

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

ARTICLE 9. OFFENSES AND PENALTIES

§ 2037. Offenses

It is unlawful for any person to:

1. Unlicensed. Operate, maintain, direct or engage in the business of operating a medical laboratory, as defined, unless he has obtained a medical laboratory license from the department;

2. Unsupervised. Conduct, maintain or operate a medical laboratory unless such medical laboratory is under the direct and responsible supervision and direction of the person possessing those qualifications required by Article 6.

§ 2038. Penalties

The performance of any of the acts specified in section 2037 shall constitute a misdemeanor punishable, upon conviction, by a fine of not less than \$50 nor more than \$500, or by imprisonment for not more than one year, or by both.

ARTICLE 10. INJUNCTIONS

§ 2039. Injunction

The operation or maintenance of an unlicensed medical laboratory, in violation of this Act, is declared a nuisance inimical to the public health, welfare and safety. The department, in the name of the people of the State of Maine, through the Attorney General, may, in addition to other remedies provided, bring an action for an injunction to restrain such violation or to enjoin the future operation or maintenance of any such medical laboratory unless compliance with this Act has been obtained.

ARTICLE 11. APPEALS

§ 2040. Appeal

Any person aggrieved by a decision of the department or the commission may appeal to the Administrative Court Judge under Title 5, chapters 301 to 307.

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

Effective May 5, 1975

CHAPTER 219

AN ACT Concerning the Registration of Certain Pickup Trucks.

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

29 MRSA § 242, sub-§ 1, ¶ A, as last amended by PL 1965, c. 304, is further amended by adding at the end a new paragraph to read:

For the purposes of registration only, a privately-owned pickup truck, which is not used in any way in connection with a commercial enterprise, may be

registered as provided herein for automobiles provided that at no time shall the gross weight of a pickup truck so registered exceed 6,000 pounds when used as a motor truck or truck tractor. The owner of such a pickup truck desiring a gross weight in excess of 6,000 pounds shall register the same as provided in section 246.

Effective October 1, 1975

CHAPTER 220

AN ACT Relating to Throwing Objects at Emergency Vehicles under the Malicious Mischiefs Law.

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

17 MRSA § 2494 is amended by adding a new sentence at the end to read:

If, in fact, the vehicle was a police, fire, ambulance or other emergency conveyance, the person whoever, in fact, propels by any means any substance or missile at any police, fire, ambulance or other emergency vehicle, shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 6 months, or by both.

Effective October 1, 1975

CHAPTER 221

AN ACT Relating to the Lease or Acquisition of Certain Railroad Lines by the Department of Transportation.

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

23 MRSA § 4207 is enacted to read:

§ 4207. Railroads; lease or purchase of certain railroad lines by the Department of Transportation

1. Definition of term "railroad line." Unless otherwise defined in this section, the term railroad line or lines shall be construed to mean the right-of-way, track, track appurtenances, ties, bridges, station houses and other appurtenant structures.

2. Temporary lease and contracts for continuation of service on certain railroad lines. The Department of Transportation may enter into a contract with a railroad and its duly constituted officers, trustees or owners for the temporary lease of railroad lines or any part thereof, located in the State of Maine, owned or otherwise lawfully controlled by said railroad for which