts are required by law to adopt their annual budgets prior to specified times that may occur before the Legislature has acted upon such amendments; and

Whereas, it is vital that assessments committed for collection during the current or ensuing fiscal year accurately reflect the requirements of the most recent actions of the Legislature in order to avoid hardship or inconvenience to the taxpayers of the State; 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:

20 MRSA § 3717, first sentence, as enacted by PL 1975, c. 15 is repealed and the following enacted in place thereof:

Notwithstanding any provision of statute or charter to the contrary, municipalities, School Administrative Districts and community school districts

shall meet to adopt or adjust school or municipal budgets even though a budget meeting has already been concluded. The budget meeting shall be called following the enactment of the "School Finance Act of 1975" and shall be held no later than May 31, 1975.

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

Effective April 24, 1975

CHAPTER 186

AN ACT Relating to Liability of Natural Gas Distributors.

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

14 MRSA § 165 is enacted to read:

§ 165. Liability of natural gas distributors

A natural gas company or natural gas pipeline company which distributes natural gas shall be held strictly liable for death or injury to persons or damage to property, resulting from explosions or fire occasioned by natural gas escaping from any portion of the natural gas distribution system under its control. There shall be a rebuttable presumption that the natural gas which occasioned said explosion or fire escaped from the portion of said system under its control.

The damages recoverable in such an action shall be reduced to such an extent as the fact finder thinks just and equitable, having regard to the extent that the trier of fact finds that the escape of the natural gas was caused by a natural disaster or by conduct of the claimant, claimant's decedent or a 3rd party; or the explosion or fire was caused by the negligent, reckless, wanton or willful conduct of the claimant, claimant's decedent or a 3rd party.

Effective October 1, 1975

CHAPTER 187

AN ACT Relating to Withdrawal of Good Time for County Jail Inmates.

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

34 MRSA § 952, as last amended by PL 1973, c. 688, is further amended by inserting before the last sentence the following new sentences:

Any portion of the time deducted from the sentence of any inmate for good behavior may be withdrawn by the sheriff for the infraction of any rule of the jail, for any misconduct or for the violation of any law of the State. Such withdrawal of good time may be made at the discretion of the sheriff, who may restore any portion thereof if the inmate's later conduct and outstanding effort warrant such restoration.

Effective October 1, 1975