

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

years but physically or mentally incapacitated from earning, upon the parent with whom he is or they are living, or upon whom he is or they are actually dependent in any way at the time of the injury to said parent, there being no surviving dependent parent, "child" shall include any posthumous child whose mother is not living and dependent. In case there is more than one child dependent, the compensation shall be divided equally among them.

The term "student" means a person regularly pursuing a full-time course of study or training at an institution which is:

- (1) A school, college or university operated or directly supported by the United States, or by any state or local government or political subdivision thereof;
- (2) A school, college or university which has been accredited by a state or by a state recognized or nationally recognized accrediting agency or body;
- (3) A school, college or university not so accredited but whose credits are accepted, on transfer, by not less than 3 institutions which are so accredited, for credit on the same basis as if transferred from an accredited institution;
- (4) An additional type of educational or training institution as defined by the commission, but not after he reaches the age of 23 or has completed 4 years of education beyond the high school level, except that, where his 23rd birthday occurs during a semester or other enrollment period, he shall continue to be considered a student until the end of such semester or other enrollment period. A child shall not be deemed to have ceased to be a student during any interim between school years if the interim does not exceed 5 months and if he shows to the satisfaction of the commission that he has a bona fide intention of continuing to pursue a full-time course of education or training during the semester or other enrollment period immediately following the interim or during periods of reasonable duration during which, in the judgment of the commission, he is prevented by factors beyond his control from pursuing his education. A child shall not be deemed to be a student under this Act during a period of service in the Armed Forces of the United States.

Effective October 1, 1975

CHAPTER 223

AN ACT Concerning the Acquisition, Maintenance and Replacement of Multi-level Private Parking Facilities under the Municipal Securities Approval Act.

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

Sec. 1. 30 MRSA § 5325, sub-§ 1, as last amended by PL 1971, c. 210, § 1, is repealed and the following enacted in place thereof:

1. Revenue-producing industrial-commercial, pollution-control or recreational projects and multi-level parking facility. To acquire, construct, recon-

struct, renew and replace industrial-commercial, pollution-control, recreational and combined projects, and multi-level private parking facilities within or partly within the corporate limits of the municipality;

Sec. 2. 30 MRSA § 5325, sub-§ 4, as last amended by PL 1971, c. 210, § 1, is repealed and the following enacted in place thereof:

4. Acquisition of property. The municipal officers are authorized and empowered to acquire from funds provided under the authority of this chapter such lands, structures, property, rights, rights-of-way, franchises, easements and other interests in lands, including lands lying under water and riparian rights, which are located within the State as it may deem necessary or convenient for the construction or operation of any industrial-commercial, pollution-control, recreational or combined project, and any multi-level private parking facility upon such terms and conditions as they shall deem reasonable and proper, and to dispose of any of the foregoing in the exercise of its powers and the performance of its duties under this chapter;

Sec. 3. 30 MRSA § 5325, sub-§§ 6 and 7, as last amended by PL 1971, c. 618, § 12, are repealed and the following enacted in place thereof:

6. Government contracts. To enter into contracts with the State or the Federal Government or any agency or instrumentality thereof, or with any other municipality providing for or relating to an industrial-commercial, pollution-control, recreational or combined facility, or a multi-level private parking facility; provided, in the case of contracts with the Federal Government involving pollution-control facilities, that the consent of the Board of Environmental Protection is first obtained, such board being authorized to grant such consent notwithstanding Title 38, section 362;

7. Government aid. To accept from any authorized agency of the State or the Federal Government loans or grants for the planning, construction or acquisition of any industrial-commercial, pollution-control, recreational or combined facility or any multi-level private parking facility and to enter into agreements with such agency respecting any such loans or grants, and to receive and accept aid and contributions from any source of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such loans, grants and contributions may be made; provided, in the case of loans, grants or other aid from the Federal Government involving pollution-control facilities that the consent of the Board of Environmental Protection is first obtained, such board being authorized to grant such consent notwithstanding Title 38, section 362; and

Sec. 4. 30 MRSA § 5331, sub-§ 1, first sentence, as last amended by PL 1973, c. 633, § 21, is further amended to read:

Upon receipt of the certificate of approval from the authority as provided in section 5328, the municipal officers of any municipality are authorized to provide by resolution, at one time or from time to time, for the issuance of revenue obligation securities of the municipality for the purpose of paying the cost of acquiring, constructing, reconstructing, renewing or replacing any revenue-producing industrial-commercial, pollution-control, recreational or combined project, or a multi-level private parking facility, provided no revenue obligation securities of a municipality shall be issued until the general purpose or purposes for which the securities are to be issued and the maxi-

imum principal amount of such securities to be authorized have been approved by ballot by a majority of the votes cast on the question and the number of votes cast is at least 20% of the total vote for all candidates for Governor cast in the municipality at the last gubernatorial election.

Sec. 5. 30 MRSA § 5340, as last amended by PL 1973, c. 315, § 4, is repealed and the following enacted in place thereof:

§ 5340. Leasehold or other interests of lessee taxable

The leasehold or other interest of the lessee of any industrial-commercial, pollution-control, recreational or combined project or any multi-level private parking facility is subject to taxation in the manner provided for similar interests in Title 36, section 551, subject to Title 36, sections 655 and 656.

Sec. 6. 30 MRSA § 5341, as last amended by PL 1971, c. 210, § 17, is repealed and the following enacted in place thereof:

§ 5341. Purpose

It is declared that there is a state-wide need for industrial-commercial, pollution-control, recreational and combined projects, and for multi-level private parking facilities to provide enlarged opportunities for gainful employment by the people, to restore purity to the air, the water or the earth of the State which are fouled with, among other things, industrial and other waste materials and pollutants, to more adequately serve the working people of this State, and to provide a more healthy environment and thus to insure the preservation and betterment of the economy of the State and the living standards and health of its inhabitants.

Effective October 1, 1975

CHAPTER 224

AN ACT Relating to School Buses.

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

29 MRSA § 2020, as enacted by PL 1973, c. 780, § 4, is repealed and the following enacted in place thereof:

§ 2020. Exception

School buses which are operated by a motor carrier holding a certificate of public convenience from the Public Utilities Commission, while transporting school children, shall comply with all of the requirements of school buses, except that they shall be exempted from the vehicle color requirements. School buses which are operated by a transit district shall be exempted from the emergency door, lateral seating and color requirements of this subchapter.

Effective October 1, 1975