

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

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

abandonment has been authorized by a duly constituted authority, state or federal, when in the judgment of the Department of Transportation the preservation of said railroad line or lines is necessary to protect the public interest. When in the judgment of the Department of Transportation the economic well-being of the State of Maine, or a significant portion thereof, will be impaired by the discontinuance of rail service over the railroad line or lines that have been authorized for abandonment, the Department of Transportation may contract for the continued operation of rail service over said line or lines on a temporary basis under rules and regulations to be prescribed by the department after notice and hearing at which interested parties have an opportunity to express their views, and upon such terms and conditions as the Department of Transportation and the owner of the railroad may agree upon. The leases authorized herein may be made to cover the right-of-way only or may cover the line intact, including the track, track appurtenances, ties, bridges, station houses and other necessary structures. Contracts for continuation of rail service may be made to include the lease of the line and may provide for service on less than a daily basis. The department shall report to the next session of the Legislature with a recommendation for disposition of the leased or subsidized lines.

3. Purchase of certain railroad lines. The Department of Transportation is authorized to purchase under such terms and conditions as the department and the owners of the railroad may agree upon and hold for the State railroad lines or any part thereof located in the State of Maine, owned or otherwise lawfully controlled by said railroad when in the judgment of the department the purchase of such railroad lines is necessary to protect the public interest. The Department of Transportation may purchase the right-of-way only of such line or lines which it shall hold and manage for future transportation use or it may acquire the railroad line intact including track, track appurtenances, ties, bridges, station houses and other necessary structures.

4. Cooperation, acceptance and use of federal, state, local or private funds. The Department of Transportation is authorized and empowered to accept, for the State of Maine, federal funds that may be apportioned under the "Regional Rail Reorganization Act of 1973," (87 Stat. 985) as amended and supplemented, other federal funds, state funds and such municipal funds and private funds as may be available; to act for the State, in conjunction with the representatives of the Federal Government, municipal governments and private groups having a direct interest, in all matters relating to the acquisition or lease of railroad line or lines in the State of Maine and contracts for rail service continuation over railroad lines as provided in this section.

Effective October 1, 1975

CHAPTER 222

AN ACT Concerning the Definition of Child and Student under the Workmen's Compensation Statute.

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

39 MRSA § 2, sub-§ 4, ¶ C, as last amended by PL 1973, c. 788, § 219, is repealed and the following enacted in place thereof:

C. A child or children, including adopted and stepchildren, under the age of 18 years, or under the age of 23 years if a student, or over the age of 18